



सत्यमेव जयते

**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS,
GOVERNMENT OF INDIA
KOCHI.**

CHARGE SHEET
(U/s 173 CrPC)

**IN THE COURT OF SPECIAL JUDGE FOR NIA CASES,
ERNAKULAM, KERALA STATE**

STATE

v/s

ABDUL JABBAR P.P AND OTHERS.

- 1. Name of the Branch** : National Investigation Agency (NIA). Kochi
- FIR No.** : → RC- 01/2013/NIA/KOC
dated 09.07.2013
→ RC- 02/2013/NIA/KOC
dated 09.07.2013
→ RC-03/2013/NIA/KOC
dated 09.07.2013
→ RC -04/2013/NIA/KOC
dated 27.07.2013
- Year** : 2013
- Date** : 09.07.2013 & 27.07.2013
- 2. Final Report/ Charge Sheet No** : Charge Sheet
- 3. Date** : 30.07.2014

4. **Sections of Law** : Sections 120 B, 489 B, 489 C, 420, 201, and 109 IPC
5. **Type of Final Report** : Charge Sheet
6. **If Final Report un-occurred-False/ Mistake of fact/ Mistake of law/ Non Cognizable/ Civil Nature.** : Not applicable
7. **If charge sheeted: Original/Supplementary** : Original
8. **Name of Investigating Officer** : C. Radhakrishna Pillai
Deputy Supdt. of Police
NIA, Kochi, Kerala.
9. **Name of the Complainant/ Informant** : → Abubakar Sidhique P.P,
Managing Partner of M/s
Atlas Gold Cheruvathur in
RC 01/2013/NIA/KOC
- Shihabuddin M, Asstt.
Manager of M/s Malabar
Gold & Diamonds,
Kanhangad in RC
02/2013/NIA/KOC.
- T K. Sainul Abideen,
General Manager of M/s
FashionGold International
Cheruvathur in RC
03/2013/NIA/KOC.
- Krishnan Vadakkini,
Asstt. Engineer of KSEB
sub-station, Electrical
Section, Pelikode in RC
04/2013/NIA/KOC.
10. **Details of properties/ Articles/Documents recovered/ seized during Investigation and relied upon.** : As per the list enclosed.

11. PARTICULARS OF ACCUSED PERSON CHARGE SHEETED		
ABDUL JABBAR P.P (A-1) (A-1 in RC-1,2 & 3/2013/NIA/KOC and A-5 in RC 4/2013/NIA/KOC)		
1.	Name	Abdul Jabbar P.P
2.	Whether verified	Yes
3.	Year/date of birth	10.05.1973
4.	Father's name	Late Ibrahim
5.	Sex	Male
6.	Nationality	Indian
7.	Passport details	Indian Passport No. [REDACTED] dated 06.01.2005 issued from RPO Kozhikode.
8.	Religion	Muslim
9.	Occupation	Driver.
10.	Address (present)	Sara Quarters, Near Kulangad Temple, Kaithakkad P.O, Cheruvathur, Kasargod Dist, Kerala
11.	Address(Permanent)	Padinharapurayil House, Aravanchal Post, Near CRPF Training Centre, Kannur Distt. Kerala.
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No.(If known)	Not Applicable
15.	Date of arrest	17.08.2012
16.	Date of release on bail	28.11.2012
17.	Under Act and Sections (of charge sheet)	Sections 120B, 489 B,489 C, 420 and 109 r/w 201 IPC
18.	Name(s) of bailer/sureties and address	1) Abdul Rahman, S/o Abdulla Kunhi, 539(6/403), Paiga Chugada-Panchayat. 2) Sarojani, W/o Kunhiraman, 816, Paithalichi, Payyannur.
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	On bail

(2)	USMAN (A-2) A-2 in RC-1,2,3 & 4/2013/NIA/KOC)	
1.	Name	Usman
2.	Whether verified	Yes
3.	Year/date of birth	01.08.1980
4.	Father's name	Adam Beary
5.	Sex	Male
6.	Nationality	Indian
7.	Passport details	Indian Passport No. H- [REDACTED] issued from Bangalore and renewed at Dubai on 02/2009
8.	Religion	Muslim
9.	Occupation	Working as supervisor in Construction company in Mangalore
10.	Address (present)	Darlakh House, Bantwal, Mangalore, Karnataka.
11.	Address(Permanent)	Darlakh House, Bantwal, Mangalore, Karnataka.
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No.(If known)	Not Applicable
15.	Date of arrest	24.08.2012
16.	Date of release on bail	21.12.2012
17.	Under Act and Sections (of charge sheet)	Sections 120 B, 489 B and 489 C IPC
18.	Name(s) of bailer/sureties and address	1)Abdul Latheef, Muhammed, 13-188, Bantwal Mooda, Dakshina Kannada. 2)Maideenabba, S/o Sheikhabba, H.No.16- 78, Bantwal Mooda, Dakshina Kannada.
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	On bail

(3) ABDUL NAZIR K.A @ NASAR @ SAFAR NAZAR (A-3) (A-4 in RC-1,3 & 4/2013/NIA/KOC and A-7 in RC- 2/2013/NIA/KOC)	
1. Name	Abdul Nazir K.A @ Nasar @ Safar Nazar
2. Whether verified	Yes
3. Year/date of birth	19.07.1972
4. Father's name	T A Abdulla
5. Sex	Male
6. Nationality	Indian
7. Passport details	No
8. Religion	Muslim
9. Occupation	Business
10. Address (present)	Pachakkad, Thuruthi Road, Anangur, Kasargod, Kerala.
11. Address(Permanent)	Pachakkad, Thuruthi Road, Anangur, Kasargod, Kerala.
12. Whether verified	Yes
13. Provisional Criminal No	Not Applicable
14. Regular Criminal No.(If known)	Not Applicable
15. Date of arrest	26.08.2012
16. Date of release on bail	19.11.2012
17. Under Act and Sections (of charge sheet)	Sections 120B. 489 B, 489 C and 201 IPC
18. Name(s) of bailer/sureties and address	1) Abdul Kabeer, S/o Muhammed, 204, 22, Kasargod. 2) Abdulla S/o Ali, 220 (13/427), Anangur, Kasargod.
19. Previous convictions with case reference	Not Applicable
20. Status of accused	On Bail

