

പതിമൂന്നാം കേരള നിയമസഭ
പത്താം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ - 214

06.01.2014-ൽ മറുപടിയുണ്ടായിരുന്നത്

ശ്രീ. എം. കെ. കുരുവിളയുടെ പരാതിയിൻമേലുള്ള ഹൈക്കോടതി പരാമർശം

ചോദ്യം

ശ്രീ. എം. ചന്ദ്രൻ

ഉത്തരം

ശ്രീ. രമേശ് ചെന്നിത്തല

(ആഭ്യന്തരവും, വിജിലൻസും വകുപ്പ് മന്ത്രി)

(എ) ബാംഗ്ലൂരിലെ വ്യവസായി ശ്രീ. എം. കെ. കുരുവിളയുടെ പരാതിയിൽ മുഖ്യമന്ത്രിക്കെതിരെ അന്വേഷണം നടത്തുകയുണ്ടായിട്ടുണ്ടോ എന്ന കേരള ഹൈക്കോടതിയുടെ ചോദ്യത്തിന് ഹൈക്കോടതിയിൽ നൽകിയിരുന്ന മറുപടി എന്തായിരുന്നുവെന്ന് വ്യക്തമാക്കാമോ;

(ബി) ഇത് സംബന്ധമായി നൽകപ്പെട്ട സത്യവാങ്മൂലത്തിന്റെ പകർപ്പ് ലഭ്യമാക്കാമോ ?

(എ) മുഖ്യമന്ത്രിക്കെതിരെ അന്വേഷണം നടത്തുകയുണ്ടായിട്ടുണ്ടോ എന്ന് കേരള ഹൈക്കോടതി ചോദിച്ചിട്ടില്ല.

(ബി) സത്യവാങ്മൂലത്തിന്റെ പകർപ്പ് അനുബന്ധമായി ചേർത്തിരിക്കുന്നു

M. C. K.

✓ സെക്ഷൻ ഓഫീസർ

BEFORE THE HON'BLE HIGH COURT OF KERALA
AT ERNAKULAM

W.P. (C) No. 9619 OF 2013

Sri. M. K. Kuruvilla : Petitioner

Vs.

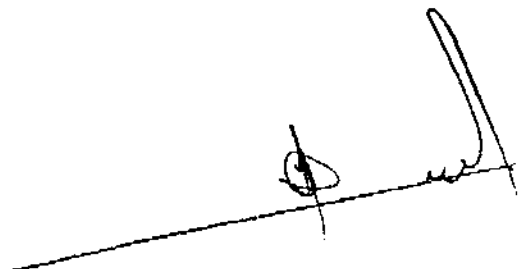
Binu & Others : Respondents

**STATEMENT FILED BY BIJO ALEXANDER, ASST. COMMISSIONER OF
POLICE, THRIKKAKARA, ON BEHALF OF THE 4TH RESPONDENT AS
DIRECTED BY THIS HON'BLE COURT ON 7.6.2013**

I humbly submitted that in this matter a case has been registered at Thrikkakara Police Station as Cr.1639/12 u/s 406, 420 and 34 IPC on the strength of the complainant Kuruvilla and now the case is being investigated by me as per the order of the Dy. Commissioner of Police (L/O & Traffic), Kochi City, since it is the case is of serious nature.

2. The case in brief is that accused committed criminal breach of trust and cheated the complainant by make him believe that he is a promoter of the project received by SCOSSA Educational Consultancy Pvt Ltd, company owned by A1 and the government sanctions and technical assistance will be arranged with the influence of A2 and A3 and thereby received an amount of Rs.10035000/- at various times from 2011 June onwards and the accused neither materialized the project nor returned his money and thereby cheated the complainant.

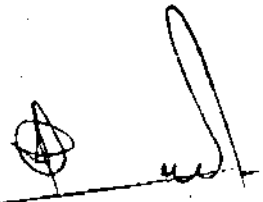
3. I further submit that as a part of the enquiry, I have collected statements from the complainant, the accused persons (A1 Binu C. Nair, A2 Andrews and A3 Deljith) and witnesses (Binish, Bijeesh and Thomas).



4. I humbly further submit that, on enquiry it is found that the complainant is a business man and is the promoter of Kerala sector of Bangalore based Pan Asia Money Chain Company. Binu C. Nair (A1) is the proprietor of Scossa Educational Consultant (P) Ltd., which deals with providing admission for foreign education and Andrews (A2) and Deljith (A3) are his friends.

5. Through the brother (Biju) of A1, the complainant got in connection with Deljith (A3) residing at Preambra, Chalakkudy and Bijeesh, Bineesh (friends of A3) and some other people joined the Pan Asia Money Chain Company. Deljith deposited Rs.1,75,000/- and Binu & Biju jointly invested Rs.35,00,000/- and effected joining of various other people and they also invested cash in the firm. Complainant is the director of the money chain company.

