

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

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

Tuesday the 14th day of October, 2025 / 22nd Aswina, 1947.

Crl.M.P. No.439/2025

In

SC.01/2025 (RC No.03/2024/NIA)

Petitioner/Petitioner : Union of India represented by deputy Superintendent of Police, by National Investigation Agency, Kochi.
By Sri. Arjun Ambalapatta. (Senior Public Prosecutor, NIA).

Accused/Respondents : C. P Moideen & Others

This Criminal M.P coming on for hearing before me on 10.10.2025 and the Court on 14.10.2025 passed the following:

ORDER

This petition is filed by the chief investigating officer u/s.193(9) BNSS, seeking permission to conduct further investigation in this case.

2. The gist of the prosecution case is that on 28.09.2023 five members of the proscribed terrorist organisation, CPI (Maoist), wearing prohibited firearms trespassed into the Kerala Forest Development Corporation (KFDC) office situated at Kambamala in Thalapuzha, Wayanad.

The accused voiced grievances about the poor conditions faced by Kambamala plantation workers, extorted food grains and items, forcefully evicted staff from the office building and vandalized the office, causing damage to the tune of Rs.5 lakhs. The accused used the office manager's phone to send WhatsApp messages featuring the posters they had pasted on the outer walls, propagating Maoist ideologies, to various media persons. An FIR as Crime No. 650/2023 was registered in this regard at Thalappuzha Police Station, Wayanad.

3. Considering the gravity of the offence, the Ministry of Home Affairs directed the NIA to take over the investigation of Crime No. 650/2023 from Thalappuzha Police, Wayanad issued an order vide F.No.11011/81/2024/NIA dated 07.10.2024. The case was re-registered as RC-03/2024/NIA/KOC at NIA Police Station, Kochi, on 08.10.2024 u/s 143, 144, 147, 148, 342, 353, 448, 121, 149 IPC, 7 of Arms Act 1959, 3(1) of PDPP Act and 16, 20, 38 of UA(P) Act, and the FIR was submitted to this Court. Subsequently, the investigation files were taken over from the Kerala Police on 23.10.2024.

4. The case of the petitioner is that investigation was conducted in fair and just manner and the legal evidences collected proves the guilt of the accused. On completion of the investigation, the preliminary charge sheet was filed against accused Nos. 1, 3 & 4 on 30.05.2025 and the

supplementary charge sheet was failed against Accused Nos.2 & 5 on 10.09.2025 for offences under sections 120B, 121, 122, 143, 144, 147, 148, 201, 342, 353, 448, 452, 348 r/w.s 149 of IPC, Section 7 r/w.s. 25(1A), 3 r/w.s.25(1B)(a) of Arms Act, Section 3(1) of PDPP Act, Section 13(1), 16, 18, 20, 38 and 39 of UA(P) Act and Section 27(2)(c) of Kerala Forest Act. The court took cognizance and the case is taken on file as SC.01/2025.

5. It is reported that the National Investigation Agency had submitted various digital as well as physical specimens to the Forensic Laboratories in Kerala and Tamil Nadu for obtaining comparison reports, which are awaited. Similarly, a petition has been filed to view the MOs including the weapons seized in ATS Crime No. 05/2023. The petition has been allowed, and the procedure is underway. Therefore, further investigation in this crime is required to be continued until these reports are obtained.

6. I have heard the Public Prosecutor and the counsel for the other accused.

7. The petition is filed seeking permission for further investigation in the case. It is reported that further investigation in the said crime is necessary until the forensic reports are received. On hearing the learned Public Prosecutor, and considering the report filed by the investigating officer, I am of the view that the petition can be allowed.

Hence the petition is allowed and the petitioner is permitted to continue the further investigation in this case.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 14th day of October, 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.