

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

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

Monday the 11th day of November, 2024/20th Karthika, 1946

Crl.M.P. 432/2024 in SC No.02/2021/NIA

Petitioner/Accused No.5 : T.K. Rajeevan, S/o. Krishnan, Thottumkara House, Pookkode, Chandrasekhara Street, Koothuparamba, Kannur, Kerala.
(UT No. 06, High Security Prison, 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 11.11.2024 and the Court on the same day passed the following:

ORDER

This is an application filed by the 5th accused in SC No.02/2021/NIA for a direction to provide facilities for bio-metric mustering in the ration card.

2. According to the petitioner, he has been undergoing detention in connection with this case in High Security Prison, Viyyur, for 4 years. Currently, the Government has issued an order requiring all individuals whose names are included in the ration card in the State of Kerala to complete bio-metric mustering. This process is ongoing. It is stated that those who fails to comply

will not get ration facilities, and their names may be removed from the ration card. Therefore, the petitioner seeks direction to provide facilities for mustering the ration card from the jail or to obtain an order ensuring that the name is maintained on the card.

3. Heard the Special Public Prosecutor and the petitioner and called for a report from the Superintendent of High Security Prison. The learned Public Prosecutor submitted that mustering is not compulsory for those who are detained in prison.

4. The Superintendent of High Security Prison, Viyyur, filed a report stating that the petitioner's request for permission for ration card mustering was sent to the Thrissur Taluk Supply Office on 21/10/2024 for further action. It is reported that the Taluk Supply Officer has informed over phone, that the system for conducting mustering in jails has not yet been implemented.

5. The petitioner has produced copy of ration card No.2367116205 issued in the name of his sister Prasanna, Thottum Kara, Pookkode to house No.21/325 of Koothuparamba Municipality. The name of the petitioner appears as the 3rd member in the ration card. The petitioner wants to get the mustering done from the jail or an order not to remove his name from the card.

6. Though the petitioner submitted that mustering is a must to retain his name in the ration card, he has not produced any such order

issued by the Government in this regard. Anyhow, the petitioner is detained in prison and it is not practical to take all the prisoners to the ration shops for the purpose of mustering. The Government has not made any arrangements to conduct the mustering at the jails also. So, as things now stand, it is not practical to conduct the mustering of the petitioner immediately. As there is no facility provided for mustering, the petitioner's name shall not be removed from the ration card without providing an opportunity for the same. Hence the Taluk Supply Officer, Thalasseri shall not remove the name of the petitioner from the said ration card only for the reason that he did not appear for mustering, until suitable arrangements are made.

Copy of this order shall be communicated to the petitioner and the Superintendent of High Security Prison.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 11th day of November, 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.