6. The money chain firm ^{wounded} winded up suddenly by not giving back the money to the investors. To get back the money, A1 contacted his friend Andrews (A2), native of Puthuppally and working at Abudabi and the complainant, Binu (A1), Deljith and Biju (Witnesses) went to Delhi and tried to get back the money using the influence of A2 in Delhi. Deljith (A2) reached Delhi and made conversation with the complainant and A1 and also consulted political leader and senior police officers which caused expenditure of Rs.25,00,000/-. In this regard, the complainant given Rs.14,00,000/- to A1 and he expended it. Even after this, they didn't get back the money from Pan Asia Company and the complainant asked A1 to return the expended money and quarreled each other. The complainant made investments from various people in the name of Pan Asia Money Chain Company and since the company stop functioning the complainant didn't able to give back the money to the investors.



7. To consult the possibility of making ~~the possibility of making~~ KSEB as the nodal agency for a Hydro Electric Power Project at Arunachal Pradesh, Binu (A1), Andrews (A2), his friend Thomas met Sri. Oommen Chady, The Hon'ble Chief Minister of Kerala at his house at Puthuppally with the help of one Rajesh (Cousin of A2) and Rajesh's friend one Jubin on March 2012 and fixed an appointment with Chairman, KSEB and he has denied the chance of making KSEB as the nodal agency. It is revealed from the statement of Andrews (A2) that, no matter in connection with Solar Power Projects was consulted with the Hon'ble Chief Minister. The complainant has not submitted any documents in connection with Solar Power Projects and of the amount (Rs.1,00,35,000/-) which the complainant says that he has given to the accused.

8. The complainant and the accused made the above mentioned trips to Delhi, and also stopped the project by knowing that it is not possible, when the complainant and the accused were friends. According to the investigations so far conducted. The complainant is sticking on the FIS and his further statement dated 30.10.2012.

9. According to the version of the accused they are unanimously denying all the allegations of the complainant and in turn they stating that A3 and his friends Bineesh and Bijeesh together deposited Rs.36,75,000/- in the money chain business namely Pan Asia of the complainant and they canvassed many together investors and they also invested money in the business. The money chain company blasted and resulted in the loss of money to all investors. A3 stating that all money was transferred to the accounts of complainant from his account and subsequently A3, Bineesh and Bijeesh contacted the complainant and pressed him to return the money they invested. The A1 and A3



contacted A2 who has good influence in Delhi among politicians and officials to find out some way to recover the money. Then A1 and A3 and the said Bijeesh and Bineesh along with complainant jointly met A2 at Delhi. A2 told them that their efforts will incur expenditures which is to be paid to various officials and politicians. Complainant, Bijeesh and Bineesh agreed to raise that amount and they together collected around Rs.25 lakhs and handed over to A1, who in turn gave it to A2 and he paid it to various persons in Delhi. But their efforts to recover the money from company failed which in turn resulted in loss of money expended at Delhi. A2 in his statement further admits that he once meet the Chief Minister of Kerala at his residence at Puthiuppally along with A1 and one Thomas in the reference of one Rajesh and Jubin to discuss the scope of KSEB to work as the Nodal Agency of Hydro Electric Project in Arunachal Pradesh and accordingly to his direction they met Chairman of KSEB, but he declined the proposal and subsequently they dropped the project. A2 admitted that he has collected money from A1 and expended on Delhi. He also states that complainant had given a petition to one Chandrasekhar Yadav, a congress party leader in Delhi.

10. It is submitted that the versions of the accused were corroborated by independent witnesses like Bineesh, Bijeesh and Thomas. In turn the complainant hid his previous transactions and business with the said Bijeesh, Bieesh and A3. Moreover, he could not produce any documents like a project report, or any he could not even give the name of the foreign company providing technical company assistance. It seem highly improbable for an experienced person like the complainant investing more than cores without going through the preliminary details and documents. According to the version of the accused and witnesses the complainant came forward with this crime



case to prevent them from lodging complaint or initiating criminal action against him to get their money they invested in Pan Asia.

It is further submitted that detailed investigation is required in this case by questioning all connected witnesses, verifying the bank statements and travel records of the complainant and accused etc. investigations are to be conducted in and outside Kerala.

Dated this the 13th day of June, 2013.


BIJO ALEXANDER
ASSISTANT COMMISSIONER OF POLICE
THRIKKAKARA, COCHI CITY

RAJESH VIJAYAN
GOVERNMENT PLEADER

RS.6

170/2013
മുഖ്യ മന്ത്രി