

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

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

Wednesday the 7<sup>th</sup> day of May, 2025 / 17<sup>th</sup> Vaisakha, 1947.

**Crl.M.P. No.213/2025**

**In**

**SC 2/2021/NIA**

**Petitioner/Complainant**

Union of India represented by National Investigation Agency, Kochi.

**By Sri. Arjun Ambalapatta  
(Senior Public Prosecutor, NIA) and  
By Sri. S. Sreenath  
(Public Prosecutor, NIA)**

**Respondent/  
Accused No. 16**

Karthik @ Kumar @ Tall Karthik (A16), aged 38/25 years, S/o. Thangam, Harijana Street (Bhavlar street), Pannaipuram, Theni street, Tamil Nadu.

**Represented by Adv. Smt. Shyna P.A.**

This petition is coming on for hearing before me on 07.05.2025 and the Court on the same day passed the following:

**ORDER**

This is an application filed by the investigating officer for police custody of the accused No.16 in this case.

2. **Facts and history of the case:** The above mentioned person along with others (altogether 25 persons) were arrayed as accused by the Kerala police in crime No. 249/17 registered before Edakkara police station.

The offences alleged against them are u/Ss. 121, 122 of IPC and Sections 18(A), 20, 38 of UA(P) Act and Section 3 r/w 25(1B) (a) of Arms Act. The said case was registered on 30.09.2017. During the investigation, it is alleged that the accused are the members of the proscribed terrorist organization "CPI Maoist" and also associated, conducted and participated in the Arms and Physical training conducted by "CPI Maoist" and for waging war against state and also conspired and associated themselves for furthering activities of proscribed terrorist organization "CPI Maoist".

3. The Government of India, Ministry of Home Affairs by its order dated 19.08.2021 directed the NIA to take over the investigation of the above case. Accordingly NIA re-registered the case as RC 02/2021 on 20.08.2021 and charge sheet submitted on 23.04.2022.

4. The custody application is accompanied with an affidavit sworn by the investigating officer setting up briefly the prior history of investigation and the likelihood of further clues which the investigation agency expect to derive by having the accused in custody. It is stated that, during the investigation by NIA the incriminating role played by these accused behind the larger conspiracy in the instant crime has been revealed. They are the members of proscribed terrorist organization "CPI Maoist" and are rendering support for furthering the activities of CPI Maoist. They had associated, conducted and participated in physical and arms training for waging war against the state and also conspired and associated themselves for furthering the activities of

proscribed terrorist organization CPI (Maoist).

5. The accused Karthik (A16) was arrested by Q branch of Tamil Nadu and was under judicial remand at Puzhal prison -2. On 3.4.2025 he was produced before this court and has remanded the accused to this case and permitted him return to Puzhal prison. The accused is proceedings before this court today. He has no complaints of ill-treatment by the police. As there is larger conspiracy behind the crimes with the involvement of various accused /suspects from different states of India, the details custodial interrogation of the accused is very necessary. Further, the digital devices seized during the investigation contains various incriminating materials which are to be confronted with the accused by taking him into police custody.

6. Additionally, the investigating officer has sought police custody of the accused, Karthik (A16) for 10 days.

7. I have heard the Public Prosecutor and the counsel for the accused.

8. The offence alleged against the accused is serious in nature. Custodial interrogation is necessary to facilitate the recovery of evidence and to ascertain the identity and details of the absconding accused and to confront the accused with the evidence collected so far. I am satisfied that the accused is mentally and physically fit and good grounds are made out to remand the accused to police custody. It is submitted by the counsel for the accused that

the accused is suffering from diabetics. The petitioner shall give medicine at the advice of the Medical Officer.

9. Hence, the accused is remanded to the custody of the petitioner from 3.00 pm. today till 5.00 p.m. on 09.05.2025. The petitioner shall not harass the accused while he is in police custody and shall get him examined by medical practitioner and shall also comply the directions of the Hon'ble Supreme Court regarding police custody.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 7<sup>th</sup> day of May, 2025.

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.