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Crl.O.P.Nos.17992 of 2025, 3119 & 3211 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

Crl.O.P.Nos.17992 of 2025, 3119 & 3211 of 2024

Alahapperumaga Sunil Ghamini Foneseka

@ Kottaghamini @ Sunil Ghamii @ Neelakandan

... *Petitioner in Crl.O.P.No.17992/2025*

M.Selvakumar

... *Petitioner in Crl.O.P.No.3119/2024*

Mohammad Asmin

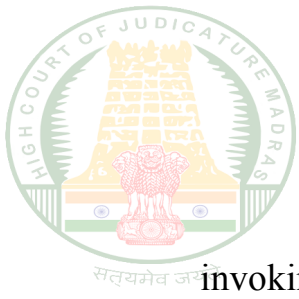
... *Petitioner in Crl.O.P.No.3211/2024*

Vs.

Union of India rep. by,
Inspector of Police,
National Investigation Agency,
Kochi.

... *Respondent in all petitions*

Prayer in Crl.O.P.No.17992/2025: Criminal Original Petition filed under Section 528 of BNSS, praying to enlarge the petitioner on bail, waiving the stipulated condition u/s. 306(4)(b) Cr.P.C. - that: since the petitioner is in custody, his custody shall continue till the termination of trial –



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invoking Section 528 BNSS (the New Act 2023): formerly Section 482 Cr.P.C. appropriately, for the case.

Prayer in Crl.O.P.Nos.3119 & 3211/2024: Criminal Original Petitions filed under Section 482 of Cr.P.C., praying to enlarge the petitioners on bail, waiving the stipulated condition u/s. 306(4)(b) Cr.P.C. - that: since the petitioners are in custody, their custody shall continue till the termination of trial – invoking Section 482 Cr.P.C. appropriately, for the case.

(in all petitions)

For Petitioners : Mr.K.Satishchenduran

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

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

The learned Special Public Prosecutor appearing for the respondent raised certain apprehension with regard to bail being granted to the petitioners, which may affect the framing of charges and conduct of trial.

2. Per contra, the learned counsel for the petitioners submitted that keeping the petitioners indefinitely under custody, affects their right under



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Article 21 of the Constitution of India.

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3. It is brought to our notice that charges are yet to be framed in these cases. Hence, we are of the view that it would strike a balance by directing the Special Court to frame charges expeditiously and consequently, examine the petitioners/approvers, within a time frame, by which the ends of justice could be secured.

4. Accordingly, the learned Special Court under the National Investigation Act 2008, Sessions Court for Trial of Bomb Blast Cases, Chennai at Poonamallee, Chennai – 600 056, is directed to expedite framing of charges and examine the petitioners herein at the earliest, in any event within a period of three (3) months from the date of receipt of a copy of this order. On completion of examination of the witnesses, the petitioners are at liberty to make a fresh application seeking for bail before the Special Court under the National Investigation Act 2008, Sessions Court for Trial of Bomb Blast Cases, Chennai at Poonamallee, Chennai – 600 056.



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5. With the above direction, these Criminal Original Petitions stand disposed of. No costs.

[M.S.R, J.]

[V.L.N, J.]

31.07.2025

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

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To
1.The Inspector of Police,
Union of India,
National Investigation Agency,
Kochi.

2.The Special Court under the National Investigation Act 2008,
Sessions Court for Trial of Bomb Blast Cases,
Poonamallee, Chennai – 600 056.

3.The Special Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
V. LAKSHMINARAYANAN, J.

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