

**IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR. JUSTICE A. BADHARUDEEN**

**Wednesday, the 8<sup>th</sup> day of October 2025 / 16th Aswina, 1947  
CRL.MC NO. 7557 OF 2025  
**CRIME NO.2/2025 OF VACB, ALAPPUZHA****

**PETITIONER(S)/ACCUSED**

1. SUDHI.P.D., AGED 50 YEARS, S/O.DINAKARAN, PARAMBIL HOUSE, CHATHANAD, AVALOOKUNNU.P.O, ALAPPUZHA DISTRICT, PIN - 688006.
2. SUBASH.S, AGED 52 YEARS, S/O LATE SUKUMARAN, NELLIKKLAD, NEDUMUDI.P.O, ALAPPUZHA DISTRICT, PIN - 688505.

**RESPONDENT(S)/STATE/COMPLAINANT**

1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031.
2. THE DEPUTY SUPERINTENDENT OF POLICE, VIGILANCE & ANTI-CORRUPTION BUREAU, ALAPPUZHA, PIN - 688001.
3. ADDL R3.M.JAYASURYA, S/O.M.V.KRISHNAN NAMBOOTHIRI, PATTAMANA ILLAM, CHAKKULATHUKAVU, THALAVADI VILLAGE, KUTTANAD TALUK, ALAPPUZHA DISTRICT[IS SUO MOTU IMPEADED AS ADDITIONAL R3 AS PER ORDER DATED 08.10.2025 IN CRL M.C 7557/2025]

This Criminal Miscellaneous Case again coming on for orders, upon perusing the petition and this Court's order dated 06.10.2025 in Crl.M.C 7557 of 2025 and upon hearing the arguments of M/S.V.SETHUNATH, THOMAS ABRAHAM, SREEGANESH U., LAKSHMINARAYAN.R & GAUTHAM KRISHNAN K.G., Advocates for the petitioners and of the PUBLIC PROSECUTOR for the R1 & R2, the Court passed the following:

**A.BADHARUDEEN, J.**

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**Crl.M.C.No.7557 of 2025**  
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**Dated this the 08<sup>th</sup> day of October, 2025**

**ORDER**

In this matter, as directed by this Court, the Deputy Superintendent of Police and the Inspector of Police, who are investigating this case, appear. They are appraised of the report filed by the Investigating Officer, deleting the offence under Section 7(a) of the Prevention of Corruption (Amendment) Act, 2018 (for short, 'the PC (Amendment) Act, 2018' hereinafter) and incorporating the offence under Section 15 of the PC (Amendment) Act, 2018 and they have conceded the mistake.

2. In the facts of the case, the offence under Section 15 of the PC (Amendment) Act, 2018, would not attract, in any manner. Then, the investigation shall be confining the same to the offence under Section 7(a). But shockingly, the said offence was deleted on the finding that

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the said offence not made out. Then, what is to be investigated?

3. The proceedings would throw light on a grave mistake as far as the fundamental fact of the case is concerned and should not have happened from officers dealing with offence under the Corruption law, as the same have serious and dangerous ramifications. These aspects are to be seriously considered while posting officers in the Vigilance and Anti-Corruption Bureau (VACB) hereafter.

4. In this matter, the demand for bribe, though not accepted, pertaining to the fixation of land value for 12 cents of property, for which, the de facto complainant has been paying Kuthakapattom and for assigning the same an application has been filed, is the crux of the prosecution allegation.

5. According to the learned counsel for the petitioner, when the petitioner was authorized to fix the land value for the purpose of assignment of the said land, as per Annexure A24, he has fixed a total amount of Rs.45,29,030/- for assigning the property after fixing

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Rs.7,25,806/- as the basic value of the property with an increase of 30% percentage, thus arriving an amount of Rs.9,43,548/-. It is submitted by the learned counsel for the petitioner that this report was filed as early as on 15.04.2025. Since substantially a higher amount was recommended by the petitioner, subsequent demand for bribe either on 30.4.2025 or on 07.05.2025, as alleged by the prosecution, is highly improbable and thus the entire prosecution case is without basis.

6. Having gone through the facts involved, it is necessary to implead the de facto complainant also in this case to consider the prayer in the petition by addressing the grievance of the parties. Therefore, Sri.M.Jayasurya, S/o.M.V.Krishnan Namboothiri, Pattamana Illam, Chakkulathukavu, Thalavadi Village, Kuttanad Taluk, Alappuzha District, is *suo motu* impleaded as additional 3<sup>rd</sup> respondent, with direction to the Investigating Officer to issue notice to him to appear before this Court on 15.10.2025.

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7. Post on 15.10.2025. Further steps with regard to obtaining of the FSL report regarding the pendrive etc., stand deferred till 15.10.2025.

Registry is directed to forward a copy of this order to the Director General of Police, and the Director, Vigilance and Anti-Corruption Bureau, Thiruvananthapuram, for information and for ensuring posting of competent officers in VACB hereafter.



**Sd/-**  
**A. BADHARUDEEN**  
**JUDGE**

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