

IN THE SPECIAL COURT FOR THE TRIAL OF NIA CASES, ERNAKULAM

Present: SHIBU THOMAS Special Judge, (SPE/CBI) – III (in charge) Ernakulam

Saturday the 20th day of January, 2024/30th Pousha, 1945.

Crl.M.P. No.52/2024

In

SC.01/2020/NIA/ KOC

Petitioner/Accused

: M. Usman (A3), Aged 42 years, S/o Aboobacker, Melethil House, Odampatta, Chembrassery, Pandikkad, Malappuram.(Now remanded at High Security Prison ,Viyyur.

By Adv. Thushar Nirmal Sarathy

Complainant/Respondent

Union of India represented by National Investigation Agency, Kochi.

**By Sri. Arjun Ambalapatta
(Senior Public Prosecutor, NIA) and
Sri. Sreenath.S (Public Prosecutor, NIA).**

This petition coming on for hearing before me on 20.01.2024 and the Court on the same day passed the following:

ORDER

Petition filed by 3rd accused under Rule 79 of Kerala Prisons Act to attend the funeral of his father.

2. The petitioner is the accused in a UAPA case and is under judicial custody for trial. The petitioner has sought parole to attend the funeral ceremony of his father who passed away today morning at 9.30 am.

3. The learned Prosecutor has not filed any written objection, however during argument submitted that parole period shall be limited to the

necessary period for attending the funeral of his father, otherwise it would create burden on security measures.

4. The Station House Officer at the place of residence of the petitioner submitted report. Nothing is stated in the report as to any issue affecting the law and order if the petitioner is produced at his residence for the above said purpose. The funeral of his father is fixed at today evening. Considering the request of the petitioner and the report of the SHO, this Court is of the opinion that the petitioner deserves to be granted parole to attend funeral of his father with following conditions:-

1. Petitioner shall be released on parole today for a period of four hours from the time of his release from the jail excluding the time taken for journey, to attend the funeral of his father.

2. The Superintendent, High Security Prison, Viyyur is directed to take necessary arrangements and to provide sufficient police escort to take the petitioner and to produce him at his house, Melethil House situated at Chembrassery East P.O., Malappuram district, PIN- 679 327 today.

3. Petitioner shall not leave the premises of the funeral without permission of the escorting police officers.

4. Petitioner shall not indulge in any unlawful or antisocial activities during the parole period.

5. Petitioner shall abide by all the rules and regulations of the jail.

6. Petitioner shall report back to the jail within the stipulated parole period, failing which he shall be liable for legal action.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 20th day of January, 2024.

Sd/-
SHIBU THOMAS
Special Judge, (SPE/CBI) – III
Judge, Spl. Court for NIA Cases(in charge)
Ernakulam

Appendix: Nil

Id/-
Judge, Spl. Court for NIA Cases(in charge)

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(By Order)

Sd/-
Sheristadar