



WEB COPY



Crl.A. No.212 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**
and
THE NONOURABLE MR.JUSTICE **N.SENTHILKUMAR**

Criminal Appeal No.212 of 2025

Mohammed Salavuddin S @
Salaudeen @ Salvudeen

.. Appellant

Vs.

Union of India rep by;
The Inspector of Police
National Investigation Agency, Chennai
(R.C.No.33/2018/NIA/DLI)

.. Respondent

* * *

Prayer : Criminal Appeal filed under Section 21 of NIA Act to call for the records in order dated 10.1.2025 made in Crl.M.P. No.40 of 2025 in Spl.S.C. No.19 of 2022 on the file of Special Court for NIA Cases, Poonamallee, Chennai and set aside the same.

* * *

For Appellant : Mr.P.Pugalenth

For Respondent : Mr.R.Karthikeyan,
Spl. Public Prosecutor (NIA)



Crl.A. No.212 of 2025

JUDGMENT
(delivered by N.SENTHILKUMAR, J.)

WEB COPY

This criminal appeal is filed challenging the order of the Special Court for NIA Cases, Poonamallee, Chennai, dated 10.1.2025 made in Crl.M.P. No.40 of 2025 in Spl.S.C. No.19 of 2022.

2. The case of the appellant is that he was arrested on 01.09.2018, remanded to judicial custody and was released on bail on 22.02.2021 by the Special Court under the National Investigation Agency Act, 2008 (Sessions Court for Exclusive Trial of Bomb Blast Cases), Chennai at Poonamallee in Crl.M.P. No.2 of 2019 in R.C. No.33/2018/NIA/DLI in Spl.C.C. No.19 of 2022.

3. The appellant herein has filed a petition under Section 317 Cr.P.C. on 25.11.2024, to dispense with his personal appearance before the Special Court. However, the trial court dismissed the said petition on the same day. The trial court was informed that the appellant was arrested in another case registered against him by the State police, which was registered under FIR No.488 of 2024 dated 20.07.2024 for the alleged offences under Section 296(b), 126(2), 115(2), 109, 308(4), 351(3) of BNS 2023 and 25(1)(a) of Arms Act, 1959 by Vyasarpadi Police Station, Chennai.



Crl.A. No.212 of 2025

WEB COPY

4. The appellant herein was produced before the Special Court, pursuant to a PT Warrant issued by the special court in Crl.M.P. No.40 of 2025 dated 10.01.2025 and remanded him to judicial custody. The appellant is incarceration from the date of his arrest. As the petitioner was originally released on bail by the Special Court on 22.02.2019 and he was unable to appear only because of the remand made in another case in Crime No.488 of 2024 on the file of Vyasarpadi Police Station, we are inclined to grant bail to the appellant herein, taking into consideration of the bail granted to the petitioner in Crl.M.P. No.2 of 2019 in R.C. No.33/2018/NIA/DLI in Spl.C.C. No.19 of 2022.

5. In view of the same, this appeal is allowed and the order of the Special Court for NIA Cases, Poonamallee, Chennai dated 10.1.2025 made in Crl.M.P. No.40 of 2025 in Spl.S.C. No.19 of 2022, is set aside. Consequently, the appellant shall be released on bail on the following conditions:

(i) The appellant shall execute a bond for a sum of Rs.10,000/-, with two independent sureties, each for a like sum to the satisfaction of the learned District and Sessions Judge, Special Court for NIA Cases, Poonamallee, Chennai;

(ii) The petitioner and the sureties shall affix their



Crl.A. No.212 of 2025

WEB COPY

photographs and Left Thumb Impression in the surety bonds and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iii) The appellant shall appear before the Special Court for NIA Cases, Poonamallee, Chennai, on all hearing dates;

(iv) The appellant shall cooperate for the investigation and consequential inquiry or trial, if any, of this case;

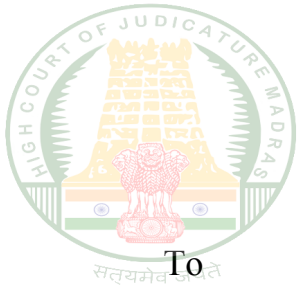
(v) The appellant shall not threaten the witnesses, shall not tamper the evidences and shall not do any act which affects the proper investigation or enquiry or trial of the case;

(vi) The appellant shall not leave India without the permission of the trial court, until further orders; and

(vii) The appellant shall not do any act that is against the communal or religious harmony of this country and shall not do any act against the interests of this country;

[M.S.R., J.] [N.S., J.]
23.04.2025

Asr
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No



Crl.A. No.212 of 2025

To

WEB COPY

1. The Special Court for NIA Cases,
Poonamallee, Chennai
2. Union of India rep by;
The Inspector of Police
National Investigation Agency, Chennai
(R.C.No.33/2018/NIA/DLI)



WEB COPY



Crl.A. No.212 of 2025

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

Crl. A. No.212 of 2025

Dated : 23.04.2025