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CRL.OP.Nos.1688 and 3631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

CRL.OP.Nos.1688 and 3631 of 2025

1.Jameel Basha

2.Mohamed Hussain

3.Israth

...Petitioners in both cases

vs.

Union of India represented by
The Inspector of Police,
National Investigation Agency,
Chennai – 600 010.
(in RC No.01/2023/NIA/CHE)

...Respondent in both cases

Prayer in Crl.O.P.No.1688 of 2025:

Criminal Original Petitions filed under Section 528 of BNSS, to call for the records and set aside the orders passed in Crl.M.P.No.2152 of 2024 dated 12.11.2024 on the file of the Hon'ble Special Court Under the National Investigation Agency Act, 2008, Sessions Court for Exclusive Trial for Bomb Blast Cases Chennai at Poonamallee, Chennai in RC.No.01/2023/NIA/CHE pending on the file of the respondent.



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Prayer in Crl.O.P.No.3631 of 2025:

Criminal Original Petitions filed under Section 528 of BNSS, to call for the records and set aside the impugned docket order passed in Crl.M.P.SR.No.1827 of 2024 dated 09.08.2024 on the file of the Hon'ble Special Court Under the National Investigation Agency Act, 2008, Sessions Court for Exclusive Trial for Bomb Blast Cases Chennai at Poonamallee, Chennai in RC.No.01/2023/NIA/CHE pending on the file of the respondent.

For Petitioners
in both cases : Mr.I.Abdul Basith

For Respondent
in both cases : Mr.R.Karthikeyan
Special Public Prosecutor for NIA

COMMON ORDER

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

The petitioners herein are the accused 1, 3 and 4 in S.C.No.3 of 2025 on the file of the Special Court under NIA Act, Chennai, who had challenged the order in Crl.M.P.No.2152 of 2024 wherein their bail application came to be dismissed.

2.The only ground raised before us in these Criminal Original



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Petitions is that the respondent Agency had not filed the final report within the statutory period of 180 days and therefore, they are entitled for bail under Section 43(D)(2) of the UAPA Act.

3.Though the prosecution had filed the charge sheet in time, such a fact was disputed by the learned counsel for the petitioners.

4.In view of the disputed submissions, we had called for a report from the Special Court, together with the files relating to the case, including the charge sheet.

5.Today, we have perused the original charge sheet filed before the Special Court and we find that the charge sheet has been filed on 06.08.2024 which is within the time limit prescribed under Section 43(D).

6.Now that it is found so, we are not inclined to entertain the grounds raised by the petitioners in this regard and accordingly, the Criminal Original Petitions stand dismissed.

7.Registry shall dispatch the Original records relating to S.C.No.3 of 2025 to the Special Court through a Special Messenger at



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least by tomorrow (04.03.2025).

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(M.S.R.,J) (N.S.,J)
03.03.2025

Index: yes/no
Speaking order:yes/no
Neutral Citation:yes/no
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To
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- 1.The Special Court Under NIA Act, Chennai
Sessions Court for Exclusive Trial
for Bomb Blast Cases Chennai,
at Poonamallee, Chennai
- 2.The Inspector of Police,
National Investigation Agency,
Chennai – 600 010.
(in RC No.01/2023/NIA/CHE)



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