

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

Present:-

Shri. Kamanees K., Judge, Special Court for NIA Cases.

Tuesday, the 27th day of December, 2022 / 6th Pousha, 1944

Crl.M.P Nos. 299/2022, 300/2022 and 301/2022

in

S.C.No. 04/2021/NIA

(R.C No. 1/2021/NIA

Crl.M.P No. 299/2022

Petitioner / Accused No. 5:-

Dadallage Nisanka, Aged 40 years,
S/o. D.Peyarathna, R/o. No. 76, Next Nivasa,
Sirikadura Watta, Rathgama, Sri Lanka.
(U.T.No. 238/2022)

By Adv. Sri. Mohammed Sabah

Respondent /Complainant :-

Union of India represented by
National Investigation Agency, Kochi

By Sri. Arjun Ambalappatta, Sr. Public Prosecutor, NIA.

Crl.M.P No. 300/2022

Petitioner / Accused No. 9:-

Satkunam @ Sabesan, S/o. Sachithanandam,
Aged 48, F/No. 33, Murali Krishna Nagar,
Main Road, Valsaravakkam, Chennai.
(R.P. No. 582)

By Adv. Sri. P.C.Noushad

Respondent /Complainant :-

Union of India represented by
National Investigation Agency, Kochi

By Sri. Arjun Ambalappatta, Sr. Public Prosecutor, NIA.

Crl.M.P No. 301/2022

Petitioner / Accused No. 1:-

L.Y.Nandana, Aged 46 years,
S/o. I.Y.Upajeeva, R/o. Thangalla,
Kudawella, Nakulugamuwa, Sri Lanka.
(U.T.No. 174/2022).

By Adv. Sri. Mohammed Sabah

Respondent /Complainant :-

Union of India represented by
National Investigation Agency, Kochi

By Sri. Arjun Ambalappatta, Sr. Public Prosecutor, NIA.

These petitions having been heard on 27/12/2022 and the Court on the same day passed the following:-

COMMON ORDER

1) All these petitions prayed for permitting the respective accused persons to have video chats with their relatives mentioned in the records using Whatsapp or other video chat facilities. All these accused persons

are Sri Lankan citizens, as the records reveal. The accused persons Sadgunam, L.Y.Nandana and Dadallage Nisanka have filed their respective jail petitions and the accused No.4 raised such a plea while physically produced before the court. Sadgunam mentions about the deteriorating health conditions of his mother. Nandana mentions about the plight of his wife and children who were not able to see him as they are in a different nation. The same issue is raised by the accused Nisanka as well. The accused No.4 also points out that it is high time he has seen his family members – even virtually.

2) All the petitioners mention that only if there is an order from this court, they will be permitted to make calls through Whatsapp. The petitioners are foreign nationals and therefore, the indigenous video chat system which is officially there in the jails may not work for them, it is pointed out.

3) The learned Senior Prosecutor submits that NIA has no objection in permitting a video call, subject to the Jail Rules.

4) It is therefore ordered that the Jail authorities concerned may make facilities for the accused persons to have video chats with their

specified near relatives for the length of time which is permissible under the Prison Rules prevailing. Serve copy of orders to the jail.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 27th day of December, 2022.

Sd/-
Kamanees.K.
Judge

Appendix : NIL

Id/-
Judge

// True copy //

(By Order)

Sheristadar

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**Common Order in
Crl.M.P Nos. 299/2022,
300/2022 and 301/2022
in
S.C.No. 04/2021/NIA/KOC
(R.C No. 1/2021/NIA
Dated 27/12/2022**