(4)	A.M SUBAIDA (A-4) (A-5 in RC-1, 2 & 3/2013/NIA/KOC and A-6 in RC- 4/2013/NIA/KOC)	
1.	Name	A.M Subaida
2.	Whether verified	Yes
3.	Year/date of birth	1974
4.	Father's name	W/o Abdul Jabbar
5.	Sex	Female
6.	Nationality	Indian
7.	Passport details	No
8.	Religion	Muslim
9.	Occupation	House wife
10.	Address (present)	Sara Quarters, Near Kulangad Temple, Kaithakkad P.O, Cheruvathur, Kasargod Dist, Kerala
11.	Address(Permanent)	Padinharapurayil House, Aravanchal Post, Near CRPF Training Centre, Kannur Distt., Kerala.
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No.(If known)	Not Applicable
15.	Date of arrest	07.11.2012
16.	Date of release on bail	19.11.2012
17.	Under Act and Sections (of charge sheet)	Sections 120B, 489 B, 489 C and 420 IPC.
18.	Name(s) of bailer/sureties and address	1) Pathutti. A, W/o V K Abdulla, 472 A (7/474), Kaithakkad, Cheruvathur. 2) Maimoonath. A, W/o Muhammad. P, 427 A(13/427), Madani Manzil, Kaithakkad, Cheruvathur.
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	On Bail

(5) MOIDEEN @ MOIDEENABBA UMMER BEARY (A-5) (A-6 in RC-1, 2 & 3/2013/NIA/KOC and A-7 in RC- 4/2013/NIA/KOC)	
1. Name	Moideen @ Moideenabba Ummar Beary
2. Whether verified	Yes
3. Year/date of birth	20.05.1973
4. Father's name	Ummar Beary
5. Sex	Male
6. Nationality	Indian
7. Passport details	Indian Passport No. K [REDACTED] issued from Dubai on 17.10.2012
8. Religion	Muslim
9. Occupation	Business in Dubai
10. Address (present)	Arafa Villa, Opposite Sunni Centre, Muloor, Udupi, Karnataka.
11. Address(Permanent)	Haji Master Manzil, Kodi Village, Kundapura, Udupi. Karnataka.
12. Whether verified	Yes
13. Provisional Criminal No	Not Applicable
14. Regular Criminal No.(If known)	Not Applicable
15. Date of arrest	Not Arrested
16. Date of release on bail	Not Applicable
17. Under Act and Sections (of charge sheet)	Sections 120B, 489 B, 489 C and 109 r/w 201 IPC.
18. Name(s) of bailer/sureties and address	Not Applicable
19. Previous convictions with case reference	Not Applicable
20. Status of accused	Absconding

(6)	ABDUL REHMAN (A-6) (A-11 in RC-1 & 3/2013/NIA/KOC, A-10 in RC-2/ 2013/NIA/KOC and A-12 in RC- 4/2013/NIA/KOC)	
1.	Name	Abdul Rahman
2.	Whether verified	Yes
3.	Year/date of birth	01.12.1966
4.	Father's name	Late Ammabba
5.	Sex	Male
6.	Nationality	Indian
7.	Passport details	No
8.	Religion	Muslim
9.	Occupation	Mason
10.	Address (present)	Padinharapurayil House, Aravanchal P.O, Peringam Near CRPF Training Centre, Kannur Distt, Kerala.
11.	Address(Permanent)	Padinharapurayil House, Aravanchal P.O, Peringam Near CRPF Training Centre, Kannur Distt, Kerala.
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No.(If known)	Not Applicable
15.	Date of arrest	29.04.2013
16.	Date of release on bail	29.04.2013
17.	Under Act and Sections (of charge sheet)	Section 201 IPC.
18.	Name(s) of bailer/sureties and address	1) Fathima, W/o Ibrahim, 51, Padinharapurayil, Vayakara, Peringam. 2) Shahul Hameed, S/o Abdulla, 519(16/560), Kunnumal House, Neelaswaram, Kasargod.
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	On bail

12. Particulars of the accused persons not charge sheeted.

(7)	<u>MAMMUNHI @ MUHAMMED KUNJI @ THAILANGADI MAMMUNHI (A-7)</u> (A-7 in RC-1 & 3/2013/NIA/KOC, A-11 in RC- 2/2013/NIA/KOC and A-8 in RC- 4/2013/NIA/KOC)	
1.	Name	Mammunhi @ Muhammed Kunji @ Thailangadi Mammunhi
2.	Whether verified	Yes
3.	Year/date of birth	30.12.1962
4.	Father's name	Late Mahmood
5.	Sex	Male
6.	Nationality	Indian
7.	Passport details	Indian Passport No [REDACTED] issued from UAE on 07.12.2008 & date of expiry 06.12.2016
8.	Religion	Muslim
9.	Occupation	Business in Dubai
10.	Address (present)	Badar Manzil, New Cherangai Road, Nellikunnu, Beach Road, Kasargod, Kerala.
11.	Address(Permanent)	Badar Manzil, New Cherangai Road, Nellikunnu, Beach Road, Kasargod, Kerala.
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No. (If known)	Not Applicable
15.	Date of arrest	13.06.2014
16.	Date of release on bail	In Judicial Custody
17.	Under Act and Sections (of charge sheet)	Sections 120 B, 489 B, 489 C, 109 r/w 201 IPC.
18.	Name(s) of bailer/sureties and address	Not Applicable
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	Judicial Custody

