IN THE COURT OF CHIEF JUDICIAL MAGISTRATE , KALPETTA, WAYANAD

Present: Sri.Ubaidulla C, Chief Judicial Magistrate, Kalpetta

Thursday, this the 26th day of March 2026
5th day of Chaithra 1948(S.E)

CALENDAR CASE NO 87/2018

Complainant	-	State represented by the Detective Inspector, CBCID EOW III Kozhikode in CBCID Crime No.846/CR/2011 (Pulpally Police Station Cr.No.37/2016) (By Sri.Nowshad M.A, D.D.P)
Accused	A1	Bizzare Marketing System Private Limited. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.
	A2	Bizzare Global Marketing System Private Limited. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.
	A3	Bizzare Business Corporation Private Limited Company. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.
	A4	Bizzare International Business Private Limited Company. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.
	A5.	Abdul Arshad S/o.Saidu Muhammed, Aged 35/11, Kanhirikkampalli House, Udayanapuram Post, Vaikkom, Kottayam.

A6 George Alaxander S/o.Mathew Alaxander, Aged 51/11, Iduvanparasmattam House, Mundumala Post, Pathanamthitta.

A7. K.T.Gopinathan S/o.velayudhan Nair, Aged 51/12, Karuvarathodi House, Kolazhi Post, Mulankunnathukavu, Thrissur.

A8 Dayal Menon S/o.Balakrishnan Nair, Aged 39/11, Krishnarchana Pattiyil House, Arimboor Post, Thrissur.

A9 Kunhumuhammed S/o.Kunhalan, Aged 43/11, Poovathodi House, Vattaloor Post, Kuruva Amsom, Malappuram.

A10 Noushad S/o.Saidu Muhammed, Aged 30/11, Kanhirikkampalli House, Udayanapuram Post, Vaikkom, Kottayam.

A11 Niji Arshad S/o.Abdul Arshad, Aged 25/11, Kanhirikkampalli House, Udayanapuram Post, Vaikkom, Kottayam.

A12 Jisha Mol Byju Aged 28/11, Thazhe Palliyil House, Parapoor Kottayil, Charumangalam, Mayithara.

A13 Maya Premlal Aged 32/11, Pathivakkal House, T.V.Puram Post, Vaikkom, Kottayam.

A14 Beena Gopinathan Aged 43/11, Nandanam, Koduvarathodi House, Wilvattam House, Thrissur

A15 Pradeep P.B S/o.Balakrishnan, Aged 33/11, Ponnakathu House, Chirakkumvayal, Cheeral, Bathery.

A16 Pratheesh Chacko S/o.Chacko, Aged 33/11, Vellamattam House, Nagaramchal, Noolpuzha, Bathery.

A17	Babu Rajan S/o.Achuthan, Aged 39/11, Chirakkumvayal House, Cheeral, Bathery.
A18	Abraham T.A S/o.Abraham T.C, Aged 66/11, Thekke Koottu House, Shed, Cheeyambam, Bathery.
A19	Thomas P.M S/o.Mathayi, Aged 45/12, Pakkanal House, Manalvayal Post, Pulpally, Wayanad.
A20	Aneesh C S/o.Gopalakrishnan, Aged 32/11, Sai Krishna House, Mahila Samajam Road, Guruvayoor.
A21	Sasidharan K.V S/o.Velu, Aged 56/11, Kallingal House, Ayanthol, Kovilakam Parambu Road, Thrissu.r
A22	Manoj M.C S/o.Cheriyan, Aged 39/11, Manalil House, Kottala Post, Hilpadi, Thrissur.
A23	Ratheesh K.S S/o.Sadanandan, Aged 25/11, Kalladathu House, Puthoor Post, Kainoor, Thrissur.

(By Adv.M.C.M.Jamal)

Offence	-	u/s 420 r/w 34 of Indian Penal Code and Section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978
Plea	-	'Not Guilty'
Finding	-	'Not Guilty”
Sentence or order	-	A1 to A5, A7, A9 to A23 are found not guilty of the offences punishable under section 420 r/w 34 of Indian Penal Code and Section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978 and they are acquitted under section 248(1) Cr. P.C.

Charge against A6 and A8 is abated.

This case having been heard finally and stood over to this day's proceedings, the Court passed the following:

J U D G M E N T

1. This case arose on a final report filed by the Detective Inspector, CBCID EOW III Kozhikode against the accused alleging offences punishable u/s 420 r/w 34 of Indian Penal Code and Section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978 in CBCID Crime No.846/CR/2011 (Pulpally Police Station Crime No.37/2016)

2. **Case of the prosecution in brief**:- The accused in furtherance of their common intention to cheat CW1 to CW17 made a false representation that if they became member in the Bizzare Group of Companies by depositing Rs.5,500/-(Rupees five thousand and five hundred only) each they will be getting discount vouchers which can be used in the supermarkets of the company to purchase goods at a very law price and if they induct more persons as members in the company each couple will be getting Rs.1000/-(Rupees one thousand only) each and they will be getting up to Rs.1,00,000/-(Rupees one lakh only) every week. CW1 deposited total Rs..14,250/- (Rupees fourteen thousand two hundred and fifty only) and CW2 to CW7 deposited Rs.8750/- each. The accused illegally

conducted money circulation scheme as well as money chain business. The accused collected almost 123 crores from the share holders and thereafter cheated CW1 to CW7 by not repaying the amount. Hence the accused are alleged to have committed the above mentioned offences.

3. On filing of the final report cognizance was taken for the offences punishable u/s 420 r/w 34 of Indian Penal Code and section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978. On appearance of A1 to A5, A7, A9 to A23 bail was granted to them and copies of records were furnished to the accused u/s 207 of Cr.P.C. After hearing both sides, charge u/s 420 r/w 34 of Indian Penal Code and section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978 was read and explained to the accused A1 to A5, A7, A9 to A23 to which they pleaded not guilty and they claimed to be tried. A6 and A8 are no more. Thereafter the case was posted for the evidence of prosecution. On the side of prosecution PW1 to PW7 were examined and Ext.P1 was marked. CW5 is reported at abroad. Hence his presence could not be secured. CW5, CW8 CW50 were given up by the learned Deputy Director of Persecution.

4. As the material witnesses examined by the prosecution did not speak anything incriminating against accused, examination of accused under section 313 (1) (b) of the Code of Criminal Procedure was dispensed with. Thereafter accused were called upon to enter upon their defence and adduce evidence if any. No evidence was adduced on the side of the accused.

5. Heard both sides.
6. Points that arise for consideration are:-

1. Did the accused cheated CW1 to CW7 by making a false representation that they can earn more money by becoming members in the company and also by purchasing the shares of the company and thereafter cheated them **?**
2. Did the accused conducted money circulation scheme unlawfully **?**
3. Are the accused liable to be convicted for the offences punishable u/s 420 r/w 34 of Indian Penal Code and Section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978 **?**
4. If so, what shall be the proper sentence or order to be imposed on the accused **?**

7. **Point No.1 to 3**:- PW1 who preferred the complaint was marked as Exbt.P1. PW1 stated that he remitted Rs.14,250/- (Rupees fourteen thousand two hundred and fifty only) in the company and she received back the amount. PW1 stated that she was not cheated by the accused and the matter has been settled and she has no complaint against the accused. PW2 stated that she deposited Rs.14,250/- (Rupees fourteen thousand two hundred and fifty only) in the company and she received back the amount and she was not cheated by the accused. PW3 stated that she deposited

Rs.14,250/- (Rupees fourteen thousand two hundred and fifty only) in the company and she also received back the amount and he was not cheated by the company. PW4 stated that she deposited Rs.12,375/- (Rupees twelve thousand three hundred and seventy five only) in the company and he received back the amount. He also stated that he was not cheated by the accused. PW5 stated that he deposited Rs.12,000/- (Rupees twelve thousand only) in the company and he received back the amount and the accused have not cheated him. PW6 stated that she deposited Rs.14,250/- in the company and she received back the amount and the accused have not cheated her. All these witnesses stated that the matter has been settled and they have no compliant against the accused. PW7, Detective Inspector, Crime Branch, Kozhikode deposed that he filed Exbt.P2 report before the Court to add CW14 and CW15 in the witness list and after completing investigation he filed final report before the Court.

8. As I have stated above, material witnesses examined by the prosecution have not supported the case of the prosecution. No evidence has been adduced by the prosecution to prove that the accused have committed the offences charged against them. Therefore, I find that prosecution has failed to prove the offences levelled against the accused. So the accused are entitled for acquittal. So these points are found against the prosecution.

9. **Point No.4**: In view of my finding on point No.1 to 3 it is clear that the prosecution has failed to prove the offences levelled against accused and as a result no punishment would be imposed on them.

