

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

Present: Smt. Mini S Das, Judge for NIA Cases

Friday the 24th day of November, 2023/3rd Agrahayana, 1945.

Crl.M.P. No. 434/2023

in

SC.02/2023/NIA

- Petitioner/Accused No. 11** : Yahiya Koya Thangal @ Thangal, Age-48/2023, S/o. Kunji Koya Thangal, Adhinayail House, Perumpilavu Post, Thrissur District, Kerala. (RP 615, High Security Prison, Viyyur).
By Adv. Sri. P.C. Noushad, P.K. Abdurahiman, Abdul Latheef 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 coming on for hearing before me on 23.11.2023 and the Court on 24.11.2023 passed the following:

ORDER

1. This is an application filed by the petitioner/accused No.11, Sri. Yahiya Koya Thangal for visiting his aged and ailing mother.
2. According to the petitioner, he has been in judicial custody at High Security Prison, Viyyur for the last one year. His mother, Mrs. Rukiya Beevi, aged 78 years suffering age-related ailments so she is not in a position to travel to visit the petitioner in High Security Prison, Viyyur. Therefore, he wants to visit his mother.
3. The learned Special Public Prosecutor filed objection mainly stating that

escort parole was availed by the petitioner on 27.12.2022. He again filed escort parole petition for attending marriage function of his niece and that was dismissed by this court. Frequent escort parole petitions would create burden on security matters and would also cause disturbance of law and order. It is also stated that there is no emergency situation for granting escort parole.

4. The Station House Officer of the local police station reported that if the accused is produced at his residence place there is every chance to cause disturbance of law and order and that the petitioner's 80-year-old mother, who is suffering from age-related ailments, is capable of taking care of her daily needs.

5. Considering the apprehension raised by the Investigating Officer as well as the Station House Officer of the Police Station at the place of residence of the petitioner, I am of the view that the petitioner cannot be permitted to visit his place of residence. Hence, this petition is liable to be dismissed.

In the result, the petition stands dismissed.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 24th day of November, 2023.

Sd/-
Mini S Das
Judge, Spl. Court for NIA Cases

Appendix: Nil

Id/-
Judge, Spl. Court for NIA Cases
(By Order)

//True Copy//

Sd/-
Sheristadar.