



Crl.A. No.240 of 2025

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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.240 of 2025**

Jafar Shadik Ali @ Jafar Sadiq Ali @  
Jafer Ali

.. 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 7.1.2025 made in Crl.M.P. No.20 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.Pugalenthi

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



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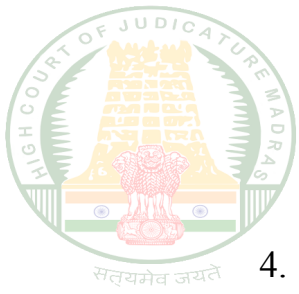
## JUDGMENT

(delivered by N.SENTHILKUMAR, J.)

This criminal appeal is filed challenging the order of the Special Court for NIA Cases, Poonamallee, Chennai, dated 7.1.2025 made in Crl.M.P. No.20 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.222 of 2024 dated 12.10.2024 for the alleged offences under Section 329(4), 204, 308(2) and 351(2) of BNS 2023 by Elephant Gate Police Station, Chennai.



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4. In this case, the appellant was released on bail in Crime No.222 of 2024, C2 Police Station, that he appeared before the special court and pleaded to recall the warrant of arrest issued against him in Crl.M.P. No.20 of 2025 dated 7.1.2025, but the trial court rejected his request 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 few hearing dates only because of the remand made in another case in Crime No.222 of 2024 on the file of Elephant Gate 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 7.1.2025 made in Crl.M.P. No.20 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;*



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*(ii) The appellant and the sureties shall affix their 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;*

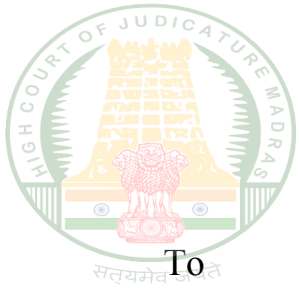
*(v) The appellant shall not threaten the witnesses, shall not tamper the evidences and shall not do any act which affects the proper investigation or enquiry or trial of the case;*

*(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



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To

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- 1.The Special Court for NIA Cases,  
Poonamallee, Chennai
- 2.Union of India rep by;  
The Inspector of Police  
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**M.S.RAMESH, J.**  
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**Dated : 23.04.2025**