OUT TODAY

ITEM NO.13 Court 1 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 307/2020

KERALA UNION OF WORKING JOURNALISTS Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)
(I.A. NO. 13346 OF 2021 -application for interim bail)

Date : 15-02-2021 These matters were called on for hearing today.

CORAM :
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Kapil Sibal,Sr.Adv.
Mr. Wills Mathwew, Adv.
Mr. Shree Pal Singh, AOR

For Respondent(s) Mr. Tushar Mehta, SG
Mr. Raghvendra Singh,Adv.Gen.
Mr. B V Balaram Das, AOR
Mr. Kanu Agrawal, Adv.
Mr. Rajat Nair, Adv.
Mr. Abhishek Kumar Tripathi,Adv.
Ms. Garima Prashad, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have heard Mr. Kapil Sibal, learned senior counsel appearing on behalf of the applicant as well as Mr. Tushar Mehta, learned Solicitor General of India.

Signature Not Verified
Digitally signed by Madhu Bala
Date: 2021.02.15 15:25:01 IST
Reason:

Mr. Kapil Sibal, learned senior counsel makes a plea that the prisoner viz. Sidhique Kappan S/o Muhammed be allowed to visit Kerala to see his mother who is said to be in a critical condition

and he has been advised that she is not likely to survive for long.

In these circumstances, we consider it appropriate to permit the prisoner- Sidhique Kappan to visit his mother and return to the prison at the end of the 5th day after he is allowed to travel.

Mr. Tushar Mehta, learned Solicitor General has expressed a grave apprehension that the prisoner- Sidhique Kappan is likely to use this opportunity to have himself paraded in the public and gather support for his activities which are otherwise against the law.

Having given our consideration to the matter, we are of the view that the interest of justice would be served, if appropriate safeguards are built into the order for the proposed visit of the prisoner - Sidhique Kappan. Mr. Kapil Sibal, learned senior counsel also agrees to certain conditions being imposed.

(i) We, accordingly, permit the prisoner- Sidhique Kappan to go to Kerala for a period of five days only for the purpose of seeing his ailing mother.

(ii) During his visit, he shall not give any interview to any media including the social media.

(iii) He shall not meet the members of the public. He will be entitled to meet his relatives and doctors and anybody else in connection with his mother's health.

(iv) He shall be escorted by the team of officers of the U.P Police. The State police of Kerala shall co-operate with the U.P. police in the matter. It shall be the responsibility of the U.P. Police to ensure that the prisoner- Sidhique Kappan travel to and from his mother's house.

(v) The police may guard the house from outside,

but shall not go inside the house, when the prisoner- Sidhique Kappan visits his mother.

This order is passed without prejudice to any contentions raised by the learned Solicitor General in respect of the tenability of the petition.

Application is disposed of accordingly.

(MADHU BALA)
AR-CUM-PS

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR