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“SUPREME COURT DISALLOWS ITALIAN MARINES’ PLEA”, *DNA INDIA*, 16
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Supreme Court disallows Italian marines' plea

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The [Supreme Court \(/topic/supreme-court\)](#) on Tuesday refused the pleas of murder accused Italian marine Massimiliano Latorre seeking extension of his stay in [Italy \(/topic/italy\)](#) on health grounds and his fellow marine permission to travel there for Christmas, leading them to withdraw their applications.

"The trial has not commenced. Even the charge sheet has not been filed. It does not happen anywhere in the world. We are sorry," a three-judge bench headed by Chief Justice H L Dattu said. Senior advocates Soli Sorabjee and KTS Tulsi, appearing for the marines, said that even the Central government lawyer has no objection to extension of stay of Latorre on health grounds. "The Solicitor General may not object but we want the system

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to work," the bench also comprising justices M B Lokur and A K Sikri, said adding, "Let him come. Let the charge sheet be filed. You know that the charge sheet cannot be filed in the absence of accused. We aren't going to allow the application."

Sorabjee said that Lattore had heart surgery scheduled on January 8, 2015 in Italy and he may be permitted to stay further for a period of two more months. Later, the counsel for Italian marines withdrew the applications. The second marine Salvatore Girone had sought permission to travel to Italy for Christmas.

Earlier on September 12, the [apex court \(/topic/apex-court\)](/topic/apex-court) had allowed Lattore to travel to his country for medical [treatment \(/topic/treatment\)](/topic/treatment) for four months after the Centre had said that "in principle" it has no objection to the plea. Latorre had sought permission from the court to go to Italy for his "more rapid and complete recovery" after he had suffered brain stroke on August 31.

The case pertains to the killing of two Indian [fishermen \(/topic/fishermen\)](/topic/fishermen) allegedly by Italian marines Latorre and Girone onboard ship 'Enrica Lexie' off Kerala coast on February 15, 2012. The complaint was lodged by Freddy, who is the owner of the fishing boat 'St Antony', in which two Indian fishermen were murdered when the marines started firing on them allegedly under the misconception that they were pirates.