

SESSIONS CASE NO.38 OF 2009**Order Below EXH.752 :**

Heard learned P.P. Mr. S.B. Brahmbhatt, learned Spl. P.P. Mr. Amit Patel and learned advocate Mr. I.M. Munshi for the accused.

1. The present application has been tendered by the I.O. of newly filed complaint, filed at Ranip Police Station vide C.R. NO.I-24/2013 against 14 accused who have been arraigned in the Serial Bomb Blast Cases and against whom the trial is on going at the Court situated at the Sabarmati Central Jail Premises.

2. The I.O. seeks permission to interrogate the 14 accused with reference to the newly filed complaint of C.R. No.I-24/2013 filed under Sec.224 and 120-B of the I.P.C. And Sec.45 of the Prisoners Act.

3. Considering the fact that the interrogation is an essential part of free and fair investigation which is needed to be carried out by the I.O., the permission as sought for needs to be granted qua the 14 accused of the Serial Bomb Blast Cases who, at present are in judicial custody of this Court.

4. It has been submitted that the I.O. Needs to interrogate each accused separately and if required, he

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may do collective interrogation. In view of the said submission and considering the over all facts and circumstances of the case and more particularly considering the interest of law and order situation, it is essential, just and proper to allow the present application.

5. It is needed to be kept in mind that on 13/02/2013, the trial of the Serial Bomb Blast cases has been decided to be held at the Central Jail premises, Sabarmati, Ahmedabad for which, the presence of the accused would be essential. However, since the trial is to be conducted upto 2:00 p.m., it would be in fitness of the things to allow the I.O. to interrogate the mentioned 14 accused after 2:00 p.m. in the premises of Central Jail, Ahmedabad. The application has a prayer to permit interrogation of 45 days but, it seems just and proper to allow to interrogate the accused atleast for 10 days at this stage.

6. It is also needed to be kept in mind that during the said interrogation, the I.O. shall take care of the human rights of the accused and shall also observe the guidelines given by Hon'ble the Apex Court of India and Hon'ble the High Courts of the country from time to time.

7. In view of the foregoing discussion, the following final order is passed :

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O R D E R

[a] The I.O. Shri R.D. Jadeja, P.I. Crime Branch, Ahmedabad City is permitted to interrogate the following 14 accused in the premises of Central Jail, Sabarmati, Ahmedabad with reference to C.R. NO.I-24/2013 filed at the Ranip Police Station.

- [1] **Saaduli Abdulkarim**
- [2] **Shibli Abdulkarim**
- [3] **Hafidhussain Tajuddin Mulla**
- [4] **Mufti @ Abubashar Abubakkar Shaikh**
- [5] **Mohammad Ismail @ Furkaan Mohammad Irshad**
- [6] **Jahid @ Javed Kutubuddin @ Maji Shaikh**
- [7] **Nadim Abdulnaim Saiyed**
- [8] **Nasir Ahmed Liyakatali Patel**
- [9] **Iqbal @ Iksar Kasambhai Shaikh**
- [10] **Saif-ur-Rehman @ Saifu @ Saif Abdul Rehman**
- [11] **Imran Ibrahim Shaikh**
- [12] **Mohammad Ansar @ Nadvi Abdulrazzak Muslim**
- [13] **Shakib Nishar S/o. Nisharahmed Aajmi**
- [14] **Mohammad Usman Mohammad Anish Mansuri**
Agarbattiwala

[b] The I.O. shall start his interrogation from 2:00 p.m. onwards of 13/02/2013 and the same is permitted to be continued upto 23/02/2013. However, the I.O. shall be at liberty to seek extension of time limit beyond 23/02/2013.

[c] Upon completion of the interrogation, the I.O. shall report to this Court.

[d] During interrogation, the I.O. shall take care of all human rights of the accused and shall act in strict compliance of the different directions given by Hon'ble the Apex Court and Hon'ble the High Court of Gujarat with reference to the rights of the accused being interrogated.

[e] A yadi of this order be sent to the I.O. of C.R. No.I-24/13, I.O. of Sessions Case No.38/09 and to the Superintendent, Central Jail, Sabarmati, Ahmedabad.

With the above directions, this application stands disposed of as allowed.

Date: 12-02-2013

**(Dr. Smt. Jyotsna Yagnik)
Judge,
Special Court designated
for conducting speedy trial
of Riot Cases, situated at
Old High Court Building,
Navrangpura, Ahmedabad.**