

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

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

Thursday the 18<sup>th</sup> day of April, 2024/29<sup>th</sup> Chaithra, 1946

**Crl.M.P. No. 152/2024**

**In**

**SC No.02/2023/NIA**

**Petitioner/Accused Nos.12  
and 30**

1. Abdul Raoof @ C A Rauf, Age-38/2023,  
S/o.Muhammed @ Mohammed Musaliar,  
Chappangathodi House, Karimbulli,  
Maruthur, Palakkad, Kerala.
2. Ashraf @ Ashraf Moulavi, Age-49/2023,  
S/o.Kunjappu Mussaliyar,  
Chappangathodi House, Near Juma  
Masjid, Maruthur Post, Pattambi,  
Palakkad District, Kerala.

**A12 By Adv. M/s. P.C. Noushad,  
Abdurahiman P.K and Wakarulislam  
K.S.**

**A30 By Adv. M/s.Abdul Latheef,  
Abdurahiman P.K and Wakarulislam  
K.S.**

**Complainant/Respondent : 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 is coming on for hearing before me on 18.04.2024 and the  
Court on the same day passed the following:

## **ORDER**

The petition filed by the accused Nos.12 and 30 in the case for escort parole.

2. The petitioners' case is that they are undergoing detention in connection with the case from 28.10.2022 and 24.05.2022 respectively. The marriage of their brother's son Muhammed Rashid is scheduled to be held on 20.04.2024 at Valiya Juma Masjid, Pattambi and a reception is arranged at Babus Auditorium, Kodumunda on the same day. A function is arranged in the house of their brother on 21.04.2024 in connection with the marriage. They seek escort parole on 21.04.2024 to attend the function and to spend some time with their family members.

3. The investigating officer filed an objection stating that the accused persons in this case, including the petitioners have been involved in terrorist act of murdering one Srinivasan, as a part of larger conspiracy hatched by PFI for establishing Islamic rule in India. The petitioners are the leaders of proscribed organisation Popular Front of India (PFI) and the members of terrorist gang which committed terrorist act of murder of Srinivasan.

4. The escort parole for the first petitioner C A Raoof (A-12) was granted by this court vide order in CMP No. 40/2023 dated 19.01.2023 and the same was availed by him on 25<sup>th</sup> January 2023. The escort parole for the 2<sup>nd</sup> petitioner, Ashraf @Ashraf Moulavi (A-34, now A-30) was granted by this court

vide order in CMP No. 177/2023 dated 24.03.2023 and the same was availed by him on 24.03.2023. As per petition, the marriage reception function is proposed to be held at Maruthur, Pattambi at Palakkad. The said area is stronghold area of PFI and there will be a huge gathering of PFI cadres to attend the marriage reception as well as to meet the petitioners, if they are permitted to attend the function. Loka Sabha election is scheduled to be held on 26-04-2024 and so, there will not be sufficient police force to provide escort. The area where the marriage reception is proposed to be held is highly communal sensitive. There is possibility of law and order/communal issues and it will be difficult to control the situation, if such situation arises.

5. The Inspector of Police, Pattambi has reported that the marriage of the petitioners' brother's son is proposed to be held on 20.04.2024. It is reported that as the police officers are on duty in connection with the Lok Sabha election, the police may not be able to provide sufficient protection at the place where the marriage is proposed to be taken and there is likelihood of creating law and order problems.

6. The Investigating officer as well as the Inspector of Police opposed the application. I have heard the counsel for the petitioners and also the learned Public Prosecutor.

7. The application is to grant escort parole to attend the function in connection with the marriage of the petitioners' brother's son. It cannot be said that the marriage is that of a close relative of the petitioners. In the light of the

report of the investigating officer and the Inspector of Police that there is likelihood of law and order problems in the locality and also the fact that the presence of the petitioners cannot be said to be a must for the marriage, I am of the view that there is no sufficient reason to grant escort parole to the petitioners to attend the function. Hence the petition is only to be dismissed.

In the result, the petition is dismissed.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 18<sup>th</sup> day of April, 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