

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

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

Wednesday 10th day of January, 2024/20th Pousha, 1945.

Crl.M.P. No.582/2023 in SC.02/2023/NIA

Petitioner/Accused No. 19 : Abdul Khader @ Iqbal, Age-35/2023, S/o. Muhammed 14/382, Panniyampadam, Labour School, Ezhakkad PO, Mundur, Palakkad District, Kerala.

**By Adv. M/s. Abdul Latheef ,
Abdurahiman.P.K, 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 10.01.2024 and the Court on the same day passed the following:-

ORDER

1. This petition is filed by the petitioner/accused No.19 Sri.Abdul Khadar @ Iqbal, permit him to meet and to spend some time with his ailing mother.
2. According to the petitioner, he has been in judicial custody at Central Prison, Palakkad, for the last 20 months. His family consists of his wife and two children aged 11 and 12 years, respectively. His mother resides with his sister and is currently suffering from age-related ailments. She is in the stage of memory loss, unable to move without assistance, and is bedridden. Due to her condition, she is unable to travel and visit the petitioner in Central Prison, Palakkad. Therefore, the petitioner wishes to visit his mother and spend some time with her.

3. The Station House Officer of the Kongad police station filed a report stating that if the accused is produced at his residence place there is every chance to cause disturbance of law and order and that petitioner's presence in the locality may cause protest and that there is possibility of serious law and order issues.
4. The learned Special Public Prosecutor filed objection stating that the family members of the petitioner was given an opportunity to meet him in jail. There is no emergency situation for granting escort parole to the petitioner. The petitioner has been involved in two criminal cases previously, and frequent escort parole petitions would create burden on security matters and it will be difficult to control the situation if any law and order issue arises.
5. Considering the apprehensions raised by the Station House Officer of the Police Station at the place of residence of the petitioner and the learned Public Prosecutor, 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.
6. **In the result**, the petition stands dismissed.
7. Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 10th day of January, 2024.

Appendix: Nil

//True copy//

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

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

Sd/-
Sheristadar