

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

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

Thursday the 18th day of July, 2024/ 27th Ashada, 1946

Crl.M.P. No.290/2024

In

SC No. 02/2023

Petitioner/Accused No. 17

Muhammed Sadik, aged 41 years, S/o.
Aliyarkutty, mannezhuthu Thara House,
17/709, Chavara Post, Kollam, Kerala.

By Adv. Sri. Thomas Abraham

Respondent/Complainant

Union of India represented by National
Investigation Agency, Kochi.

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

This Criminal M.P coming on for hearing before me on 18.07.2024 and the Court on the same day passed the following:-

ORDER

This application is filed for modification of bail conditions.

2. The petitioner was arraigned as the 17th accused in this case. After investigation, final report was submitted. The court vide its order in Crl.M.P. No. 223/2023 accepted the tender of pardon u/s.307 Cr.P.C. Thereafter, as per order in Crl. Appeal No.963/2023 dated 14.07.2023 the

Hon'ble High Court of Kerala granted bail to the petitioner on imposing conditions. The condition (ii) and (iv) reads as follows; (ii) "The appellant shall report before the Chief Ministerial Officer of the trial court between 10 a.m. and 1 p.m. on all Saturdays until exempted by the trial court. (iv) The appellant shall remain confined to the limits of Ernakulam District until further orders to be passed by the trial Court."

3. Later, the petitioner filed Crl.M.P No.395/2023 seeking modification of bail condition No.iv and this court modified the condition to confine the petitioner within Kerala State. According to the petitioner, he is a native of Chavara in Kollam District and the sole breadwinner for his family. His job as a salesman requires travel outside Kerala to purchase vegetables and fruits. The bail conditions confine him to Kerala and prevents him from working on Saturdays. The petitioner has been complying with all the conditions stipulated in the bail order. Hence, the petitioner requests for deletion of condition No. ii and further modification or deletion of condition No. iv.

4. I have heard the counsel appearing for the petitioner and the Public Prosecutor.

5. On going through the petition and hearing the counsel for both sides and considering the facts and circumstances of the case, I am of the view that the petition can be allowed and the bail conditions can be modified as follows :

1. The petitioner shall report before the Chief Ministerial Officer of this court between 10.00 am and 1.00 pm on the first working Saturday of every alternate month commencing from September, 2024.
2. The petitioner is permitted to go to the states of Karnataka and Tamil Nadu for his business purposes until further orders.
3. All other conditions in the previous order shall stand unaltered.

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