

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

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

Tuesday the 29<sup>th</sup> day of March, 2022/ 8<sup>th</sup> Chaithra, 1943

**Cri.M.P. No. 28/2022**

**in**

**S C No. 2/2021/NIA**

**Petitioner/Accused No. 3** : Rajan C.G @ Rajan Chittilappilly, age 58/21,  
S/o.Gangadharan, Nambiyath House,  
Chittilappilly, Peramangalam, Thrissur.

**By Adv. Sri. Thushar Nirmal Sarathy**

**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 29.03.2022 and the Court on the same day passed the following:-

**ORDER**

1. The petitioner herein is the third accused in SC No.2/2021. He is an under trial prisoner (RP 77), detained in High Security Prison, Viyyoor under the orders of this court.

2. The petitioner is desirous to get employment, but the Jail Superintendent is worried about the health condition of the petitioner. The Jail Superintendent was reluctant to provide employment, which resulted in filing the above petition by the petitioner seeking the orders of the court.

3. A report was called for from the Jail Superintendent. He produced the medical report and requested further directions from the court in providing employment

to the petitioner to do agricultural work. It is submitted that no other jobs are available in the jail.

4. The petitioner is aged 59 years. Medical report will show that he is taking medicine for diabetic, hipper tension, cholesterol and urinary infection due to prostrate. As requested by this court petitioner Rajan was produced on VC today. He submitted that his cholesterol, blood sugar and pressure are under control and presently he is not feeling any infirmities. He is ready to do agriculture work.

5. It appears that the petitioner Rajan is physically fit to be engaged in agriculture works. As informed by the Welfare Officer, mushroom cultivation is the major agricultural activity carried out. Health issues pointed out are mainly life style diseases. It is better to have some sort of physical activity than sitting idle in the cell room. In fact it will be helpful for the petitioner to manage his blood sugar, pressure and cholesterol level under control.

6. As per Section 54 of Kerala Prisons and Correctional Services (Management) Act, 2010, the Superintendent shall make provision for providing such employment as may be prescribed, to all remand prisoners and under trial prisoners as long as they so desire. Rule 474 says that employment shall be provided to all prisoners who are physically fit to do the job. I had already found that, at present, petitioner is physically fit to do agriculture works and in fact it is beneficial for him to control his blood sugar and cholesterol.

7. For all these reasons, I am inclined to accept the submission made by the petitioner and to direct the Jail Superintendent to provide employment to him to do agriculture works.

In the result, petition allowed, following orders passed.

1. The Jail Superintendent. High Security Prison, Viyyoor is hereby directed to

provide employment to petitioner Rajan (RP 77) an under trial prisoner, to do agriculture works.

2. Petitioner shall be provided employment for two weeks at a stretch and thereafter he shall be subjected to medical examination and the medical report shall be placed before this court.

3. Further employment shall be subject to the review of the medical report.

4. Forward a copy of this order via email to the Jail Superintendent, High Security Prison, Viyyoor for compliance. Jail Superintendent shall also serve a copy of this order to the petitioner Rajan.

Dictated to the Confidential Asst., transcribed and typed by her, corrected and pronounced by me in open court on this the 29<sup>th</sup> day of March, 2022.

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