(8)	MAJEED MOHAMMED ABDUL KHADER @ MAJEED KOLIYAD (A-8) (A-8 in RC-1 & 3/2013/NIA/KOC, A-12 in RC- 2/2013/NIA/KOC and A-9 in RC- 4/2013/NIA/KOC)	
1.	Name	Majeed Mohammed Abdul Khader @ Majeed Koliyad
2.	Whether verified	Yes
3.	Year/date of birth	08.03.1967
4.	Father's name	Late Mohammed Abdul Khader
5.	Sex	Male
6.	Nationality	Indian
7.	Passport details	Passport No. [REDACTED] issued from Dubai Indian consulate UAE
8.	Religion	Muslim
9.	Occupation	Business
10.	Address (present)	House No. A-3, Anand Milan Building, Milan Subway, Santacruz West, Mumbai-54
11.	Address(Permanent)	Koliyad Mahal, Thalangara, Bangod, Kasargod, Kerala
12.	Whether verified	Yes
13.	Provisional Criminal No	Not Applicable
14.	Regular Criminal No.(If known)	Not Applicable
15.	Date of arrest	16.08.2013
16.	Date of release on bail	18.11.2013
17.	Under Act and Sections (of charge sheet)	Sections 120 B, 489 B, 489 C, 109 r/w 201 IPC.
18.	Name(s) of bailer/sureties and address	1) Shamsudheen, S/o Muhammad, 342, Kasargod. 2) Jameela, w/o Muhammad Kunju (Late) , Kapil House, Thalangara Kunnil, Kasargod
19.	Previous convictions with case reference	Not Applicable
20.	Status of accused	On bail

- 13. (i) Particulars of witnesses examined** : Separate list attached as **Annexure - I**
- (ii) List of articles** : Separate list attached as **Annexure - II**
(List of Documents) and **Annexure - III**
(List of MOs)
- 14. If FIR is false action taken** : Not Applicable
- 15. Result of laboratory analysis** :

The Counterfeit Indian Currency Notes seized in this case were sent to Currency Note Press (CNP), Nasik Road, Maharashtra for examination. Assistant Works Manager, CNP, Nasik Road, vide their opinion report dated 20.05.2013 confirmed that the seized currency are Counterfeit Indian Currency-Notes.

16. BRIEF OF THE CASE:

16.1. The Counterfeit Indian Currency Notes involved in the four cases namely Cr No.597, 599 & 600/2012 of Chandera P.S and Cr No.777/2012 of Hosdurg P.S in Kasargod district of Kerala was sourced from Dubai and smuggled to India for circulation. The Counterfeit Indian Currency Notes in all the above mentioned four cases were from a common source and the accused involved were also common. Since the offence relating to the transaction of high quality counterfeit currency notes resembling as original Indian currency having international ramification to destabilize the financial economic of India, Government of India, MHA, New Delhi directed NIA to take up the investigation. As directed, NIA Kochi branch re-registered the four cases at NIA PS, Kadavantra, Kochi Kerala vide RC 1, 2, 3 and 4/2013/NIA/KOC. The cases were originally registered in the concerned Police station as per the details below:-

16.2. RC.01/2013/NIA/KOC :- The case was originally registered in Chandera P.S, Kasargod on 18.08.2012 vide Cr No.

599/2012 on the basis of a complaint given by Abubakar Sidhique P.P, Managing Partner of M/s Atlas Gold Cheruvathur before Raghavan ASI of Chandera PS, that one Abdul Jabbar P.P with his wife and two Children came to M/s Atlas Gold, Cheruvathur on 15.08.2012 and purchased gold ornaments worth Rs. 74,019/-. The said Abdul Jabbar P.P (A-1) exchanged old gold valued Rs. 17,164/- and paid the remaining amount Rs.52,500/- in cash after deducting the discount of Rs.4,355/-. The said Abdul Jabbar P.P gave 53 Nos. of Rs. 1000/- denomination notes, and he returned Rs. 500/- Later, the said notes were found to be Counterfeit Indian Currency Notes and produced the said 52 Counterfeit Indian Currency Notes for taking legal action against Abdul Jabbar P.P (one Counterfeit Indian Currency Notes was used by him un knowingly). The ASI of Police seized the Counterfeit Indian Currency Notes and registered a case against Abdul Jabbar P.P u/s 489 B and 489 C IPC at Chandera PS. As directed in Govt. of India (MHA) order in F.No. 11011/34/2013-IS-IV dated 30.05.2013, National Investigation Agency (NIA) Kochi branch re-registered the FIR in Cr No. 599/2012 of Chandera P.S, Kasargod, Kerala at NIA PS, Kadavantra, Kochi Kerala vide RC-01/2013/NIA/KOC dated 09.07.2013.

16.3. RC.02/2013/NIA/KOC :- The case was originally registered in Hosdurg P.S, Kasargod on 17.08.2012 vide Cr No.777/2012 on the basis of complaint given by Shihabuddin M, Assistant Manager of M/s Malabar Gold & Diamonds, Kanhangad before M T Michle, SI of Police of Hosdurg PS that one Abdul Jabbar P.P purchased gold ornaments for Rs. 1,79,500/- from M/s Malabar Gold & Diamonds, Kanhangad on 17.08.2012. The said Abdul Jabbar P.P paid one bundle of 100 notes of Rs.1000 denomination and another of 80 notes of Rs.1000/- denomination. Rs.500/- was returned to him as balance amount. The amount paid by Abdul Jabbar was kept aside due to heavy rush. When the rush was over cashier re-counted the notes and all the notes for Rs.1,80,000/- found Counterfeit Indian Currency Notes. On examination of the CCTV footage they identified the persons who paid fake currency notes. The said Counterfeit Indian Currency Notes were produced before SI of Police, Hosdurg PS alongwith a complaint. The SI of Police seized the Counterfeit Indian Currency Notes and registered a case against Abdul Jabbar P.P u/s 489 B, 489 C and 420 IPC. As directed in Govt. of

India (MHA) order in F No. 11011/07/2013-IS-IV dated 30.05.2013, National Investigation Agency (NIA) Kochi branch re-registered the FIR in Cr No. 777/2012 of Hosdurg P.S, Kasargod ,Kerala at NIA PS, Kadavantra, Kochi, Kerala vide RC-02/2013/NIA/KOC dated 09.07.2013.

