

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

Present: Sri. Anil.K. Bhaskar, Judge for NIA Cases

Thursday the 11th day of August, 2022/ 20th Sravana, 1944

Crl.MP No.57/2022

In

SC 02/2021/NIA/KOC

Complainant

Union of India represented by National Investigation Agency, Kochi.

**By Sri. Arjun Ambalappatta
Public Prosecutor, NIA**

Accused

1. Rajan.C.G @ Rajan Chittilappally @ Rafi **(A3)**, age 59 years, S/o. Gangadharan, Nambiyathu House, Chittilapilly, Peramangalam, Thrissur, Kerala.
2. Dinesh D. @ Dr. Dinesh **(A4)**, 32 years, S/o. Dhanapalan, D. No. 1, Thullarimukam street, Uliyakulam, Coimbatore, Tamil Nadu.
3. R. Raghavendran @ Murukesh @ Gautham **(A11)**, age 32 years, S/o. K. Rajan, No. 7/8, TNHB, Phase 1, Sathuvachari, Vellore District, Tamil Nadu.
4. B.G. Krishnamurthy @ Vijay @ Babanna @ Bhaskar @ Kumara @ Vijay @ Gangadhara @ Gopal Rao **(A14)**, age 46 years, S/o. B.K. Gopal Rao, Nemmar Estate, near Bukkadibylu, Shringeri Taluk, Chikkamagaluru District, Karnataka.
5. Iyyappan @ Hari @ Ravanan **(A19)**, age 32 years, S/o. T. Ganesan, Door No. 1/300, New Door No. 1/268/3, East Street, Thammanaickenpatti, Viridhunagar Taluk and District, Tamil Nadu.

**A3, A4, A11, A14, and A19 By Adv. Sri.
Thushar Nirmal Sarathy**

This Criminal M.P coming on for hearing before me on 11.08.2022 and the Court on the same day passed the following:-

ORDER

1. This consolidated petition received through the Jail Superintendent, High Security Prison, consist of the request made by A3 Rajan Chittilappilly, A4 Dinesh, A11 Raghavendra, A14 B. G. Krishnamoorthi and A19 Iyappan the under trial prisoners, seeking permission of the court to join distant education courses conducted by IGNOU for the academic year 2022-23.

2. Notice served to the learned Public Prosecutor (NIA) and a report was also called for from the Welfare Officer, High Security Prison, Viyyur.

3. A Study centre of IGNOU is functioning in Central Prison, Viyyur. Both the Central Prison and High Security Prison situates in a single compound. Three courses offered by IGNOU, are available at the Study Centre, Central Prison, Viyyur. They are:-

1. Certificate Programme – Food and Nutrition
2. Certificate Programme – Functional English
3. Certificate Programme – Arabic Language

4. Any inmate can join course no.1 and 3 but as far as course no.2, basic qualification is fixed as Plus two.

5. A3 Rajan Chittilappilly wants to join Course no.1, A4 Dinesh and A11 Raghavendra want to join all the three courses, A14 B. G. Krishnamoorthi and A19 Iyappan wants to join Course no.1 and 2.

6. The learned Public Prosecutor doesn't oppose the application. The Welfare Officer informed that the duration of all the three course is six months and the study materials will be provided to the inmates through the Study Centre at Central Prison, Viyyur and there is provision to appear for exam through the very same Study centre attached to Central Prison, Viyyur. It is further submitted that the applicants are eligible to join the courses opted by them and in fact, she had already processed the applications and what remains is the permission from the court.

7. Access to knowledge is a fundamental right and education through structured courses are one of the ways and means to gain knowledge, which ultimately refines a person to be a better human being. Since a study centre of IGNOU is available in the Central Jail which situates in the same compound and the security issue involved can be addressed by providing required escort men, I find it proper to allow this consolidated petition and issue necessary orders to facilitate the petitioners to pursue their studies by joining the courses opted by them.

In the result, petition allowed as follows:-

1. Mr. Rajan Chittilappilly the third accused in SC.02/21 pending before this court, who is presently undergoing judicial custody in High Security Prison, Viyyur is hereby accorded permission to join the course "Certificate Programme – Food and Nutrition" offered by Indira Gandhi Open University (IGNOU) for the academic year 2022-23.
2. Mr. Dinesh the fourth accused in SC.02/21 pending before this court, who is presently undergoing judicial custody in High Security Prison,

Viyyur is hereby accorded permission to join the courses "Certificate Programmes – Food and Nutrition, Functional English, Arabic Language" offered by Indira Gandhi Open University (IGNOU) for the academic year 2022-23.

3. Mr. Raghavendra the eleventh accused in SC.02/21 pending before this court, who is presently undergoing judicial custody in High Security Prison, Viyyur is hereby accorded permission to join the courses "Certificate Programmes – Food and Nutrition, Functional English, Arabic Language" offered by Indira Gandhi Open University (IGNOU) for the academic year 2022-23.
4. Mr. B. G. Krishnamoorthi the fourteenth accused in SC.02/21 pending before this court, who is presently undergoing judicial custody in High Security Prison, Viyyur is hereby accorded permission to join the courses "Certificate Programmes – Food and Nutrition, Functional English" offered by Indira Gandhi Open University (IGNOU) for the academic year 2022-23.
5. Mr. Iyappan the nineteenth accused in SC.02/21 pending before this court, who is presently undergoing judicial custody in High Security Prison, Viyyur, is hereby accorded permission to join the courses "Certificate Programmes – Food and Nutrition, Functional English" offered by Indira Gandhi Open University (IGNOU) for the academic year 2022-23.
6. All the petitioners are given permission to attend the contact classes from the IGNOU centre attached to Central Prison, Viyyur and to appear for the exams at the same centre.

7. The Welfare Officer, High Security Prison, Viyyur shall make all necessary arrangements to facilitate the petitioners for attending contact classes and writing exams.
8. That the Jail Superintendent, High Security Prison is hereby accorded permission to apply to the concerned authorities and avail the service of escort police men, to ensure the safety and security of the petitioners while attending the IGNOU study centre attached to Central Prison, Viyyoor.
9. If situation demands, Jail Superintendent, High Security Prison can move this court for issuing necessary directions to the concerned police authorities for getting the service of escort police men.
10. Forward a copy of the order through the Jail Superintendent, High Security Prison, Viyyur by email for compliance and further action. The Jail Superintendent shall serve a copy to the Welfare Officer and also to the petitioners.

Dictated to the Confidential Asst., typewritten by her directly to computer system, corrected and pronounced by me in open court on this the 11th day of August, 2022.

Sd/-
Anil.K.Bhaskar
Judge, Spl. Court for NIA Cases

Appendix: Nil

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

//True copy//

Sd/-
Sheristadar