

IN THE SPECIAL COURT FOR THE TRIAL OF NIA CASES, ERNAKULAM**Present: Smt. Mini S Das, Judge for NIA Cases**Friday the 19th day of January, 2023 /29th Pousha, 1945.**Crl.M.P. No.31/2024 in SC.02/2023/NIA**

Petitioner/Accused No. : Sadik A P @ Sadiq Ahmed, Age-35/2023, S/o. K Ahammad, Puthuparampil House, Paral, Mundukottackal Post, Pathanamthitta District, Kerala
By Adv. M/s. John S. Ralph , Muhammed Rifa. & P.K Abdurahiman.

Respondent/Complainant Union of India represented by National Investigation Agency, Kochi.
: By Sri. Ajith Kumar.S (Special Public Prosecutor, NIA) and Sri. Sreenath.S (Public Prosecutor, NIA).

This petition coming on for hearing before me on 19.01.2024 and the Court on the same day passed the following:

ORDER

1. This petition is filed by the petitioner/accused No.4, Sri Sadik A. P. @ Sadiq Ahmed, to visit cemetery and to attend the post-death rituals of his cousin, who passed away on 14.01.2024.
2. According to the counsel for the petitioner, the cousin of the petitioner, Sri. Sudheer Hasanar, aged 46, died on 14.01.2024 due to Heart attack. His funeral was held at Hidayathul Islam Muslim Jama ath Masjid

withing the jurisdiction of Kurathikadu Police Station on 17.01.2024. Hence, the petitioner wishes to visit the cemetery and to console the family members of his cousin.

3. The learned Special Public Prosecutor filed objection stating that the petitioner had already availed escort to visit his family members as per the order in CrI.M.P. 229/2023 dated 15.05.2023. There is no emergency situation for granting escort parole to the petitioner and frequent escort parole petitions would create burden on security matters and it will be difficult to control the situation if any law and order issue arises.

4. The Station House Officer of the Kurathikadu police station filed a report stating that the place where the cemetery is situated and his cousin resides is under strict police surveillance. If the accused is produced to this place there is every chance to cause disturbance of law and order and that petitioner's presence in the locality may cause protest and that there is possibility of serious law and order issues.

5. Considering the apprehensions raised by the Station House Officer of the Police Station at the place of residence of the petitioner and the learned Public Prosecutor, I am of the view that the petitioner cannot be permitted to visit his place of residence. Hence, this petition is liable to be dismissed.

In the result, the petition stands dismissed.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 19th day of January, 2024.

Appendix: Nil

// True Copy//

Sd/-
Mini S Das
Judge, Spl. Court for NIA Cases

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

Sd/-
Sheristadar