16.4. RC.03/2013/NIA/KOC :- The case was originally registered in Chandera P.S, Kasargod on 18.08.2012 vide Cr No.600/2012 on the basis of complaint given by T K. Sainul Abideen, General Manager of M/s Fashion Gold International, Cheruvathur before Raghavan ASI of Chandera PS. The complaint was that one Abdul Jabbar P.P came to M/s Fashion Gold International Pvt Ltd, Cheruvathur alongwith another person and purchased gold ornaments worth Rs. 1,09,502/-. After allowing discount of Rs. 2,002/-, the remaining Rs.1,07,500/- was paid by Abdul Jabbar P.P in cash in currency notes of Rs. 1000/- and Rs.500/- denomination. 63 notes of Rs.1000/- denomination and 89 notes of Rs.500/- denomination were paid. The amount was kept separately for purchase purpose. Later, the said notes were found to be Counterfeit Indian Currency Notes. He produced 63 notes of Rs.1000/- denomination and 89 notes of Rs.500/- denomination of Counterfeit Indian Currency Notes before Police for taking legal action against Abdul Jabbar P.P (A-1). The ASI of Police seized the Counterfeit Indian Currency Notes and registered a case against Abdul Jabbar P.P (A-1) u/s 489 B and 489 C IPC. As directed in Govt. of India (MHA) order in FNo.11011/35/2013 IS-IV dated 05.06.2013, National Investigation Agency (NIA) Kochi branch re-registered the FIR in Cr No. 600/2012 of Chandera P.S, Kasargod , Kerala at NIA P.S, Kadavantra, Kochi Kerala vide RC 03/2013/NIA/KOC dated 09.07.2013.

16.5. RC.04/2013/NIA/KOC :- The case was originally registered in Chandera P.S, Kasargod on 17.08.2012 vide Cr No.597/2012 on the basis of complaint given by Krishnan Vadakini, Asstt. Engineer, KSEB, Electrical Sub-section, Pelikode, Cheruvathur, Kasargod on 17.08.2012 before M P Vineeshkumar SI of Chandera PS, that one Shareef, came to KSEB, Electrical Sub-section, Pelikode, Cheruvathur and paid Rs.5,100/- towards the payment of OYEC and CD for getting electric connection in favour of Smt Madapurath Aisha. Among the payment made by Shareef 8 Nos of notes having Rs.500/- denomination totalling Rs.4,000/-was found Counterfeit Indian

Currency Notes . After confirming with local SBT on 17.08.2012 the said Counterfeit Indian Currency Notes were produced before SI of Police for taking legal action against Shareef. The SI of Police seized the Counterfeit Indian Currency Notes and registered a case against Shareef u/s 489 B and 489 C IPC. As directed in Govt. of India (MHA) order in F. No. 11011/34/2013-IS-IV dated 05.06.2013, National Investigation Agency (NIA) Kochi branch re-registered the FIR in Cr No. 597/2012 of Chandra P.S, Kasargod , Kerala at NIA PS, Kadavantra, Kochi Kerala vide RC-04/2013/NIA/KOC dated 26.07.2013.

17. FACTS DISCLOSED DURING INVESTIGATION

17.1. The investigation disclosed that Abdul Jabbar P.P (**A-1**), Usman (**A-2**), Abdul Nazir K.A @ Nasar (**A-3**), A.M Subaida (**A-4**), Moideen @ Moideenabba Ummer Beary (**A-5**), Abdul Rahman (**A-6**), Mammunhi @ Muhammad Kunji @ Thailangadi Mammunhi (**A-7**) and Majeed Koliyad @ Mohamed Abdul Kader Majeed (**A-8**) were parties to a criminal conspiracy entered into by them during 2012 at various places in India and Dubai to smuggle Counterfeit Indian Currency Notes to India from Dubai for circulation in India for illegal gain and to destabilise the economy of the country. In pursuance of the said criminal conspiracy, **A-5** procured Counterfeit Indian Currency Notes having face value of Rs. 31 Lakhs in Dubai in August 2012 and sent the same to India for circulation through **A-2** on 07.08.2012.

17.2. The domestic servant of Moideen @ Moideenabba Ummer Beary (**A-5**), namely [REDACTED] (**CW-136**) received the said Counterfeit Indian Currency Notes of face value of Rs. 31 lakhs at Bangalore Airport on 08.08.2012 from Usman (**A-2**) on the directions of **A-5** and kept the same at Arafa Villa, Muloor, Udupi, Karnataka the house of **A-5**. Later, on instructions of **A-5**, **CW-136** handed over Counterfeit Indian Currency Notes of face value Rs.5 Lakhs and Rs. 19 Lakhs on 09.08.2012 and 11.08.2012 respectively to **A-2** who in turn delivered the same to Abdul Nazir K.A @ Nasar (**A-3**) as required by Moideen **A-5**, Mammunhi (**A-7**) and Majeed Koliyad (**A-8**) for circulation in Kasargod and other places. **CW-136** on 10.08.2012, as instructed by **A-5**, handed over Counterfeit Indian Currency Notes of face value Rs. 6 lakhs to **A-2** who in turn delivered the same to A.M Subaida (**A-4**) w/o Abdul Jabbar (**A-1**) for circulation. When the circulation of Counterfeit Indian Currency Notes was

detected, **A-5** directed his domestic servant [REDACTED] **CW-89** ([REDACTED]) to destroy Counterfeit Indian Currency Notes of face value of rupees one Lakh available in Arafa villa by burning to avoid recovery by police. **CW-89** destroyed by burning the Counterfeit Indian Currency Notes of face value of Rs 1 Lakh on the instruction of **A-5**.

