

IN THE COURT OF SPECIAL JUDGE,
CITY CIVIL AND SESSIONS COURT AT GR. BOMBAY

ORDER BELOW EXH.765

IN

SPECIAL CASE NO.414 OF 2020

Mr. Gautam Navlakha

...Applicant/Accused no.11.

V/s.

The State of Maharashtra
(Through, National Investigation
Agency, Mumbai)

... Non-applicant.

Appearance :-

Advocate Mr. Wahab Khan for applicant/accused no.11.
SPP Mr. Prakash Shetty a/w PP Vishal Goutham for NIA.

**CORAM : H.H.J. SHRI R.J. KATARIYA
(C.R.NO.25).**

DATE : 07th July, 2022

ORDER

Heard learned advocate Mr. Wahab Khan for applicant/accused no.11 and learned SPP Mr. Prakash Shetty for NIA on application Exh.765.

2. Present application is filed by the applicant/accused seeking directions for the Jail authority to allow him mosquito net. It is contented in the application that applicant is senior citizen currently lodged in Taloja Central Jail which is located in Kharghar. It is further contended that said Jail is located in a chronic Malaria and Dengue

Mosquito prone area. It is further contended that former CMO Dr. Kale and Auda Circle incharge Mr. Motey had allowed applicant/accused to use mosquito net. The applicant is not allowed to use mosquito net by Jail Authority. Hence, applicant/accused has prayed for allowing the application.

3. Per contra, vide say at Exh.780, Jail Superintendent Taloja Central Prison had opposed the application. It is contended in the say that applicant/accused was using mosquito net unauthorizedly and without permission. The prisoners are permitted to avail Odomos ointment and natural mosquito incense stick (agarbatti). Insecticides spray and fumigation is done through Panvel Municipal Corporation. For use of mosquito net rope and nails are required to be used. It is stated in the say of jail authority that if mosquito net is permitted to be used there is possibility of causing harm by the prisoners to themselves or commit suicide by rope and nails. The prisoners may also cause harm to the other inmates by the same. Hence, opposed the application on the ground of security purpose.

4. Considering the application, say and submission, the applicant are seeking directions to the Jail Authority to allow them the mosquito net which is opposed due to security purpose. The Jail Authority is required to take all precautions against malaria and dengue. Hence, I proceed to pass following order:-

ORDER

- a). Jail Superintendent shall take all necessary precautions against mosquitoes.

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- b). Prison area shall be kept free from unwanted plants and weeds.
- c). The mosquito insecticides sprays and fumigation shall be done periodically. It shall be done every fortnight during rainy season.
- d). Applicant shall be permitted to use mosquito repellent ointments and natural mosquito incense stick.
- e). The Jail Superintendent shall submit the compliance report.



(Rajesh J. Katariya)
Special Judge under MCOCA,
TADA, POTA & NIA
City Civil and Sessions Court,
Mumbai.

Date: 07.07.2022

Dictated on : 07.07.2022
Typed on : 07.07.2022
Signed on : 07.07.2022

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CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”		
UPLOAD DATE	TIME	NAME OF STENOGRAPHER
07.07.2022		Umesh Jadhav
Name of the Judge		HHJ Shri R.J.KATARIYA (CR No.25)
Date of Pronouncement of Judgment/Order.		07.07.2022
Judgment/order signed by P.O on		07.07.2022
Judgment/order uploaded on		07.07.2022