

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

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

Monday the 18th day of August, 2025/27th Sravana, 1947

Crl.M.P. No.364/2025

In

SC No.02/2023/NIA

Petitioner/Complainant/ : 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).**

Respondent/Accused : Abdul Khader @ Iqbal, Age 36 years, S/o.
No. 19 Muhammed, Nayambadam House, 9th
Mile Pudanur P.O, ,Mundur, Palakkad
District, Kerala.

By Adv. Sri. Wakarulislam.K.S.

This petition is coming on for hearing before me on 18.08.2025 and the Court on the same day passed the following:

ORDER

This is an application for permission to interrogate the 19th accused who is in remand in connection with the case.

2. The petitioner's case is that the case RC.02/2022/NIA/KOC is being investigated by NIA, Kochi. On completion of investigation, final report was filed on 17.03.2023 against 59 accused (A-1 to A-14, A-16 to A-19, A-21 to A-26, A-29 to A-40, A-42 to A-63, and A-66) for offences under Sections 120B, 34, 109, 115, 118, 119, 143, 144, 147, 148, 449, 153A, 341, 302, 201, 212 r/w 149 & 120B r/w 302 IPC, Section 3(a), (b), (d) r/w 7 of the Religious Institutions (Prevention of Misuse) Act, 1988, Sections 13, 16, 18, 18A, 18B, 20, 22C, 23, 38 & 39 of the Unlawful Activities (Prevention) Act, 1967, and Section 25(1)(a) of the Arms Act. This Court has taken cognizance and numbered the case as SC.02/2023/NIA

3. During further investigation, absconding accused Saheer K.V. (A-27, now A-60), Shihab P. @ Babu (A-68, now A-61), Shafeekh (A-65, now A-62), Jafar B. (A-71, now A-63) and Rafeek M. S. (A-67, now A-64) were arrested, and supplementary final reports were filed against them on 06.11.2023, 12.04.2024, 07.08.2024 and 12.06.2025 respectively. Further, an additional charge-sheet was filed against Noushad M. (A-63, now A-58) under Section 19 of the UAP Act on 07.08.2024.

4. It is reported that through analysis of CCTV footages, corroborative witness statements, CDR analysis and field enquiry, A-20 was identified as Shamnad E.K. @ Shamnad Ellikkal, aged 34, S/o Alavi, and arrested on 04.04.2025. At present, there are 71 accused in this case, out of which 12 are

in judicial custody including Shamnad E. K. (A-20), 45 are on bail, 4 arrested accused are approvers on bail, one arrested accused (A-41) has expired, and one accused is the organisation PFI (A-1). The remaining 8 accused i.e., A-15, A-23, A-28, A-55, A-59, A-64, A-69 & A-70 are still absconding.

5. During the custodial interrogation of 20th accused, the role of other suspects in this case, who have assisted him to commit the terrorist act of murder of Sreenivasan, for escaping from scene of crime, providing shelter, and concealing evidence, etc was revealed. Based on his disclosure, pointing-out proceedings were conducted, though one place where evidence was concealed could not be located. Investigation has established that the 19th accused Abdul Khader @ Iqbal, was the rider of the two-wheeler on which the 20th accused travelled to the SOC and escaped from the SOC after committing terrorist act. Hence, the interrogation of 19th accused in jail is necessary. The investigating officer seeks permission to interrogate him in jail.

6. The petition is opposed by the accused. I have heard the Public Prosecutor and the defence counsel and perused the records.

7. The investigating officer has reported that, in order to unearth the larger conspiracy and find out the place where evidence was concealed, it is necessary to examine/interrogate the 19th accused, who is currently detained as per the order of this court.

8. The learned Special Public Prosecutor on behalf of the petitioner submitted that interrogation of the above accused is highly necessary for

further investigation of the case. The defence counsel submits that no purpose will be served by giving permission to interrogate the accused.

9. On going through the petition and the case records, I am of the view that interrogation of the accused is necessary for the proper investigation of the case and permission can be granted to interrogate him for further investigation.

Hence, the petition is allowed. The petitioner is permitted to interrogate the 19th accused Abdul Khader @ Iqbal who is detained in District Jail, Palakkad in connection with this case in the presence of the Superintendent of the jail, and record his statement between 08.00 a.m. and 6.00 p.m. on any day before 30.08.2025.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 18th day of August, 2025.

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.