

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

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

Thursday the 30th day of November, 2023/9th Agrahayana, 1945.

Crl.M.P. No.540/2023 in SC.02/2023/NIA

Petitioner/Accused No. 23 : Ansar K.P, Aged 29 years, S/o Ummar, Undilpeedikayil House, Nhangattri Kadavu, Thrithala, Palakkad Thrithala Police Station

By Adv. M/s. P.C. Noushad , Abdu Rahiman.P.K, 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 coming on for hearing before me on 29.11.2023 and the Court on 30.11.2023 passed the following:

ORDER

1. This petition is filed by the Counsel of the petitioner on behalf of the petitioner/accused No.23 Sri.Ansar K. P., to attend the marriage function of his younger brother scheduled to be held on 03.12.2023.

2. According to the learned counsel for the petitioner, the petitioner intended to attend the marriage function of his younger brother which is scheduled on 03.12.2023 from 11.00 a.m. to 2.00 p.m. at Cholakkal Convention Centre, Pattambi within the jurisdiction of Thrithala Police Station. An Invitation letter and a letter from the Pattambi Juma Masjid Mahhallu committee are attached along with the petition as Annexure A1 & A2 respectively.

3. The learned Special Public Prosecutor opposed the application stating that

there will be a huge gathering during marriage function and it will be difficult to control the situation if any law and order issue arises. It is submitted that the family members of the accused have opportunity to meet the petitioner in jail and frequent escort parole petitions would create burden on security matters and there is no emergency situation for granting escort parole.

4. The Station House Officer of Thrithala police station reported that the location where the wedding function is arranged is a highly sensitive area, and that there will be shortage of adequate police personnel on the above mentioned wedding date. The Station House Officer also reported that if the accused is produced at the wedding place, there is every chance to cause disturbance of law and order.

5. Considering the apprehension raised by the Investigating Officer as well as the Station House Officer of Thrithala Police Station, I am of the view that the petitioner cannot be permitted to attend the wedding function. Hence, the application 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 30th day of November, 2023.

Appendix: Nil

//True copy//

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

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

Sd/-
Sheristadar