17.3. As instructed by Abdul Jabbar P.P (**A-1**), his wife A.M Subaida (**A-4**) mixed Counterfeit Indian Currency Notes of face value of Rs. 11,000/- from the Counterfeit Indian Currency Notes received from Usman (**A-2**) with genuine Indian currencies and gave to [REDACTED] (**CW-42**) on 11.08.2012 for clearing Chit Loan of Rs. 33,000/- owed to her. **CW-42** unknowingly used Counterfeit Indian Currency Notes of face value of Rs 4,000/- from the money received from **A-4** for making payment towards electricity bill at KSEB sub station Pelikode. Her [REDACTED] (**CW-135**) made the payment at [REDACTED] staff detected Counterfeit Indian Currency Notes in the amount paid by **CW-135**. [REDACTED] (**CW-30**), [REDACTED] Pelikode has filed a complaint against [REDACTED] (**CW-135**) in Chandera P S along with the Counterfeit Indian Currency Notes of face value Rs. 4,000/ which resulted in the registration of Cr 597/2012. **CW-135** returned remaining Counterfeit Indian Currency Notes of face value Rs. 7000/- to **A-1** on 17.08.2012 on the promise that **A-1** would pay genuine notes. The said FICN was recovered and seized from **A-1**. Investigation revealed that **CW-135** unknowingly paid Counterfeit Indian Currency Notes of face value of Rs 4,000/- from the money received from **A-4** towards electricity bill at KSEB sub station Pelikode and as such he was dropped from the charge.

17.4. [REDACTED] (**CW-45**) had given Rs 30000/- to Abdul Jabbar P.P (**A-1**) in Dubai for payment to [REDACTED] for domestic expenses. **A-1**, instructed his wife A.M Subaida (**A-4**) to gave Counterfeit Indian Currency Notes of face value Rs. 30,000/- to [REDACTED] (**CW-45**). **A-4** paid FICN of Rs 30000/- to **CW-45** as instructed by **A-1** and out of which Counterfeit Indian Currency Notes of face value Rs19000/- was produced by **CW-45** before police on 25.08.2012 and the same was seized.

17.5. Abdul Jabbar P.P (**A-1**), instructed his wife A.M Subaida (**A-4**) to gave Counterfeit Indian Currency Notes of face value Rs.18,000/- to [REDACTED] (**CW-54**) for hiring a car. **A-4** gave

Counterfeit Indian Currency Notes of face value Rs.18,000/- to **CW-54** for hiring a car. Out of which Counterfeit Indian Currency Notes of face value of Rs15000/- was produced by **CW-54** before police on 18.08.2012 and the same was seized.

17.6. A.M Subaida (**A-4**) cleared gold loan account No. 5704 for Rs. 31,000/- and gold loan account No.9205 for Rs. 33,500/- with M/s Manapuram Finance, Cheruvathur. She paid Counterfeit Indian Currency Notes of face value for Rs 73,000/- towards clearing the loan and interest on 11.08.2012.

17.7. A.M Subaida (**A-4**) had taken a gold loan from Kodakkad Service co-operative Bank Ltd, Kannadippara vide account No. SMG-22544 for Rs. 10,650/- on 26.03.2012. The said loan was cleared by her paying an amount of Rs.11,190/- on 11.08.2012 towards loan amount and interest, the payment was made with Counterfeit Indian Currency Notes . On the same day i.e 11.08.2012 **A-4** took another gold loan vide loan a/c No. [REDACTED] for Rs. 6,000/- from Kodakkad Service co-operative Bank Ltd, Kannadippara. Again on 13.08.2012 **A-4** cleared the loan account No. [REDACTED] for Rs. 6,000/- by paying an amount of Rs. 6,015/- towards loan amount and interest at Kodakkad Service co-operative Bank Ltd, Kannadippara. The said payment was made with Counterfeit Indian Currency Notes. On the same day she had taken another loan vide gold loan a/c No. TM-332472 for Rs. 11,000/-. Thus **A-4** had been circulating/using Counterfeit Indian Currency Notes knowing that the same were Counterfeit Indian Currency Notes.

17.8. Abdul Jabbar (**A-1**) on his arrival from Dubai on 14.08.2012 obtained the balance Counterfeit Indian Currency Notes available with his wife A.M Subaida (**A-4**). **A-1** with an intention to circulate Counterfeit Indian Currency Notes, visited M/s Atlas Gold Cheruvathur alongwith his wife **A-4** and children on 15.08.2012 and purchased gold ornaments worth Rs. 52,500/- vide bill No.451 and 452 dated 15.08.2012 by paying Counterfeit Indian Currency Notes of face value Rs. 53,000/-. [REDACTED] (**CW-1**), [REDACTED] produced the said Counterfeit Indian Currency Notes of face value Rs. 52,000 along with a complaint before ASI of Chandera P.S on 18.08.2012 and the same

was seized and a crime vide Cr No. 599/2012 was registered at Chandera PS.

17.9. Abdul Jabbar (**A-1**) went to M/s Shopprix-e-Market, a supermarket in Payyannur on 15.08.2012 and purchased house hold articles like TV, Fridge etc. for Rs. 25,500/- vide bill No. 84629 dated 15.08.2012 by paying Counterfeit Indian Currency Notes.

17.10. Abdul Jabbar (**A-1**) visited [REDACTED] (**CW-49**) at her house in Peringam on 15.08.2012 and gave Counterfeit Indian Currency Notes of face value of Rs. 2000/- for purchase of cloths for [REDACTED]. **CW-49** has spent Indian counterfeit currency-note of face value Rs. 1000/- for purchase of cloths and remaining Indian counterfeit currency-note of face value Rs. 1000/- was kept in her house. The same was recovered and seized from her house on 22.08.2012 on the information of **A-1**.

17.11. Abdul Jabbar (**A-1**) purchased gold ornaments for Rs. 1.07 lakhs from M/s Fashion Gold International Pvt Ltd, Cheruvathur on 16.08.2012 by paying Counterfeit Indian Currency Notes. [REDACTED] (**CW-21**), [REDACTED] produced the said Counterfeit Indian Currency Notes along with a complaint before ASI of Chandera PS on 18.08.2012 and the same was seized and a crime vide Cr No. 600/2012 was registered at Chandera PS.

