

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

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

Thursday the 4<sup>th</sup> day of July, 2024/ 13<sup>th</sup> Ashada, 1946

**Cri.M.P. 217/2024**

**in**

**SC No.02/2021/NIA**

**Petitioner/Accused No. 4**

Dinesh D. @ Dr. Dinesh (A4), 32 years, S/o. Dhanapalan, D. No. 1, Thullarimukam street, Uliyakulam, Coimbatore, Tamil Nadu. (UT No. 3/24, 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 04.07.2024 and the Court on the same day passed the following:-

**ORDER**

This is an application filed by the 4<sup>th</sup> accused in the case seeking permission to interact with his advocate.

2. According to the petitioner, he has been undergoing detention in connection with this case at High Security Prison, Viyyur, since February 2021. It is submitted that the permission to meet and discuss the details of the case

with his advocate at jail was denied on 23.04.2022. Hence, he seeks direction to meet the advocate in prison for a three-hour discussion regarding the case.

3. Heard the Special Public Prosecutor and the petitioner.

4. The Superintendent, in his report, contended that only the lawyers to whom the prisoners have given vakalath are being admitted inside the jail to discuss case-related matters. The petitioner had given vakalath to Advocate Shina only on 01.06.2024. On 23.04.2024, the said advocate had submitted an application to meet another accused in the jail and the same was allowed. The Superintendent reports that the vakalath was given on 01.06.2024 and the allegation of the petitioner is baseless. The Superintendent filed copies of the vakalath and application to substantiate his submissions.

5. This application is filed to direct the Superintendent of jail to give permission to the petitioner to interact with his counsel inside the jail. According to him, he wants to discuss the details of the case with the petitioner. The case is not ripe for trial. The right of the petitioner for legal assistance and consultation with his lawyer cannot be denied. So, the Superintendent can be directed to permit the petitioner to have discussion with a counsel of his choice from the prison.

6. 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 04<sup>th</sup> day of July, 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