

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

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

Monday the 18th day of November, 2024/27th Karthika, 1946.

Crl.M.P. 466/2024

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 18.11.2024 and the Court on the same day passed the following:

ORDER

This is an application filed by the 1st 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, since January, 2024. According to him, his father, aged 70 years, is bedridden due to a stroke and has not yet fully recovered. He had also underwent surgery for hernia recently. His father

is not in a position to visit him at jail. Hence, the petitioner seeks permission to visit his father at his house.

3. The Public Prosecutor objected the application stating that the petitioner is the prime accused in this case and he was absconding for about 13 years evading the process of law 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. 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. I had considered a similar petition two months back. When I heard the petitioner in that petition, he submitted that his father had undergone the surgery three years ago. 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 18th day of November, 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.