



CrI.O.P.No.1850 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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1.Pushparajah @ Pookutti Kanna
(At present confined at Central prison-II,
Chennai.)

2.Dhanukka Roshan
(At present confined at Central prison-II,
Chennai.)

3.Ladiya @ Nalin Chathuranga @ Ladiya Chandrasena
(At present confined at Central prison-II,
Chennai.)

4.Vella Suranga @ Gamage Suranga Pradeep @ Suranga
(At present confined at Central prison-II,
Chennai.)

... Petitioners

Vs.

The Union of India rep. by
The Inspector of Police /CIO,
National Investigation Agency,
Kochi, Kerala.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C r/w
Section 528 of BNSS, seeking to direct the Learned Special Court for



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Trial of NIA Cases Session Court for Exclusive Trial of Bomb Blast Cases Poonamallee, Chennai in Spl.S.C.No.3 of 2023 and dispose expeditiously as possible to fix the time frame by this Court.

For Petitioners : Mr.P.Muthamizhselvakumar
For Respondent : Mr.R.Karthikeyan
Special Public Prosecutor

ORDER

(Order of this Court was delivered by M.S.RAMESH.J.)

The limited prayer sought for in the present Writ Petition is for expeditious disposal of the Spl.S.C.No.3 of 2023 on the file of the learned Special Court for Trial of NIA Cases Session Court for Exclusive Trial of Bomb Blast Cases Poonamallee, Chennai.

2. The petitioners themselves, in their petition, have admitted that there are about 211 witnesses and 329 documents to be marked on the side of the prosecution.

3. Heard the learned counsel for the petitioners and have perused the documents.



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4. We fail to understand as to how the Special Court could be directed to complete the trial expeditiously with the large number of witnesses and documents that are to be marked, more particularly when there are 14 accused involved in the case.

5. Learned Special Public Prosecutor placed reliance on the decision of the Hon'ble Supreme Court in ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh and Others***, [(2024) 6 SCC 267], wherein it had deprecated the practice of High Courts fixing a time limit for the Trial Courts to complete the procedure, in the following manner:

"43. There is another important reason for adopting the said approach. Not every litigant can easily afford to file proceedings in the constitutional courts. Those litigants who can afford to approach the constitutional courts cannot be allowed to take undue advantage by getting an order directing out-of-turn disposal of their cases while all other litigants patiently wait in the queue for their turn to come. The Courts, superior in the judicial hierarchy, cannot interfere with the day-to-day functioning of the other courts by directing that only certain cases should be decided out of turn within a time-frame. In



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a sense, no court of law is inferior to the other. This Court is not superior to the High Courts in the judicial hierarchy. Therefore, the Judges of the High Courts should be allowed to set their priorities on a rational basis. Thus, as far as setting the outer limit is concerned, it should be best left to the courts concerned unless there are very extraordinary circumstances."

6. Taking into consideration the number of accused, witnesses and the documents yet to be marked, we do not fix a time limit for the completion of the trial.

7. Accordingly, this Criminal Original Petition stands dismissed.

[M.S.R., J] [N.S., J]

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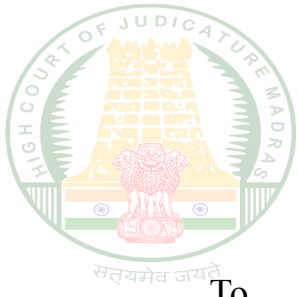
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

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To
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- 1.The Inspector of Police /CIO,
National Investigation Agency,
Kochi, Kerala.
- 2.The Special Court for Trial of NIA Cases
Session Court for Exclusive Trial
of Bomb Blast Cases Poonamallee, Chennai
- 3.The Public Prosecutor,
Madras High Court.



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M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

Anu

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