

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

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

Wednesday the 3rd day of September, 2025/12th Bhadra, 1947.

Crl.M.P. 393/2025

In

SC No.03/2023/NIA

Petitioner/Accused : Savad @ Savadh @ Shajahan (A1), Age 40/2024, S/o Meerankkuty, Muthuvassery House, Odakkali, Nooleli, Ernakulam District.

By adv. Wakarulislam K S

Respondent/Complainant : Union of India represented by National Investigation Agency, Kochi.
By Sri. Arjun Ambalapatta (Senior Public Prosecutor, NIA) and Sri. Sreenath.S (Public Prosecutor, NIA).

This petition coming on for hearing before me on 02.09.2025 and the Court on 03.09.2025 passed the following:

ORDER

This is an application filed by the 1st accused, seeking permission to attend the circumcision ceremony (Chelakarmam) of his son and to visit his family members.

2. The petitioner's case is that he has been undergoing detention in this case at the High Security Prison, Viyyur, since 10.01.2024. According to him, a religious ceremony known as 'Chelakarmam' for his 2 years old son is scheduled to be held on 15.09.2025 at his residence. He intends to visit his son and his family at Muthuvasery House, Odakkali, Ernakulam, The petitioner had earlier filed an application seeking escort parole to visit his aged parents, who are unable to visit him in prison, but the same was dismissed. Hence, the petitioner seeks permission to visit his son and family.

3. The Public Prosecutor filed objection stating that the petitioner is the prime accused in this case. He absconded immediately after committing the offence. He absconded for over 14 years and was located at Beram, Mattannur, Kannur, where he was staying with his family under the pseudo name Shajahan. There is no emergency situation for granting of escort parole. If escort is allowed to the petitioner, there is a chance to meet the leaders/cadres of PFI/SDPI in order to intimidate the witnesses.

4. I have heard the counsel for the petitioner and the learned Public Prosecutor. Perused the case records.

5. The application is filed seeking escort parole to attend the circumcision ceremony of the petitioner's minor son and also to visit his family members at his residence. The Public Prosecutor opposed the application stating that the petitioner is the prime accused in the case and was absconding immediately after the commission of the offence. He

submits that the ceremony stated in the petition is not an important function and the presence of the petitioner is not inevitable.

6. The learned counsel for the petitioner submitted that the petitioner had not seen his son so far and his presence is necessary at the time of the ceremony. It is also submitted that the petitioner wants to visit his parents and relatives.

7. The petitioner is the first accused in the case and he was absconding for about 14 years. Most of the other accused faced trial and were convicted by the court. The trial against the petitioner was delayed only because he was absconding. The petitioner was arrested only on 10.01.2024. According to the petitioner, his son is aged 2 years. So, the submission of the counsel that the petitioner has not seen his son appears to be not correct. This court has already dismissed an application filed by the petitioner to visit his parents. The family members can visit the petitioner at the jail. As reported by the Public Prosecutor, since petitioner is the prime accused in the case, if he is taken to his native place, there is chances for law and order issues. On going through the petition and hearing the petitioner's counsel and the Prosecutor, I am of the view that no special occasion, which warrants the presence of the petitioner at his residence is made out in this case.

8. In the light of the objection and considering the gravity of the offence alleged against the petitioner and for the reasons stated above, I am

not inclined to allow the petition at this stage. Hence the petition is only to be dismissed.

In the result, the petition is dismissed.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 3rd day of September, 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.