

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

Present:-

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

Monday, the 14<sup>nd</sup> day of March, 2022 / 23<sup>rd</sup> Phalgun, 1943

**CrI.M.P Nos. 53/2022 & 54/2022**

in

**SC No. 4 / 2021**

**(RC No. 01/2021/NIA/KOC)**

**Petitioner (in both CrI. M.Ps) :-**

Surendra G Kavitkar,  
Assistant Director,  
Directorate of Enforcement, Govt. of India,  
Kanoos Castle, A.K.Sheshadri Road,  
Kochi, Kerala – 682011.

By Sri. Vinu Raj R, Special Public Prosecutor, E.D. Kochi.

**Respondent / Accused No.10 / Complainant  
(in CrI. M.P No.53/2022) :-**

- 1) Ramesh A, aged 37, S/o. Arasarathinam,  
resident of Madampitiya, Modara, Colombo – 15,  
presently residing at House No. 312/A, (AVRA – 14)  
Thekkananth House, Ahtani P.O., Aluva, Ernakulam.
- 2) Union of India,  
represented by National Investigation Agency, Kochi

**Respondents / Accused No. 2, 4 and 5 / Complainant  
(in CrI. M.P No.54/2022) :-**

- 1) H.K.G.B Janaka Dassppriya, Aged 42 years,  
S/o. H.G.B.P Peyasena, R/o. 128,  
Modarawatta Kudawelle West,  
Nakulugamuwa, Sri Lanka,

- 2) S.A Namesh Chullanka Senarath,  
aged 33 years, S/o. S.M. Pamiss,  
r/o Mahamodhara, Katudampe,  
Dodanduea, Sri Lanka.
- 3) Thilanka Mashushan Ranasingha,  
aged 29 years, S/o. Sarath Ranasingha,  
r/o 239/7, Galagoda Watta, Katudampe,  
Dodanduwa, Sri Lanka.
- 4) Union of India,  
represented by National Investigation Agency, Kochi  
  
R1 to R3 by Adv. Sri Ranjith Krishna, Legal Aid Counsel  
R4 by Smt. Sindhu Ravisankar, Public Prosecutor, NIA, Kochi.

These petitions having been heard on 14/03/2022 and the Court on the same day passed the following:-

### **COMMON ORDER**

1) The Assistant Director, Directorate of Enforcement, Government of India has filed these petitions under section 50 of the Prevention of Money Laundering Act. CrI.MP No. 54/2022 is for permission to question / examine the accused persons H K G B Janaka Dasappriya (A2), S A Namesh Chullaka Senarath (A4) and Thilanka Madushan Ranasingha (A5) as found in the petition and the accused Nos. 2, 3 and 4 as found in the charge sheet. CrI.MP No. 53/2022 is for permission to record the statement of Shri.Ramesh (A10) (A8 in the charge sheet) in the Sub Jail, Aluva.

2) Both these petitions state that an Enforcement Case Information Report was registered against the accused persons under the provisions of Prevention of Money Laundering Act. The Assistant Director is authorised under section 49 and under section 2(1)(na) of the Act. These petitions state that recording of statement of these accused persons are quite essential for the purpose of collection of evidence in the matter.

3) Copies of the petitions were served to the NIA as well as the respective accused persons through their lawyer's email ID. The accused No. 8 alone raised objections to the same, but he specifically did not state any ground.

4) For the reasons stated in the affidavit, I find that these petitions have to be allowed.

**In the result,** both the petitions are allowed.

(1) The accused persons are permitted to be questioned in the respective jails in which they are in custody. The questioning of the accused Shri.Rames (A8) shall be held on 19.03.2022 from 9.00 a.m. to 4.00 p.m with a lunch break of one hour. Other accused persons are so permitted from 15.03.2022 to 17.03.2022 from 9.00 a.m. to 5.00 p.m with a lunch break of one hour. If any of the accused person / persons

wanted to contact his / their lawyer, they have to be permitted to do so telephonically in the intervening times.

(2) Issue communications to the jail. Serve copy to the Prosecutor.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 14<sup>th</sup> day of March, 2022.

Sd/-  
Kamanees.K.  
Judge

Appendix : NIL

Id/-  
Judge

// True copy //

(By Order)

Sheristadar

Typed by: jcs  
Comp.by: skp

**Common Order in**  
**Crl.M.P Nos. 53/2022 & 54/2022**  
**in**  
**SC 4/2021/NIA**  
**(RC No. 01/2021/NIA/KOC)**  
**Dated 14/03/2022**