

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

Present: Sri. Anil.K. Bhaskar, Judge for NIA Cases

Wednesday the 1st day of March, 2023/ 10th Phalguna, 1944

Cri.M.P No.03/2023

in

SC.02/2021/NIA/KOC

Petitioner/Accused No. 11 : R. Raghavendran @ Murukesh @ Gautham,
age 32 years, S/o. K. Rajan, No. 7/8, TNHB,
Phase 1, Sathuvachari, Vellore District, Tamil
Nadu.

By Adv. Smt. Shyna P.A.

Respondent/Complainant : Union of India represented by National
Investigation Agency, Kochi.

**By Sri. Arjun Ambalappatta
Public Prosecutor, NIA**

This Criminal M.P coming on for hearing before me on 01.03.2023 and the
Court on the same day passed the following:-

ORDER

1. The accused R. Raghavendran, a remand prisoner (UT No.183/2022),
moved this application through Jail Superintendent, Central Prison, Viyyur seeking
permission of this court to join UG course in BA Sociology conducted by IGNOU,
for the coming academic year.

2. It is submitted that petitioner passed plus two exam. Before his arrest
he had joined B Com degree course but he could not complete it. By that time he
was arrested and remanded in jail. Now his request is to grant permission to join
the UG course preferably BA Sociology conducted by IGNOU utilizing the facilities

and services available in the Special Study Centre of IGNOU in Central Prison, Viyyur.

3. Notice served to the learned Public Prosecutor (NIA) and a report was also called for from the the Jail Superintendent, Central Prison, Viyyur.

4. The prosecution doesn't oppose the application. But the Jail Superintendent in his report submitted that at present three certificate courses related to preparatory programmes are only available in the IGNOU study centre.

5. It seems that the certificate courses available are:-

1. Certificate Programme – Food and Nutrition
2. Certificate Programme – Functional English
3. Certificate Programme – Arabic Language

6. The jail superintendent further submitted that, upon the receipt of the present application filed by the petitioner to join UG course, he contacted the officials of IGNOU at their Regional Centre, Kochi, then they informed that in the present situation it is not possible for the inmates of the jail to join UG Course, otherwise petitioner has to register through IGNOU centre outside the jail by paying the requisite fees. Since, for security reasons it is not possible to permit the petitioner to enroll at a study centre outside the prison, the Jail Superintendent doesn't favour granting permission to the petitioner to join BA, Sociology.

7. Since the security of the petitioner involved in UAPA case is a major concern of the state, I find it not proper to grant permission to the petitioner to join a course which cannot be pursued through the study centre at Central Prison, Viyyur. Records reveal that as per the order passed in CrI.M.P.57/2022, the petitioner herein was given permission to join the courses "Certificate Programmes

– Food and Nutrition, Functional English, Arabic Language” offered by Indira Gandhi Open University (IGNOU).

8. Considering the whole facts, I find that the prevailing situation doesn't permit the court to grant permission to the petitioner to join an additional UG Course, which cannot be pursued by utilizing the facilities available inside the Jail.

In the result, petition stands dismissed.

Forward a copy of the order to the Jail Superintendent, Central Prison, Viyyur via email. The Jail Superintendent shall serve a copy of the order to the Petitioner.

Dictated to the Confidential Asst., typewritten by her directly to computer system, corrected and pronounced by me in open court on this the 1st day of March, 2023.

Sd/-
Anil.K.Bhaskar
Judge, Spl. Court for NIA Cases

Appendix: Nil

Id/-
Judge, Spl. Court for NIA Cases
(By Order)

//True copy//

Sd/-
Sheristadar