

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

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

Friday the 09th day of August, 2024/18th Sravana, 1946

Crl.M.P. 248/2024

In

SC No.02/2023/NIA

Petitioner/Accused No. 24

: Riyasudheen @ Riyas, Age-37/2023,
S/o. Abu Thahir, Sankuvarathode, Kalpathy,
Palakkad District, Kerala.

**By Adv. M/s. P.C. Noushad, Muhammed
Rifa and Wakarulislam.**

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 is coming on for hearing before me on 09.08.2024 and the Court on the same day passed the following:

ORDER

This is an application filed by the 24th accused, seeking permission to visit his aged parents and other family members.

2. The petitioner's case is that he has been undergoing detention since 22.04.2022 at High Security Prison, Viiyyur. According to him, his family

consists of aged parents, wife and three daughters. His father, aged 74 years, and his mother, aged 72 years, are suffering from age-related ailments. His mother is taking rest after undergoing bypass surgery. They are not in a position to see their son at the jail. Therefore, the petitioner seeks permission to visit his parents at his house to relieve their mental stress and spend some time with other family members.

3. I have heard the counsel for the petitioner and the Prosecutor.

4. The investigating officer filed an objection stating that the petitioner is a cadre of proscribed organisation, Popular Front of India (PFI) which committed terrorist act of murder of Srinivasan and there is possibility of law and order/communal issues if the escort parole is allowed and it will be difficult to control the situation, if such situation arises. It is also submitted that the family members of the accused have opportunity to meet him in jail and there is no emergency situation for granting escort parole. Frequent escort parole petitions which are not emergency nature creates burden on security matters and may also cause disturbance to the law and order.

5. The petitioner has been undergoing detention since 22.04.2022. The petitioner wants to meet his parents as they have been suffering from age related ailments. Currently, his mother is taking rest and she is unable to visit his son in jail. Spending some time with the petitioner will be a great relief for her. 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

house and spend some time with his parents and family members.

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

1. The Superintendent, High Security Prison, Viyyur, is directed to do necessary arrangements and to provide adequate police escort to take the petitioner to his residence on any day before 25.08.2024. He shall be permitted to stay with his relatives for 2 hours.
2. During the journey and the period of stay at his residence, the petitioner shall not contact any outsiders, except his parents, siblings, close relations 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 9th day of August, 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.