

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

**Present: Sri. P.K. Mohandas, Judge for NIA Cases**

Saturday the 1<sup>st</sup> day of June, 2024/11<sup>th</sup> Jaishtha, 1946

**Crl.M.P. No.233/2024**

**In**

**SC.02/2021/NIA**

**Petitioner/Accused No. 14**

B.G. Krishnamurthy @ Vijay @ Babanna @  
Bhaskar @ Kumara @ Vijay @ Gangadhara @  
Gopal Rao (**A14**), age 46 years, S/o. B.K.  
Gopal Rao, Nemmar Estate, near Bukkadibylu,  
Shringeri Taluk, Chikkamagaluru District,  
Karnataka. ( RP No. 144, HSP, Viyyur).

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

**Respondent/Complainant**

Union of India represented by National  
Investigation Agency, Kochi.

**By Sri. Arjun Ambalappatta,  
Senior Public Prosecutor, NIA and  
Sri. Sreenath S. , Public Prosecutor, NIA**

This Criminal M.P coming on for hearing before me on 01.06.2024 and the Court on the same day passed the following:-

**ORDER**

This is an application filed by the 14<sup>th</sup> accused in this case, seeking physical production before the court to interact with his advocate and to receive a copy of the charge sheet.

2. According to the petitioner, he has been undergoing detention in connection with the above case at High Security Prison, Viyyur, since 10.11.2021. To discuss the case directly with his advocate and to hand over a copy of the charge

sheet, he seeks permission for physical production before the court.

3. Heard the Special Public Prosecutor and the petitioner.

4. This application is filed to direct the Superintendent of jail to produce the petitioner physically before the court. According to him, he wants to discuss the details of the case with the petitioner. The case is not ripe for trial. At this stage the physical presence before the court is not required. At the same time, the right of the petitioner for legal assistance and consultation with his lawyer cannot be denied. So, for the time being the Superintendent can be directed to permit the petitioner to have discussion with his counsel from the prison. He can be produced before the court physically at an appropriate stage.

Hence the petition is allowed to the extent that the Superintendent of High Security Prison, Viyyur shall permit the petitioner to meet his counsel and discuss the details of the case at the convenience of the counsel, following the relevant rules. Copy of the order shall be communicated to the petitioner.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 1<sup>st</sup> day of June, 2024.

Sd/-  
P. K. Mohandas  
Judge, Special Court for NIA Cases

**Appendix: Nil**

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

// True Copy//

Sd/-  
Sheristadar