

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

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

Saturday the 24<sup>th</sup> day of August, 2024/2<sup>nd</sup> Bhadra, 1946.

**Crl.M.P. 300/2024**

**In**

**SC No.03/2023/NIA**

**(RC No.01/2011/NIA/DLI)**

**Petitioner/Accused** : Savad @ Savadh @ Shajahan (A1), Age 40/2024, S/o Meerankkutty, 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 22.08.2024 and the Court on 24.08.2024 passed the following:

**ORDER**

This is an application filed by the 1<sup>st</sup> accused, seeking permission to visit his father.

2. The petitioner's case is that he has been undergoing detention in this case at the High Security Prison, Viyyur, for six months. According to him, his father, aged 70 years, is bedridden due to a stroke and also underwent

surgery for hernia. At this stage, his father is not in a position to visit him at jail. Hence, the petitioner seeks permission to visit his aged and ailing father at his house.

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 was evading the process of law for about 13 years by taking shelter in Tamil Nadu and various places in Northern Kerala. The family members of the accused have the opportunity to meet him in jail, and there is no emergency situation for granting of escort parole. Moreover, the petitioner has not mentioned the address of his house or the location where his family is residing. If escort is allowed to the petitioner, there is a chance of influencing the witnesses against him.

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 meet the father of the petitioner. The Public Prosecutor opposed the application stating that the petitioner is the prime accused in the case and was absconding for long years. Though it is stated in the petitioner that his father is laid-up, there is nothing to support the same. When the petitioner was produced before the court online, I heard him personally and he submitted that his father had undergone a surgery 3 years back. The petitioner was absconding for the last about 13 years. This shows that even at the time of surgery, the

petitioner did not attend his father. The family members can visit the petitioner at the jail. As reported by the Public Prosecutor, as the 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 and his 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.

6. 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 24<sup>th</sup> day of August, 2024.

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.