

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR
Monday, the 9th day of February 2026 / 20th Magha, 1947

WP(C) NO. 40608 OF 2025(A)

PETITIONER:

1. SUO MOTU AS PER THE ORDER DATED 21.10.2025 IN SSCR 23/2025 REGARDING THE HEIST AND PLUNDERING OF GOLD FROM THE GOLD-CLADDED DWARAPALAKAS PLACED ON EITHER SIDE OF THE SREEKOVIL, SABARIMALA, PIN - 682031

RESPONDENTS:

1. THE STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE (DEVASWOM) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM , PIN - 695001
2. THE TRAVANCORE DEVASWOM BOARD, REPRESENTED BY ITS SECRETARY, NANTHANCODE, KAWDIAR POST, THIRUVANANTHAPURAM, PIN - 695003
3. THE CHIEF VIGILANCE AND SECURITY OFFICER (SUPERINTENDENT OF POLICE), TRAVANCORE DEVASWOM HEAD QUARTERS, NANTHANCODE, KAWDIAR POST, THIRUVANANTHAPURAM, PIN - 695003
4. THE STATE POLICE CHIEF, POLICE HEAD QUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695010
5. THE SENIOR DEPUTY DIRECTOR, KERALA STATE AUDIT DEPARTMENT, TRAVANCORE DEVASWOM BOARD, THIRUVANANTHAPURAM, PIN - 695003.

BY GOVERNMENT PLEADER FOR R1 & R4

S.SREEKUMAR (SR.) along with SHRI.G.BIJU, STANDING COUNSEL FOR R2, R3 & R5

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 19/01/2026, the court passed the following:

**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

WP(C) No. 40608 of 2025

Dated this the 09th day of February, 2026

ORDER

Raja Vijayaraghavan V, J.

This Order shall be read in continuation of the previous orders passed by this Court in the above proceedings.

2. When the matter was taken up for consideration, Sri. H. Venkatesh, ADGP (Law and Order & Crimes), who is heading the Special Investigation Team constituted pursuant to the express directions of this Court, Sri. S. Sasidharan, IPS, the Investigating Officer, and the Chief Vigilance and Security Officer (Superintendent of Police) appeared before us in person.

3. We have interacted with the Officers.

4. It is submitted that as of date 262 witnesses have been examined and their statements have been recorded. Steps are being taken to obtain the call data records of some of the accused pertaining to the year 2019, for which purpose service providers have been contacted, and the same will be collected, if available. Such details will shed some light on the interactions between the accused. The data contained in the four hard disks seized from Smart Creations,

Chennai, are being analysed at the Forensic Science Laboratory, Thiruvananthapuram. An in-depth analysis is required to ascertain the date of receipt of each item at Smart Creations, Chennai. It is further stated that the handwriting specimens and signatures of the accused have been obtained and forwarded to the Enquiry Commissioner and Special Judge, Kollam, along with the listed and admitted documents. Further steps for getting the comparison done by the Forensic Science Lab are in progress. Scientific analysis of the Dwarapalaka Idols, which were gold-plated in 2025, is being carried out, and certain pertinent aspects are required to be ascertained. It is further stated that the role of the remaining 4 accused in Crime No. 3700 of 2025 has been verified, and the role of 2 accused have been confirmed. The role of the remaining 2 accused in Crime No. 3701 of 2025 has also been verified, and the role of one accused has been confirmed.

5. We note that the events leading to the registration of these two crimes span a period from 1998 to 2025. The investigation has been structured into four distinct phases.

a) In the first phase, clinching documentary materials have been secured establishing that the Sreekovil, side frames, pillar plates, Dwarapalakas and allied structures were originally clad with gold by M/s Mc Dowell and Company. Collection of primary materials in this regard is substantially complete and forms the foundational basis upon which the prosecution case rests.

b) The second phase relates to the replacement of the old Sreekovil door with a newly gold-plated door in the year 2019. Documentary and oral evidence have been collected to substantiate the execution, supervision and completion of this work.

c) The third phase concerns the alleged removal of the Dwarapalaka plates, side plates and door frames with the intention of misappropriating the gold cladding affixed thereto, and thereafter gold plating the same using minimal quantities of gold so as to conceal the misappropriation and theft. The SIT reports that substantial oral evidence has been gathered, and preliminary scientific examination indicates that the original gold cladding had been removed and replaced through fresh surface plating of lesser thickness. However, the SIT is of the considered view that advanced scientific analysis is indispensable to establish, with precision and objectivity, the extent of material alteration, the nature of metallurgical manipulation, and the quantum of gold originally present and subsequently depleted.

d) In this context, the SIT proposes to undertake specialised scientific examinations including:

- X Ray Fluorescence Spectroscopy (XRF) to determine surface elemental composition
- Inductively Coupled Plasma Mass Spectrometry (ICP MS) for ultra trace impurity and elemental profiling

- Optical Emission Spectroscopy (OES) to analyse alloy composition and metallurgical uniformity

e) These techniques will enable comparison between the original cladded layers and the present plated surfaces. Trace element mapping and impurity profiling will scientifically determine whether the copper substrates and gold layers belong to the same metallurgical batch or whether substitution and reworking have occurred. Even minute variations in impurity signatures, refining residues, or alloy composition can conclusively indicate removal, replacement, or dilution of gold content.

f) The advanced analytical facilities required for these examinations are not available at the Vikram Sarabhai Space Centre. None of the Forensic Labs in the State of Kerala are equipped to carry out the above tests. The SIT is therefore approaching premier national research institutions and laboratories, including the Bhabha Atomic Research Centre, Mumbai, the National Metallurgical Laboratory, Jamshedpur, and the Defence Metallurgical Research Laboratory, Hyderabad, to undertake these specialised tests.

6. We find considerable force in the said submission. Metallurgical composition analysis, impurity profiling, alloy ratio determination, plating thickness measurement, and trace element signature mapping constitute objective forensic indicators. These parameters are intrinsic to the material itself and cannot be fabricated, replicated, or altered without leaving measurable and scientifically detectable markers. Modern analytical techniques are capable of

identifying even microscopic variations in elemental composition, refining residues, bonding layers, and deposition patterns, thereby revealing whether the original cladding has been removed, tampered with, or replaced through secondary plating processes.

7. Allegations of this nature, involving the removal and substitution of precious gold cladding from the Holy Shrine, strike at the very sanctity of the temple. Such allegations, by their very nature, cannot rest solely on testimonial assertions or documentary records, which may be susceptible to omission, manipulation, or interpretative dispute. The proof must necessarily be anchored on demonstrable scientific parameters capable of independent verification and rigorous judicial scrutiny.

8. Scientific evidence, being instrument-generated and data-driven, stands on a far higher evidentiary pedestal. It is free from human subjectivity, capable of reproducible validation, and can withstand expert cross-examination. It would enable the Court not merely to infer wrongdoing, but to scientifically quantify material loss, determine the stages and methods of manipulation, correlate timelines of alteration, and fix criminal liability with precision against those responsible.

9. We are therefore satisfied that such advanced forensic and metallurgical examination is absolutely essential, and the results thereof would constitute the bedrock upon which the prosecution case must rest so as to establish the allegations in a clear, cogent, and legally sustainable manner. Under

no circumstance can the prosecution be permitted to proceed in the absence of an exact scientific foundation, thereby risking serious evidentiary lapses that may ultimately compromise the sustainability of the case.

10. It is only upon receipt of the scientific results from the above institutions that the SIT would be in a position to proceed further with the later phase transactions, particularly those relating to the period 2023–2024. No laboratory within the State of Kerala is presently equipped to conduct the full range of metallurgical and trace element analyses proposed.

11. It is further submitted that, for this purpose, representative samples are proposed to be collected from Sannidhanam on 12.02.2026 under controlled and documented conditions.

12. We grant permission to the SIT to collect samples.

13. Post this matter on 19.02.2026 to report before this Court whether adequate samples have been taken and the details of the research institutes where the SIT proposes to carry out tests to conclusively establish essential aspects.

The Temple Flag Mast issue:

14. In the course of the above investigation, and in view of the earlier directions issued by this Court that all complaints relating to Sannidhanam shall be forwarded to the Special Investigation Team, our attention has been drawn to

a preliminary enquiry conducted by the Devaswom Vigilance on the basis of a complaint lodged by a devotee.

15. Sri. S. Sasidharan, IPS, the Investigating Officer, along with the Chief Vigilance and Security Officer (Superintendent of Police), submitted before us that the complaint pertains to alleged acts of misappropriation of gold and cash in connection with the installation of a new Temple Flag Mast in the year 2017. Based on the complaint so received, a preliminary scrutiny of the relevant mahazars and connected records was undertaken, the details of which have been placed before us.