17.12. Abdul Jabbar (**A-1**) purchased a bicycle worth Rs.5,000/- from M/s U.K Cycle, Cheruvathur by paying Counterfeit Indian Currency Notes . The said Counterfeit Indian Currency Notes of face value of Rs 5000/- was produced by [REDACTED] (**CW-53**) before police on 18.08.2012 and the same was seized.

17.13. Abdul Jabbar (**A-1**) on 17.08.2012 purchased gold ornaments for Rs.1.8 lakhs from M/s Malabar Gold & Diamonds, Kanhangad alongwith [REDACTED] (**CW-48**) and [REDACTED] (**CW-44**) by paying Counterfeit Indian Currency Notes of face value for Rs.1.8 lakhs. [REDACTED] (**CW-10**), [REDACTED] produced the said Counterfeit Indian Currency Notes of face value Rs. 1.8 lakhs along with a complaint before SI of Police Hosdurg PS on 17.08.2012 and the same was

seized and a crime vide Cr No. 777/2012 was registered at Hosdurg PS.

17.14. Abdul Jabbar (**A-1**) on 17.08.2012 visited Peringam and gave Counterfeit Indian Currency Notes of face value for Rs 52000/- available with him to his sister [REDACTED] (**CW-49**) for safe custody. Later, **A-1** instigated her to destroy the Counterfeit Indian Currency Notes kept with her and the same was destroyed by Abdul Rahman (**A-6**) [REDACTED] of **CW-49**.

17.15. Abdul Nazir K.A @ Nasar (**A-3**) who was in possession of Counterfeit Indian Currency Notes of face value 24 lakhs received from Usman (**A-2**), on 12.08.2012 returned Counterfeit Indian Currency Notes of face value Rs. 17 Lakhs to **A-2** as per the instruction of Mammunhi (**A-7**) and Majeed Koliyad (**A-8**). The remaining Counterfeit Indian Currency Notes of face value for rupees seven lakhs was destroyed by burning by **A-3** on the instructions of **A-7** and **A-8**. The burnt ash of Counterfeit Indian Currency Notes was kept at his house safely and the same was recovered at the instance of **A-3**. The report of forensic analysis of the burnt ash is awaited from RFSL, Kannur.

17.16. [REDACTED] (**CW-137**) is an astrologer in Udupi who advertised in Newspapers with his mobile number soliciting his service for astrological solutions over phone. Moideen (**A-5**) had contacted **CW-137** for solving his problems and they became friends. In the processes of his profession **CW-137** came in contact with [REDACTED] **CW-140** of Mathura, UP, who convinced **CW-137** that he was in possession of gold bars received during the construction work at Gujarat and would like to sell it out on good margin. **CW-137** shared this information with **A-5** over phone. On the instructions of **A-5** Usman (**A-2**) and **CW-137** went to Delhi on 14.08.2012 and purchased two gold bars from **CW-140** on 16.08.2012 by paying Counterfeit Indian Currency Notes of face value Rs. 15 Lakhs. The gold bars were kept at Arafa Villa by [REDACTED] (**CW-136**) on the instructions of **A-5**. Later, on further instructions of **A-5** the gold bars were handed over to **CW-137** to avoid recovery by Police from Arafa Villa Udupi. The said gold bars were seized during investigation and on examination by a certified gold appraiser, the said gold bars were found to be not gold.

17.17. Out of 17 lakhs Indian counterfeit currency-note received back from Abdul Nazir K.A (**A-3**), 15 lakhs Counterfeit Indian Currency Notes was spent for purchase of gold bar from [REDACTED] (**CW-140**). The remaining amount was with Usman (**A-2**). He spent Rs 20000/- towards travel and other expenses. After arrest of **A-2**, Counterfeit Indian Currency Notes of face value 1.8 lakhs was recovered from **A-2**'s house at Bantwal, Mangalore, Karnataka on the basis of information given by **A-2**.

17.18. Digital evidence likes Mobile phone, SD cards, SIM cards and CD recovered and seized during the investigation have been sent to SFSL, Trivandrum and CDAC Trivandrum for examination and opinion. The reports have been received.

17.19. The burnt ash of Counterfeit Indian Currency Notes was recovered at the instance of Abdul Nazir K.A (**A-3**) from his house was sent to RFSL, Kannur for forensic analysis. Further on the request of RFSL, Kannur sample Counterfeit Indian Currency Note seized in this case was also forwarded for destructive comparison. The result of forensic comparison and opinion of the burnt ash of Counterfeit Indian Currency Notes is yet to be received.

17.20. During the investigation statements of five witnesses viz [REDACTED] (**CW-42**), [REDACTED] (**CW-49**), [REDACTED] (**CW-54**), [REDACTED] (**CW-48**) and [REDACTED] (**CW-44**) have been recorded u/s 164 CrPC. Further, statement of [REDACTED] who were cited as accused in FIR was also recorded u/s 164 CrPC.

17.21. The Hon'ble NIA Special Court tendered Pardon u/s 306 CrPC to [REDACTED] and he was made as prosecution witness. It is also revealed during investigation that [REDACTED] unknowingly circulated Counterfeit Indian Currency Notes and therefore he was dropped from the charge.

18. CHARGE

18.1. That the accused Abdul Jabbar P.P (**A-1**), Usman (**A-2**), Abdul Nazir K.A @ Nasar (**A-3**), A.M Subaida (**A-4**), Moideen @ Moideenabba Ummer Beary (**A-5**), Abdul Rahman (**A-6**), Mammunhi @

