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**BEFORE THE HONOURABLE HIGH COURT OF KERALA,
ERNAKULAM**

CrI MA. No.

of 2021

in

BA No. 4822 of 2021

The Union Territory of Lakshadweep
& another

: Petitioners/Respondents

Vs.

Aysha Sulthana

: Respondent/Petitioner

**CRIMINAL MISCELLANEOUS APPLICATION FOR
PRODUCTION OF ADDITIONAL DOCUMENTS FILED UNDER
S.482 OF THE CODE OF CRIMINAL PROCEDURE**

S. Manu

Senior Central Government Standing Counsel
or Lakshadweep Administration

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Dated this the 23rd day of June, 2021

S. Manu
Senior Central Government Standing Counsel
for Lakshadweep Administration

**BEFORE THE HONOURABLE HIGH COURT OF KERALA,
ERNAKULAM**

CrI MA. No.

of 2021

in

BA No. 4822 of 2021

Petitioners/Respondents:-

1. The Union Territory of Lakshadweep,
Represented by Its Standing Counsel,
High Court of Kerala, Ernakulam, 682031.
2. The Sub Inspector of Police & Investigating Officer,
Kavaratti Police Station, Kavaratti P.O,
Union Territory of Lakshadweep – 682 555.

Respondent/Petitioner :-

Aysha Sulthana, D/o Late Kunhikoya,
Chetlath Island, Union Territory of Lakshadweep,
Now residing at M213, M Block, DLF-New Town Heights,
Kakkanad P.O, Ernakulam – 682 021.

**CRIMINAL MISCELLANEOUS APPLICATION FOR
PRODUCTION OF ADDITIONAL DOCUMENTS FILED UNDER
S.482 OF THE CODE OF CRIMINAL PROCEDURE**

1. The above bail application has been filed by the
accused in Crime No. 21 of 2021 of Kavaratti Police Station.
2. On 17.06.2021 this Hon'ble Court passed an order in
the above Bail Application directing the accused to comply with
the notice under S. 41A Cr PC and to appear before the

Investigating Officer. It was also directed that in case of arrest, she shall be released on execution of bonds.

3. The accused arrived at Kavaratti Island on 19.06.2021. As per the Covid protocol in force all persons visiting the island from mainland have to undergo mandatory home quarantine for 7 days. Therefore the nodal officer concerned met the accused and informed her about the orders issued by the Disaster Management Authority requiring to undergo home quarantine and intimated her that she is required to follow home quarantine except for appearing before the Investigating Officer for interrogation. The accused agreed to follow the quarantine norms.

4. However, on 20.06.2021 she travelled with some others in a vehicle to reach the Police Head Quarters for interrogation. After the interrogation she mingled with people and reacted to media. She also visited the Panchayath office and had discussions with several persons before returning to her place of stay.

5. On 21.06.2021 at about 6 am she visited some Covid positive persons undergoing treatment in an isolation centre.

6. The above acts of the accused are in total violation of the Covid protocol in force in the Union Territory of Lakshadweep. The accused who was severely criticising the relaxation of quarantine norms in December, 2020 and alleged that the government of India used Covid virus as a bio weapon against the people of Lakshadweep has flouted the current SOP and has acted in a manner likely to cause spreading of the disease. The petitioner has thus put the police officials interrogating her also in risk by her illegal and unscrupulous acts.

7. The Chairman of Disaster Management Authority of Lakshadweep has issued a notice of caution to the accused on 22.06.2021. A true copy of the notice dated 22.06.2021 issued to the petitioner in the Bail Application is produced herewith and marked as **Annexure RI (a)**.

8. It is most humbly submitted that the accused has proved by her behaviour that her protest against the Covid SOP projected as a justification for the seditious assertions made against the Central Government was just a pretention and she has actually no regard for the restrictions imposed for preventing spreading of the infection of Covid virus. The violations of quarantine norms after giving assurance to the nodal officer shows that she has no respect for law and legal obligations. She

has virtually abused the protection granted by way of interim order by this Hon'ble Court.

9. As the developments stated above are relevant for the purpose of deciding the above bail application it is highly necessary to accept the documents produced herewith on record and to peruse the same.

In view of the above it is most humbly prayed that this Hon'ble Court be pleased to accept the document produced herewith on record.

Dated this 23rd day of June, 2021

S. Manu
Senior Central Government Standing Counsel
or Lakshadweep Administration



GOVERNMENT OF INDIA
LAKSHADWEEP ADMINISTRATION
DISTRICT DISASTER MANAGEMENT AUTHORITY

Kavaratti- 682555

F.No.E/21/7/2020-CoL

Date:22.06.2021

CAUTION NOTICE

Sub: - Violation of mandatory home quarantine – Notice of caution.

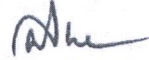
Whereas on your arrival at Kavaratti on 19-06-2021, Shri. Murad Sha. P, Nodal Officer (Mandatory Quarantine), COVID-19 Management Team, Kavaratti briefed you and informed that as per the order bearing F.No.E/21/7/2020-CoL, dated 12-05-2021 of the District Collector & Chairman, DDMA, mandatory home quarantine for 7 days is in force in all islands of the UT for all those people who came from mainland as well as from other islands and therefore except for the purpose of interrogation, you should not move out the place of your stay and you have given assurance that you will be following the quarantine rule properly.

Whereas on 20-06-2021 evening, when you went to Police Head Quarters, Kavaratti for interrogation you have travelled with other persons in a car violating the COVID appropriate behaviour. And after the interrogation by the police, instead of going back to the place where you are undergoing home quarantine, you went to public places and mingled with other people violating quarantine rule. Later on, you had visited the Village Dweep Panchayath Office, Kavaratti along with the panchayath members and some other local residents. Photographs and video clips of the said incidents are circulating in the social media and news channels.

Whereas on 21-06-2021, you went to a First Line Treatment Centre for COVID-19 positive patients at Dak Bungalow, Kavaratti at 06:00 AM and interacted with COVID-19 patients there, violating quarantine rule. Your action seems to be a deliberate attempt on your side to get COVID-19 viral infection and to spread this contagious disease to other people as a virus carrier. It also causes a threat of infection to the police officers who are going to conduct further investigation in the said case.

And your actions in violating the 'Home Quarantine' direction and roaming in public places and interacting with the public and visiting a FLTC and interacting with COVID-19 positive patients are certainly illegal and likely to spread infection of COVID-19 virus which is dangerous to human life and are evident of violation of the provisions of the Disaster Management Act, 2005 and the officer concerned has submitted complaints in this regard to the competent authority.

Hence you are hereby cautioned that stringent actions will be taken against you if you are violating the quarantine rule again, which is specified as per the Standard COVID Protocol (SOP) that is in place in the UT of Lakshadweep and you must remember that you are exempted from the mandatory quarantine provision only for the purpose of interrogation in the said case.



(S. Asker Ali, IAS)
District Collector & Chairman, DDMA,
Lakshadweep

To
Ayshommabi A M @ Aisha Sulthana
Under Home Quarantine at Kavaratti.