10. In the result, A1 to A5, A7, A9 to A23 are found not guilty of the offences punishable under section 420 r/w 34 of Indian Penal Code and Section 4, 5 and 6 of Prize Chits and Money Circulation Scheme (Banning) Act, 1978 and they are acquitted under section 248(1) Cr. P.C. Bail bonds of accused shall stand cancelled and they are set at liberty forthwith. Charge against A6 and A8 are abated.

(Dictated to the Confidential Assistant, transcribed and prepared by her in computer, corrected and pronounced by me in open court this the 26th day of March 2026)

CHIEF JUDICIAL MAGISTRATE
KALPETTA

APPENDIX

WITNESS EXAMINED FOR COMPLAINANT:

PW1 - Kuryan A.T S/o.Thomas
PW2 - Ammini W/o.Kuryan
PW3 - Gracy W/o.Kuryan
PW4 - Basheer K S/o.Abu
PW5 - Thomas V.D S/o.Devassya
PW6 - Ramani W/o.Viswanathan
PW7 - Rameshan V, Detective Inspector, CBCID EOW-II, Kozhikode

EXHIBITS MARKED FOR COMPLAINANT:

Exbt.P1	-	07/08/2011	F.I.Statement (Proved through PW1)
Exbt.P2	-	--	Report to add CW14 and CW15 in the witness list (Proved through PW7)

WITNESS EXAMINED FOR DEFENCE:- NIL

EXHIBITS MARKED FOR DEFENCE :- NIL

CHIEF JUDICIAL MAGISTRATE
KALPETTA

Statement under rule 132 of Criminal Rules of Practice

1.	Case No.	-	CC.87/2018
2.	Name of complainant and Crime No.	-	Detective Inspector, CBCID EOW III Kozhikode in CBCID Crime No.846/CR/2011 (Pulpally Police Station Cr.No.37/2016)

DESCRIPTION OF ACCUSED

Sl.No	Name	Father's name	Occupation	Residence	Age
A1	Bizzare Marketing System Private Limited. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.				

A2	Bizzare Global Marketing System Private Limited. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.				
A3	Bizzare Business Corporation Private Limited Company. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.				
A4	Bizzare International Business Private Limited Company. Represented by M.D Abdul Arshad, Deshabhimani Road, Elamakkara, Kaloor, Kochi.				
A5	Abdul Arshad	Saidu Muhammed	--	Vaikkom	35/11
A6	George Alaxander	Mathew Alaxander	--	Pathanamthitta	51/11
A7.	K.T.Gopinathan	Velayudhan Nair	--	Thrissur	51/12
A8	Dayal Menon	Balakrishnan Nair	--	Thrissur	39/11
A9	Kuhumuhamed	Kunhalan	--	Thrissur	39/11
A10	Noushad	Saidu Muhammed	--		
A11	Niji Arshad	Abdul Arshad	--	Vaikkom	25/11
A12	Jisha Mol Byju		--	Mayithara	28/11
A13	Maya Premlal		--	Kottayam	32/11
A14	Beena Gopinathan		--		
A15	Pradeep P.B	Balakrishnan	--	Cheeral	33/11
A16	Pratheesh Chacko	Chacko	--	Bathery	33/11
A17.	Babu Rajan	Achuthan	--	Bathery	39/11

A18	Abraham T.A	Abraham T.C	--	Bathery	66/11
A19	Thomas P.M	Mathayi	--	Pulpally	66/11
A20	Aneesh C	Gopalakrishnan	--	Guruvayoor	32/11
A21	Sasidharan K.V	Velu	--	Thrissur	56/11
A22	Manoj M.C	Cheriyan	--	Thrissur	39/11
A23	Ratheesh K.S	Sadanandan	--	Thrissur	25/11

DATE OF

8. Offence	-	Year 2011
9.Complaint	-	14/02/2017
10.Apprehension	-	29/11/2011 (A5,A9)
		06/06/2012(A7)
		19/11/2011 (A15,A16,A17)
		18/06/2019(A1 to A23)
11. Release on bail	-	07/12/2011 (A5,A9)
		23/08/2012(A7)
		02/12/2011(A15,A16,A17)
		18/06/2019(A1 to A23)
12.Commencement of trial	-	10/01/2024
13.Close of trial	-	25/03/2026
14.Sentence or order	-	25/03/2026
15.Service of copy of Judgment finding on accused	-	
16. Explanation for delay	-	--

CHIEF JUDICIAL MAGISTRATE
KALPETTA