

IN THE SPECIAL COURT FOR THE TRIAL OF NIA CASES, ERNAKULAM
Present: Sri. K. Sathyan, Judge for NIA Cases

Wednesday the 17th day of June, 2020/ 27th Jaishtha, 1942

Crl.MP No.45/2020 in SC No.01/2020/NIA

Petitioner/Accused No.1:

Allan Shuaib (A1), age 20 years,
S/o. Mohammed Shuaib, Manipoori House,
Palattu Nagar, Thiruvannur, Kozhikode

By Adv. Sri. Isac Sanjay

Respondent/Complainant:

Union of India represented by National
Investigation Agency, Kochi.

By Adv. Sri. Arjun Ambalappatta
Public Prosecutor, NIA

This Criminal M.P coming on for hearing before me on 17.06.2020 and the Court on the same day passed the following:

ORDER

1. This is an application filed on behalf of A1 Allen Shuhaib, who is in judicial custody in High Security Prison, Viyyoor, Thrissur seeking permission to visit Smt. Leela Madathil, his grandmother's sister, who is reportedly bedridden in critical condition at her residence at Thiruvannoor, Kozhikode. It is stated that the grandmother's sister wants to see the petitioner at an early date.

2. The petitioner has undertaken that he will not misuse the permission and will interact with his relatives only in addition to the sister of his grandmother.
3. The learned PP for NIA has endorsed no objection to this petition.
4. The petitioner is in judicial custody since 01.11.2019 along with the second accused. He is now in high security prison, Thrissur. The statement that the sister of petitioner's grandmother is critically ill and that the petitioner wants to see her at an early date is not disputed.
5. Therefore on consideration on the statements in the petition and the attending circumstances this court is satisfied that permission can be granted to the petitioner/first accused to visit Mrs. Leelavathy Madathil, who is the sister of petitioner's grandmother and staying at Dove, Palatt Nagar, Thiruvannoor P.O., Kozhikode. There is a general statement in the petition that the petitioner will interact with his relatives only. The details of those persons are not mentioned. It is not possible to issue a blanket direction that the petitioner can interact with his relatives only. Therefore, the petitioner is permitted to interact with his parents in addition to Mrs. Leelavathi Madathil during his visit to the house mentioned above, if they are available there. No other persons are permitted to interact with the petitioner. The Superintendent, High Security Prison shall ensure that this order is complied with within a week.

6. This petition is allowed as follows:-

1. The petitioner Shri. Allen Shuhaib is permitted to visit Mrs. Leelavathy Madathil who is the sister of petitioner's grandmother and staying at Dove, Palatt Nagar, Thiruvannoor P.O., Kozhikode on any day within one week for three hours. He is permitted to interact with his parents also, if they are available at the said house during his visit. No other persons are permitted to interact with the petitioner.
2. The Superintendent of the High Security Prison, Viyyur, Thrissur, where the petitioner is accommodated will make necessary arrangements for travel with adequate security. A report shall be submitted to this court on implementation of this order.
3. The NIA will co-ordinate with the Superintendent of the jail concerned to ensure that adequate arrangements are made for security.
4. Permission is granted to keep the petitioner at the nearest District jail or Sub jail if required during transit.
5. The protocol and guidelines issued by the Central and State Governments in connection with the Covid-19 pandemic shall be strictly followed.

Dictated to the Confidential Asst., transcribed and typed by her, corrected and pronounced by me in open court on this the 17th day of June, 2020.

Sd/-

K. Sathyan
Judge, Special Court for NIA Cases

Appendix: Nil

Id/-

Judge, Special Court for NIA Cases
(By Order)

Sd/-

Sheristadar

Order in Crl.MP No.45/2020
in
SC No.01/2020/NIA/KOC
Dated: 17.06.2020