16. The preliminary report placed before us discloses the following:

a) The decision to replace the existing Flag Mast was taken on the premise that the old mast had substantially deteriorated due to wear and tear.

b) By order dated 03.08.2016 in DBA No.13 of 2016, a Division Bench of this Court recorded the submission of the Travancore Devaswom Board that the work relating to the installation of a new Flag Mast would be undertaken entirely at the expense of M/s Phoenix Infrastructure Pvt Ltd, Hyderabad. This Court directed that the work shall be supervised by the Thiruvabharanam Commissioner, the Devaswom Chief Engineer (General), and Sri. A.S.P. Kurup, Advocate Commissioner, and granted approval for the work to proceed expeditiously.

c) While granting such approval, this Court had categorically directed that all gold elements, whether in the form of "Paras" or otherwise, connected

with the existing mast, together with all other valuable materials, shall be properly retained, inventoried, and accounted for by the Travancore Devaswom Board in accordance with due procedure.

d) From the records placed before us by the Chief Vigilance Officer, it is revealed that on 22.03.2017, a quantity of 9.161 kilograms of gold was purchased from the Customs Department. It is further seen that, for the purpose of the Flag Mast project, a bank account was opened at Dhanlaxmi Bank, Pathanamthitta, in the name of the Devaswom Executive Officer. An estimate for ₹3,20,30,000 submitted by the Devaswom Chief Engineer was approved by the Board on 23.09.2016.

e) Thereafter, devotees contributed gold on various dates, recorded through mahazars, the particulars of which are as follows:

05.06.2017 – 80.490 grams

10.06.2017 – 246.520 grams

11.06.2017 – 5.000 grams

15.06.2017 – 5.000 grams

16.06.2017 – 25.000 grams

19.06.2017 – 50.000 grams

Total – 412.010 grams

Thus, the total quantity of gold available, including Customs purchase and donations, was 9,573.010 grams, whereas the quantity recorded as utilised for the Flag Mast was 9,340.200 grams.

f) The mahazar dated 05.06.2017 records that an actor and other devotees handed over 80.490 grams of gold to the Advocate Commissioner, which was entrusted to Venkitesh, the artisan. On 10.06.2017, a movie producer and another individual handed over 246.520 grams of certified gold biscuits of 999.9 purity to the Advocate Commissioner, which was in turn handed over to the Thiruvabharanam Commissioner. Similar entrustments are recorded on 11.06.2017, 15.06.2017, 16.06.2017, and 19.06.2017, with gold being handed over through mahazars.

g) As per the Devaswom Manual and established practice, whenever gold, valuables, or cash are donated by devotees, sealed receipts in Form 3A must mandatorily be issued specifying the exact quantity and particulars of the donation.

17. In the present case, except for general recitals that gold was donated by devotees, the specific quantity donated by each individual does not find proper reflection in the records. More importantly, the absence of individual donor receipts renders it impossible to verify the exact quantity donated. The donor is equally left without documentary proof of accounting. According to the officers, this constitutes a serious procedural lapse and a grave violation of Devaswom Rules and financial accountability norms.

18. It is further stated that, in order to ascertain whether any misappropriation has occurred, it is necessary to contact and record statements of

the 27 individuals who are stated to have donated gold for the Flag Mast work.

19. The Chief Vigilance Officer submitted that the discrepancies noticed are of a grave nature and warrant a detailed enquiry to rule out offences such as criminal misappropriation, criminal breach of trust, falsification of records, and cheating, punishable under the Bharatiya Nyaya Sanhita and the provisions of the Prevention of Corruption Act, 1988. It is further submitted that the Devaswom Vigilance does not possess the requisite resources or investigative wherewithal to conduct a comprehensive enquiry into these aspects.

20. We are of the view that it may not be appropriate to entrust the investigation relating to the alleged misappropriation of gold connected with the Temple Flag Mast to the Special Investigation Team, which is presently engaged in investigating other serious offences pursuant to our earlier directions.

21. However, we are satisfied that the matter requires an independent vigilance enquiry. Necessary directions can therefore be issued to the Director, Vigilance and Anti-Corruption Bureau, Vikas Bhavan, Thiruvananthapuram, to conduct a preliminary enquiry to ascertain whether the acts disclosed reveal commission of cognizable offences.

22. In that view of the matter, we issue the following directions:

- a) All files, records, mahazars, accounts, and connected documents relating to the construction and installation of the Temple Flag Mast, as referred to in the order dated 03.08.2016 in DBA No.13 of 2016,

shall forthwith be forwarded to the Director, Vigilance and Anti-Corruption Bureau.

- b) The Director shall constitute a team of competent and upright officers to conduct a preliminary enquiry, including recording statements of the donors and examining financial and material records, and shall file a report before this Court within a period of 30 days from today.

Let this matter be listed on 19.02.2026, on which day Sri. S. Sasidharan, IPS, the Investigating Officer, and the Chief Vigilance and Security Officer (Superintendent of Police) shall appear in person.



Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE**

Sd/-
**K.V. JAYAKUMAR,
JUDGE**

APM