

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION
Present:
Smt.Sulekha M.,Special Judge, Special Court for the trial of
Offences under the SC/ST(POA) Act
Full Addl.Charge of Addl.Dist.& Sessions Judge-VIII,
Ernakulam.

Tuesday, the 20th day of January, 2026/30th Pousha 1947

Crl.MP No.02/2026
in
S.C.No.05/2026
(OR03/2022 of NCB Cochin Zonal Unit)

Petitioner/ Accused No.2:-

Anju Davis, D/o.Davis Jacob, Nedumthaly House,
Chruch Avenue Road, North Parur, Ernakulam
District- 683 513.

By Adv.Shaijan C George, C.L. Ebenser,
Arless Trency Antony and Vinal John.

Respondent/Complainant:-

Narcotics Control Bureau, Cochin Zonal Unit.

Special Public Prosecutor Adv. Sri. Sunil J.

This petition filed by the petitioner seeking permission to obtain signature of the accused who is presently under judicial remand and attestation of the same by the Jail Superintendent.

This petition coming on for hearing before me on 19.01.2026 and the court on 20.01.2026 passed the following:-

ORDER

This is an application filed by the 2nd accused seeking permission to obtain the signature of the 2nd accused in OR 3/2022 of NCB Cochin

Zonal Unit, who is presently under judicial remand, and for attestation of the same by the Superintendent of the concerned Jail.

2. The counsel for the petitioner submitted that:- The petitioner had availed a gold loan from The South Indian Bank Ltd., North Parur Branch, by pledging her gold ornaments belonging to her parents. The particulars of the said gold loan are as follows:

a) Gold Loan Account No. 0058653000013028

b) Date of Loan: 08-12-2023

c) Loan Amount: Rs. 6,29,000/-

3. The due date for closure of the gold loan was on 29-11-2025 and the total amount outstanding is Rs. 5,40,344/- towards principal and interest. As the petitioner is under judicial remand, she is unable to personally appear before the bank to renew or close the said gold loan. The bank has already initiated steps to sell the said gold in auction. Hence, the family members of the petitioner are arranging funds to close the loan in full through lawful means.

4. When the family members approached the North Parur Branch of The South Indian Bank Ltd., the bank officials insisted that as per bank norms, a Power of Attorney executed by the petitioner in the prescribed format and a Token Loss Form (Annexure-A3), duly signed by the petitioner and attested by the Jail Superintendent, are mandatory to close the said gold loan in the absence of the petitioner. The Power of

Attorney is required to be executed in favour of the petitioner's father Davis Jacob, authorising him to close the gold loan and receive delivery of the pledged gold ornaments.

5. The execution of the above documents is purely civil and financial in nature and has no connection with the investigation or proceedings in the above case. Unless permission is granted, the petitioner will suffer irreparable financial loss including the risk of auction or disposal of the pledged ornaments.

In the above said circumstances, it is most humbly prayed that this Hon'ble Court may be pleased to:

a) Permit the petitioner to execute and sign the Power of Attorney in favour of her father, Davis and also execute and sign the Token Loss Form in the format prescribed by The South Indian Bank Ltd., in connection with the said gold loan.

b) Direct the Superintendent, District Jail, Ernakulam, to attest the signatures of the petitioner in the Power of Attorney and Token Loss Form, in the interest of justice.

6. Heard both sides.

7. Considering the nature of the request and the stage of investigation, this Court finds that granting permission to obtain the signature of the

accused will not in any manner prejudice the rights of the accused and is necessary for the proper conduct of investigation.

In the above circumstances, **this petition is allowed.**

The petitioner is permitted to execute and sign the Power of Attorney in favour of her father, Davis and also execute and sign the Token Loss Form in the format prescribed by the South Indian Bank Limited, in connection with the said gold loan. The Superintendent of the concerned Jail is directed to facilitate the same and to attest the signatures of the accused, after verifying her identity.

Dictated to the confidential Assistant, transcribed and typed by him, corrected and pronounced by me in open court on this the 20th day of January, 2026.

Sd/-
Sulekha.M.
Special Judge,
Special Court for the trial of Offences
under the SC/ST(POA) Act
Full Addl.Charge of Addl.Dist.& Sessions Judge-VIII.

**Order
in
Crl.MP.No.02/2026
in
S.C.No.05/2026
Dated.20.01.2026.**