

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

Friday, the 7th day of June 2024 / 17th Jyaishta, 1946

IA.NO.1/2024 IN WP(C) NO. 15757 OF 2024 (T)

APPLICANTS/PETITIONERS:

1. M/S. COCHIN MINERALS AND RUTILE LIMITED HAVING ITS REGISTERED OFFICE AT P.B. NO. 73, VIII/224, MARKET ROAD, ALWAYS, ERNAKULAM, KERALA REP. BY CHIEF GENERAL MANAGER (FINANCE) & COMPANY SECRETARY, PIN - 683101
2. N.C. CHANDRASEKHARAN SENIOR MANAGER - EDP M/S COCHIN MINERALS & RUTILE LIMITED, P.B. NO. 73, VIII/224, MARKET ROAD, ALWAYS, KERALA, PIN - 683101
3. ANJU RACHAEL KURUVILA SENIOR OFFICER - EDP M/S COCHIN MINERALS & RUTILE LIMITED, P.B. NO. 73, VIII/224, MARKET ROAD, ALWAYS, KERALA, PIN - 683101
4. K.S. SURESH KUMAR AGED 63 YEARS CHIEF FINANCIAL OFFICER M/S COCHIN MINERALS & RUTILE LIMITED, P.B. NO. 73, VIII/224, MARKET ROAD, ALWAYS, KERALA, PIN - 683101
5. S.N. SASIDHARAN KARTHA MANAGING DIRECTOR M/S COCHIN MINERALS & RUTILE LIMITED, P.B. NO. 73, VIII/224, MARKET ROAD, ALWAYS, KERALA, PIN - 683101

RESPONDENTS/RESPONDENTS:

DIRECTORATE OF ENFORCEMENT KOCHI ZONAL OFFICE REP. BY ASSISTANT DIRECTOR KANOOS CASTLE, MULLASSERY CANAL ROAD WEST, COCHIN, PIN - 682011

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to

1. Order the immediate release of Petitioners No. 2 to 4 who have been restrained illegally, in violation of the interim order dated 12.04.2024, by the officers of the Respondent.

2. Order the preservation and retention of the CCTV footage of the interrogation of Petitioners No. 2 to 4 by the Respondent on 15.04.2024-16.04.2024 in terms of the orders of the Hon'ble Supreme Court in Paramvir Singh Saini v. Baljit Singh, (2020) 7 SCC 397.

3. Order the preservation and retention of the Call Detail Records (CDRs) of the Petitioners No. 2 to 4 as well as the investigating officer of the Respondent in the present case, viz., Sh. Satyaveer Singh, Assistant Director, Directorate of Enforcement, Kochi Zonal Office from 15.04.2024 to 16.04.2024.

4. Pass any other order(s) as may be deemed fit in the interest of justice.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of SHRI.SIDHARTH LUTHRA (SENIOR) along with M/S.ARSHDEEP SINGH KHURANA, SILAKHSAN V.S, KARTIKEYE DANG, MONAN KHANNA, ADITYA CHOPRA and of M/S.M.GOPIKRISHNAN NAMBIAR, K.JOHN MATHAI, JOSON MANAVALAN, KURYAN THOMAS, PAULOSE C. ABRAHAM, RAJA KANNAN, Advocates for the petitioners in I.A/WP(C) and of CENTRAL GOVERNMENT COUNSEL for Respondent in I.A/WP(C), the court passed the following:



T.R.RAVI.J

WP(C) No.15757 of 2024

Dated this the 07th day of June, 2024

ORDER

IA No.1/2024

This application has been filed praying for preservation and retention of the CCTV footage of the interrogation of petitioners Nos.2 to 4 by the respondent on 15.04.2024 - 16.04.2024 in terms of the orders of the Hon'ble Supreme Court in **Paramvir Singh Sainin V. Baljit Singh, (2020) 7 SCC 397** and for preservation and retention of the Call Detail Records (CDRs) of the petitioner No.2 to 4 as well as the investigating officer of the respondent in the present case, viz, Sri Satyaveer Singh, Assistant Director, Directorate of Enforcement, Kozhi Zonal Officer. Since there is an allegation that the petitioners were detained by the respondents for more time than that is allowed by the law of

the land, there will be an interim direction to preserve and retain the CCTV footage of the interrogation. This order is issued only to ensure that issue is not precipitated due to the delay in the hearing before this Court. This order shall not be understood as an order on merits of the contention.

H/o

sn



Sd/-

T.R.RAVI

JUDGE