

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

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

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

**Cri.M.P. No.446/2024 in SC No.02/2021/NIA/KOC**

**Petitioner/Accused No. 4** : Dr. Dinesh.D (A4), age 32 years,  
S/o. Dhanapalan, No. 1, Thulla Arumugam  
street, Puliyaikulam, Coimbatore– 641 045  
(UT No. 124, 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 4<sup>th</sup> accused in the case seeking  
permission to enroll BA Arabic course conducted by Sreenarayanaguru Open  
University and attend examination.

2. According to the petitioner he has been under detention in  
connection with the above case since February, 2021. The petitioner has  
already completed a Certificate in Arabic Language in the academic year  
2022-23, offered by Indira Gandhi Open University, as well as a five-year  
medical course in Bachelor of Dental Surgery (BDS), and is therefore eligible

to enroll in this course. Therefore, he seeks permission to enroll in the course and take the examinations.

3. Heard the Special Public Prosecutor and the petitioner and called report from the Superintendent concerned. The learned Public Prosecutor submitted that he has no serious objection in allowing the application.

4. The Superintendent of High Security Prison, Viyyur has reported that, in compliance with the court's order, he obtained information from the University Registrar about the course fees and exam centers. The petitioner is eligible to join the course, but the examination centers are available only in Trivandrum and Kannur. However, as the petitioner is an accused under the UAPA, it is not feasible to provide escort for attending exams at these locations. Since 2022, 46 inmates here have enrolled in IGNOU courses, and exams attended at the IGNOU study center within Central Jail, Viyyur. However, no inmate from this jail has enrolled in any course through Sreenarayana Open University and there is no study centre in the jails for this university.

5. The petitioner wants to enroll the BA Arabic course offered by Sreenarayanaguru Open University to pursue his studies. He is undergoing detention from February, 2021. The letter of the Registrar of the University shows that examination centres are available in all districts and also in Central Prison, Kannur. So, the reason stated in the report of the

Superintendent is not a sufficient reason to deny the request of the petitioner. Considering the request of the petitioner, I am of the view that the petitioner can be permitted to enroll for the above-mentioned course conducted by Sreenarayanaguru Open University and to attend examinations, subject to the terms of the course of the University.

In the result the petition is allowed. The Superintendent, Central Prison and Correctional Home, Kannur is directed to take necessary steps to facilitate the petitioner to enroll for the course in BA Arabic, conducted by Sreenarayanaguru Open University for the year 2024-25, and attend examinations, subject to the terms of the course fixed by the University, with the assistance of welfare officer. It is made clear that this shall not be treated as a permission to attend the full time course in regular college while undergoing detention in the case. Communicate the order to the petitioner.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 11<sup>th</sup> day of November, 2024.

Appendix: Nil

//True copy//

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

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

Sd/-  
Sheristadar