

**SESSIONS CASE NO. 38 OF 2009.
WITH OTHER SESSIONS CASES**

Order below Exh.415 and 419.

Heard L.A. Mr.I.I. Munshi and Mr.L.R.Pathan and other Learned advocates for the defence. Heard learned Special P.P. Mr.M.R.Amin for the State.

(1) By moving the application below Exh.415 and 419, the U.T.P. have prayed to the Court that they are often being humiliated on the name of their checking as required under the Jail Rules. The grievances have been voiced that as a matter of fact, such checking is insulting, embarrassing and humiliating them and that the Jail Authority needs to be directed to restrain the observance of such practise.

(2) Learned Special P.P. Mr.M.R.Amin has invited the attention of this Court to Exh.428 viz. reply / report of the Jail Authority for the mentioned applications to submit that in past, many serious cases have come to the notice of Jail Authorities for which, for the subsistence of rule of law and in the larger interest of Jail inmates as well as in the interest of law at large, it is essential to observe such practises. He ensured the Court that there is absolutely no discriminatory practises being observed by Jail Authority and in any case, the derogatory treatment to the U.T.P. is not being offered by the Jail authority.

(3) Having heard both the sides, having perused the applications and the report of the Jail Authority, it seems that it is necessary to direct the Jail Authority to act in strict accordance with human rights and the practise by which complete human

dignity of each U.T.P. is maintained. It is hoped that the jail authority must be examining each of the U.T.P. separately in a proper zaddi room and the zaddi must be taken in absence of other U.T.P. except the concerned jail official.

(4) In light of the foregoing discussion, the following order is passed.

ORDER

(A) The Jail Authority is hereby directed to physically examine each of the U.T.P. in strict compliance of the Jail Rules, Regulations, Manual etc. but while doing so, the human dignity and human right of each U.T.P. should be strictly respected by the jail authority.

(B) It is hereby clarified that this order is passed without entering into the merits of the case and plainly on the basic principle of human rights alone.

3) Yadi be issued to the Jail Authority accordingly.

With the above directions, both these applications stand disposed of in light of the above order.

Dictated and pronounced in the open Court today on this 29th day of June, 2012.

Date :- 29/06/2012.

**(Dr.Smt.Jyotsna Yagnik)
Special Judge,
Designated Court for conducting
The Trial of Bomb-Blast Cases,
Ahmedabad.**