Muhammad Kunji (**A-7**) and Majeed Koliyad @ Mohamed Abdul Kader Majeed (**A-8**) were parties to criminal conspiracy hatched in July-August 2012 in India and abroad to procure, smuggle, possess, use and circulate Counterfeit Indian Currency Notes, intending to use the same as genuine currency notes for illegal gain and to destabilise the economy of the country. In pursuance of the said criminal conspiracy **A-5** procured high quality Counterfeit Indian Currency Notes of the face value of Rs. 31 lakhs in Rs. 1000/- and Rs.500/- denominations at Dubai and smuggled to India through **A-2** on 07.08.2012 by flight intending to use the same as genuine currency notes. The domestic servant of **A-5**, [REDACTED] (**CW-142**) received the said Counterfeit Indian Currency Notes of face value of 31 lakhs at Bangalore Airport on 08.08.2012 from **A-2** on the directions of **A-5** and kept same at Arafa Villa, Muloor, Udupi, Karnataka, the residence of **A-5**. Later, on instructions of **A-5**, **CW-142** handed over Counterfeit Indian Currency Notes of face value Rs. 5 Lakhs and Rs. 19 Lakhs on 09.08.2012 and 11.08.2012 respectively to **A-2** intending to use the same as genuine currency notes. As required by **A-5**, **A-7** and **A-8**, Usman (**A-2**) delivered the same to Abdul Nazir K.A (**A-3**) for use and circulation in Kasargod and other places knowing that the said notes were Counterfeit Indian Currency Notes. **CW-142** on 10.08.2012, as instructed by **A-5**, handed over Counterfeit Indian Currency Notes of face value Rs. 6 lakhs to **A-2** intending to use the same as genuine currency notes. **A-2** in turn delivered the same to **A-4** wife of **A-1** for use and circulation knowing that the said notes were Counterfeit Indian Currency Notes.

18.2. That, in pursuance of the said criminal conspiracy, as instructed by **A-1**, his wife **A-4** dishonestly mixed Counterfeit Indian Currency Notes of face value Rs. 11,000/- received from **A-2** with genuine Indian currencies and gave to [REDACTED] (**CW-42**) on 11.08.2012 for clearing Chit Loan of Rs. 33,000/-owed to her knowing that the said notes were Counterfeit Indian Currency Notes.

18.3. That, [REDACTED] **CW-42** unknowingly used Counterfeit Indian Currency Notes of face value Rs 4,000/- from the Counterfeit Indian Currency Notes received from **A-4** for making payment towards electricity bill at KSEB sub station Pelikode. Her son [REDACTED] **CW-141**

made the payment at KSEB Pelikode and the KSEB staff detected Counterfeit Indian Currency Notes in the amount paid by [REDACTED].

18.4. That, in pursuance of the said criminal conspiracy, **A-4** dishonestly paid Counterfeit Indian Currency Notes of face value Rs. 73,000/- at M/s Manapuram Finance Cheruvathur, Kasargod on 11.08.2012 for clearing gold loan knowing that the said notes were Counterfeit Indian Currency Notes.

18.5. That, in pursuance of the said criminal conspiracy, as instructed by **A-1**, **A-4** dishonestly gave Counterfeit Indian Currency Notes of face value Rs. 30,000/- to [REDACTED] (**CW-45**), knowing that the same were Counterfeit Indian Currency Notes.

18.6. That, in pursuance of the said criminal conspiracy, as instructed by **A-1**, **A-4** dishonestly gave Indian counterfeit currency-note of face value Rs.18,000/-to [REDACTED] (**CW-54**) for hiring a car, knowing that the same were Counterfeit Indian Currency Notes .

18.7. That, **A-4** had taken a gold loan from Kodakkad Service co-operative Bank Ltd, Kannadippara vide account No. [REDACTED] for Rs. 10,650/- on 26.03.2012. The said loan was cleared by her on 11.08.2012 by paying Counterfeit Indian Currency Notes. On the same day i.e 11.08.2012 **A-4** took another gold loan vide loan a/c No. TM-332470 for Rs. 6,000/- from the same bank. Again on 13.08.2012 **A-4** cleared the loan account No. [REDACTED] for Rs. 6,000/-, by paying Indian counterfeit currency-note. On the same day she had taken another loan vide gold loan from there vide a/c No. [REDACTED] for Rs. 11,000/-. Thus **A-4** had dishonestly been circulating/using Counterfeit Indian Currency Notes knowing that the same were Counterfeit Indian Currency Notes.

18.8. That, in pursuance of the said criminal conspiracy, **A-1** on his arrival from Dubai on 14.08.2012 obtained the balance Counterfeit Indian Currency Notes available with his wife **A-4**. **A-1** with an intention to circulate Counterfeit Indian Currency Notes , visited M/s Atlas Gold Cheruvathur alongwith his wife **A-4** and children on 15.08.2012 and purchased gold ornaments worth Rs. 52,500/- vide bill No.4 51 and 452 dated 15.08.2012 by dishonestly paying

Counterfeit Indian Currency Notes of face value Rs. 53,000/- knowing that the same were Counterfeit Indian Currency Notes.

18.9. That, in pursuance of the said criminal conspiracy, on 15.08.2012 **A-1** went to M/s Shopprix-e-Market, a supermarket in Payyannur and purchased house hold articles like TV, Fridge etc. for Rs. 25,500/- vide bill No. 84629 dated 15.08.2012 by dishonestly paying Counterfeit Indian Currency Notes of face value Rs.25,500/-.

18.10. That, in pursuance of the said criminal conspiracy, on 15.08.2012 **A-1** went to the house of his sister [REDACTED] (**CW-49**) in Peringam and gave Counterfeit Indian Currency Notes of face value Rs 2,000/- for purchase of cloths for [REDACTED] knowing that the same were Counterfeit Indian Currency Notes . **CW-49** had spent Counterfeit Indian Currency Notes of face value Rs 1000/- for purchase of cloths and remaining Indian counterfeit currency-note of face Rs 1000/- was kept in her house. The said Indian counterfeit currency-note was later recovered and seized on 22.08.2012 from **CW-49**'s house on the basis of information given by **A1**.

18.11. That, in pursuance of the said criminal conspiracy, on 16.08.2012 **A-1** purchased gold ornaments for Rs. 1.09 lakhs from M/s Fashion Gold International Pvt Ltd, Cheruvathur by dishonestly paying Counterfeit Indian Currency Notes of face value Rs. 1.07 lakhs knowing that the same were Counterfeit Indian Currency Notes.

18.12. That, in pursuance of the said criminal conspiracy, on 16.08.2012 **A-1** purchased a bicycle worth Rs.5,000/-from M/s U K Cycles, Cheruvathur by dishonestly paying Counterfeit Indian Currency Notes of face value Rs.5000/- knowing that the same were Counterfeit Indian Currency Notes.

