

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

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

Saturday the 23rd day of March , 2024/3rd Chaithra, 1946

Crl.M.P. No.121/2024

in

SC.02/2023/NIA

Petitioner/Accused No. 19 : Abdul Khader @ Iqbal, Age 36 years, S/o. Muhammed, 14/382, Panniyampadam, Labour School, Ezhakkad PO, Mundur, Palakkad District, Kerala.

By Adv. Sri. Wakarulislam.K.S.

Complainant/Respondent : Union of India represented by National Investigation Agency, Kochi.

**Represented by Sri. Ajith Kumar.S
(Special Public Prosecutor, NIA) and
Sri. Sreenath.S.
(Public Prosecutor, NIA).**

This petition is coming on for hearing before me on 23.03.2024 and the Court on the same day passed the following:

ORDER

This is an application filed by the 19th accused, seeking permission to attend the post-death rituals of his mother at her house and at the burial ground.

2. The petitioner states that the mother of the petitioner, Smt.Sainaba, aged 65, passed away on 23.03.2024 at 1.30 am. His mother was residing at Muntoor in Palakkad district. Her funeral is scheduled to be conducted at Neyyambadam Juma Masjid within the jurisdiction of Kongad Police station on 23.03.2024 at 4.00 p.m. Hence, the petitioner intends to attend the post death rituals of his mother at her house and the cemetery.

3. I have heard the counsel for the petitioner and the Prosecutor. After enquiring with the investigating officer the learned Public Prosecutor confirmed the submission of the counsel for the petitioner.

4. Considering the facts stated in the petition and the counsel for the petitioner, I am of the view that the petitioner can be permitted to visit his residence Neyyambadam House, Puthanoor P. O. Muntoor, to attend the post death rituals of his mother.

In the result, the petition is allowed as follows :-

1. The Superintendent, District Jail, Palakkad, is directed to do necessary arrangements and to provide adequate police escort to take the petitioner to his residence from 3.00 pm today and to permit him to attend the last rites of his mother at the his house and the mosque/burial ground. The petitioner may be permitted to continue in his house/mosque till the burial is completed or till 6.30

pm today, whichever is earlier. The petitioner shall be taken back to the prison today itself.

2. During the journey and the period of stay at his residence/mosque, the petitioner shall not contact any outsiders, except his parents and siblings and he shall not attend or make any phone calls.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 23rd day of March, 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.