

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. 447/2024

In

SC No.02/2021/NIA

Petitioner/Accused No. 6 : Sreemathi B.P @ Unnimaya @ Savitha @ Paappa @ Sangeetha (A6 in SC 2/21), aged 33 years, D/o. Puttugouda, Belagodukudige, Masige Village, Sringeri Taluk, Karnataka.

Represented 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 6th accused, seeking permission to meet her husband, who is detained in Central Prison, Trivandrum.

2. The petitioner's case is that she has been undergoing detention in this case at the Women's Prison, Viyyur since 18.01.2024. Her husband, Thiruvenkilam @ Chandu, has been detained in the Central Prison, Trivandrum, in connection with this case for 9 months. The petitioner seeks

permission to meet and discuss case-related matters with her husband for one day in every three months.

3. The Superintendent of Women's Prison, Viyyur, filed a report stating that whenever the petitioner, who detained for offence under the UA(P) Act, is taken to the court or to a hospital, is to be escorted by heavy security with 25 armed police officers and three vehicles. Her husband, Chandu @ Thiruvenkilam, is in remand in Central Prison, Trivandrum, in the same case. Meeting him in Trivandrum would require the same level of security. The "jail interview" system, available in Kerala jails, allows relatives in different jails to meet via video conferencing, which the petitioner has utilized. The Superintendent reported that transferring the petitioner to another jail at such a distance causes a security threat.

4. The learned Senior Public Prosecutor also opposed the petition. He submitted that it is not practically possible to take the prisoners to the other jail to have a meeting. He submitted that they can avail the facilities now provided in the jail.

5. I have heard the petitioner and her counsel and the learned Senior Public Prosecutor.

6. The petitioner wants to meet her husband, who is detained in Central Prison, Thiruvananthapuram. Both of them allegedly committed the offences punishable under the provision of the UA(P) Act. As reported by the Superintendent, high security escort is required for their movement out of the jail. It is not practically possible to take the petitioner to Thiruvananthapuram or

take her husband to Thrissur for their meeting. They can avail the jail interview system available in the jail to discuss about the case. They are also permitted to interact with their lawyers. So, I am of the view that at present the request of the petitioner cannot be allowed.

7. In the light of the above discussion, I am not inclined to allow the petition at this stage. Hence the petition is to be dismissed.

In the result, the petition is dismissed with the above observation.

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.