18.13. That, in pursuance of the said criminal conspiracy, on 17.08.2012 **A-1** purchased gold ornaments for Rs.1.795 lakhs from M/s Malabar Gold & Diamonds, Kanhangad alongwith [REDACTED] (**CW-48**) and [REDACTED] (**CW-44**) by dishonestly paying Counterfeit Indian Currency Notes of face value Rs. 1.8 lakhs knowing that the same were Counterfeit Indian Currency Notes.

18.14. That, in pursuance of the said criminal conspiracy, on 17.08.2012 **A-1** gave the remaining Counterfeit Indian Currency Notes available with him to his [REDACTED] **CW-49** at her house in Peringam. Later **A-1** instigated **CW-49** to destroy the said Counterfeit Indian Currency Notes and the same was destroyed by Abdul Rahman (**A-6**) [REDACTED] **CW-49** to shield **A-1** from the offence.

18.15. That, in pursuance of the said criminal conspiracy, **A-3** who was in possession of Counterfeit Indian Currency Notes of face value 24 lakhs received from **A-2**, on 12.08.2012 returned Counterfeit Indian Currency Notes of face value Rs. 17 Lakhs to **A-2** as per the instruction of **A-7** and **A-8** knowing that the same were Counterfeit Indian Currency Notes for further circulation.

18.16. That, in pursuance of the said criminal conspiracy, as instructed by **A-5**, **A-2** and **CW-136** went to Delhi on 14.08.2012 and purchased two gold bars from **CW-140** on 16.08.2012 by paying Counterfeit Indian Currency Notes of face value for Rs. 15 Lakhs. The gold bars were kept at Arafa Villa by **CW-136** on the instructions of **A-5**. Later, on further instructions of **A-5**, the gold bars were handed over to **CW-137** to avoid recovery by Police from Arafa Villa. The said gold bars were seized during the investigation and on examination by a certified gold appraiser, the said gold bars were found to be not gold. The remaining amount (Counterfeit Indian Currency Notes) was kept with **A-2** and Counterfeit Indian Currency Notes of face value Rs. 1.8 lakhs was recovered from **A-2**'s house at Bantwal, Mangalore, Karnataka on the basis of information given by **A-2**.

18.17. That, in pursuance of the said criminal conspiracy, **A-3** destroyed the remaining Counterfeit Indian Currency Notes of face value for rupees seven lakhs with him on the instructions of **A-7** and **A-8**, so as to destroy evidence against him.

18.18. That, when the circulation of Counterfeit Indian Currency Notes was detected, **A-5** directed his domestic servant [REDACTED] [REDACTED] (**CW-89**) to destroy Counterfeit Indian Currency Notes of face value one Lakh available in Arafa villa by burning to avoid recovery by police and to destroy evidence. Accordingly **CW-89** destroyed it.

18.19. Therefore by the above acts:-

- (1) Abdul Jabbar P.P **(A-1)** has committed offences punishable under section 120 B read with sections 489 B, 489 C and 420, sections 489 B, 489 C and 420 and section 109 read with 201 of Indian Penal Code 1860.
- (2) Usman **(A-2)** has committed offences punishable under section 120 B read with sections 489 B and 489, sections 489 B, 489 C of Indian Penal Code 1860.
- (3) Abdul Nazir K.A @ Nasar @ Safar Nasar **(A-3)** has committed offences punishable under section 120 B read with sections 489 B, 489 C, sections 489 B, 489 C and 201 of Indian Penal Code 1860.
- (4) A.M Subaida **(A-4)** has committed offences punishable under section 120 B read with sections 489 B, 489 C and 420, sections 489 B, 489 C and 420 of Indian Penal Code 1860.
- (5) Moideen @ Moideenabba Ummer Beary **(A-5)** has committed offences punishable under section 120 B read with sections 489 B, 489 C and 420, sections 489 B, 489 C and 420 and section 109 read with 201 of Indian Penal Code 1860.
- (6) Abdul Rahman **(A-6)** has committed offences punishable u/s 201 of Indian Penal Code 1860.

18.20. It is submitted that the evidence available against Mammunhi @ Muhammad Kunji @ Thailangadi Mammunhi **(A-7)**, Majeed Koliyad @ Mohamed Abdul Kader Majeed **(A-8)** in this case is not sufficient for successful prosecution against them. Mammunhi @ Muhammad Kunji @ Thailangadi Mammunhi **(A-7)** was absconding in Dubai since inception of the case and has joined investigation recently. Investigation against them is in progress. Further investigation to collect more evidence to prosecute them in this case is necessary. Therefore they are placed in column No.12 of the charge sheet. A petition u/s 173(8) Cr.PC for permitting further investigation has been submitted.

18.21. Investigation conducted by NIA disclosed that the FIR named accused Muhammad Shareef (A-1) in RC 04/2013/NIA/KOC unknowingly spent Indian counterfeit currency Notes and as such he has not sent up for trial. Further there is no *mensrea* attributed against accused Balan K.K, Girish. N and Gopalakrishna Pandit who were named in the FIR of this case. Therefore they are not sent up for trial

18.22. All these offences in RC-01/2013, RC-02/2013, RC-03/2013 and RC-04/2013 have been committed within the jurisdiction of this Hon'ble Court and during the course of the same transaction. The source of Counterfeit Indian Currency Notes involved in the above cases was common. Hence a consolidated charge sheet in the four cases RC 01/2013, RC 02/2013, RC 03/2013 and RC 04/2013 is submitted.

It is therefore, humbly prayed that appropriate process may kindly be issued in respect of all the accused persons to face trial as per law.

- 19. Dispatched on** : 30.07.2014
- 20. No. of enclosures** : Three
- 21. List of enclosures** : 1. Annexure-I (List of witnesses)
2. Annexure-II (List of Documents)
3. Annexure-III (List of Material Objects)

(C.Radhakrishna Pillai)
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