

List of Judgments cited by Advocate Shri E. V. Chandrasekharan, Special Public Prosecutor, Madras High Court, Chennai in Three Days Training Programme on The National Investigation Agency Act, Maharashtra Control of Organised Crime Act and The Unlawful Activities (Prevention) Act dated 21st to 23rd November 2025, at MJA, Uttan.

Sr. Nos.	Judgments	Observations made by The Hon'ble S.C and H.C's
1	N. R. Bhatt Vs. State by CBI / SPE, Bangalore 2016 SCC OnLine Kar 1107	Pre-trial conference is not a mere formality but a useful exercise as a step in aid to hold trial as mandated in S. 309 Cr.P.C.
2	<ul style="list-style-type: none"> • Kanu Biswas Vs. State of West Bengal AIR 1972 SC 1656 • Dr. Ram Manohar Lohia Vs. State of Bihar 1965 SCC OnLine SC 9 • Kishori Mohan Bera Vs. State of West Bengal (1972) 3 SCC 845 • Commissioner of Police Vs. Smt. C. Anita (2004) 7 SCC 467 	The distinction between public order, law and order and national security.
3	<ul style="list-style-type: none"> • State of Kerala Vs. Raneef (2011) 1 SCC 784 • Arup Bhuyan Vs. State of Assam (2011) 3 SCC 377 • Indra Das Vs. State of Assam (2011) 3 SCC 380 	Mere membership of a banned organization will not incriminate a person unless he resorts to violence or incites people to violence. Overruled by Hon'ble SC in Arup Bhuyan Vs. State of Assam in 2023.
4	Arup Bhuyan Vs. State of Assam (2023) 8 SCC 745	A person who was a member of banned organization and continues to be a member liable to be penalized under UAPA.
5	Rakesh Kumar Paul Vs. State of Assam (2017) 15 SCC 67	Indefeasible right to default bail.
6	Shilpa Mittal Vs. State (NCT Delhi) (2020) 2 SCC 787	An offence without a minimum 7 years sentence is not a heinous offence under JJ Act, 2015.

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7	State of Maharashtra Vs. Surendra Pundlik Gandling (2019) 5 SCC 178	The extension of investigation period u/s. 43-D of UAPA upheld, but emphasized on the mandatory procedural safeguard i.e. report from the public prosecutor for extension.
8	Sukumaran Vs. State represented by Inspector of Police Cri. Appeal No. 5/2009 dated 7.3.2019	Right of private defence.
9	M. Mohamed Abbas Vs. The State represented by SP NIA Crl. O. P. No. 12229/2023 – Madras HC	Opportunity of hearing to the Public Prosecutor, S. 43-D(5) of UAPA.
10	Gurwinder Singh Vs. State of Punjab 2024 SCC OnLine SC 109	Bail the exception, jail the rule under UAPA. Bail must be rejected if reasonable grounds for believing that accusations are prima-facie true.
11	State of Gujarat Vs. Kishanbhai (2014) 5 SCC 108	Directives issued to ensure accountability and prevent instances of gross neglect in investigation resulting in acquittals, mandated departmental action against erring officials.
12	NIA Vs. Zahoor Ahmad Shah Watali (2019) 5 SCC 1	Strict statutory requirement for bail under UAPA, standards for granting bail and interpretation of S. 43-D(5) of UAPA. Accusations prima facie true, bail rejected.
13	UOI Vs. Barakathullah 2024 SCC OnLine SC 1019	The strict application of S.43-D(5) of UAPA upheld.

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14	Suresh Nanda Vs. CBI (2008) 3 SCC 674	S. 10 of Passport Act and S. 51 of UAPA – impounding the passport.
15	Mahender Chawla Vs. UOI (2019) 14 SCC 615	Witness Protection Scheme implementation.
16	Sunil Saini Vs. State of Haryana 2023 SCC OnLine SC 968	Principles in Mahender Chawla is to be followed by the Courts and Police
17	Phireram Vs. State of UP 2025 SCC OnLine SC 1915	Witness Protection Scheme, right to get protection.
18	Smruti Tukaram Badade Vs. State of Mah. (2022) 18 SCC 24	Formation of vulnerable witness deposition centres.
19	Pragya Singh Chandrapalsingh Thakur Vs. State of Mah. Crl Writ Petition No. 4049/2012, 1325/2012, 4049/2012, 1325/2012 dt. 11.10.2013	Constitutional Validity of NIA Act was challenged, it was held constitutional.
20	Anil Kumar and others Vs. M.K. Aiyappa (2013) 10 SCC 705	Procedure to be followed when a private case is filed under PC Act.
21	L. Narayana Swamy Vs. State of Karnataka & Others (2016) 9 SCC 598	No Sanction required to prosecute the public servant if work is not done while discharging his official duty.
22	<ul style="list-style-type: none"> Manju Surana Vs. Sunil Arora & others (2018) 5 SCC 557 Shamim Khan Vs. Debashish Chakrabarty and Others (2024) SCC 5173 B.S. Yediyurappa Vs Abraham T.J. SLP (Cri.) No. 8675 of 2024 	Requirement of prior Sanction for a magistrate to order a police investigation against a public servant.
23	Hardeep Singh Vs. State of Punjab & others (2014) 3 SCC 92	Trial Commences upon framing of charges
24	Sukhpal singh Khaira Vs. State of Punjab (2019) 6 SCC 638	When to invoke sec 319 of CrPc?

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25	State of Punjab Vs. Partap Singh Verka 2024 SCC online SC 1659	The court can not proceed with the case as per sec 319 of CrPc. involving offences committed by public servant under PC Act without prosecution sanction.
26	Fuleshwar Gope Vs. Union of India & Others 2024 SCC Online SC 2610	Statutory timelines under UAPA sanction rules.
27	Waheed-Ur-Rehman Parra Vs. Union Territory of Jammu & Kashmir (2022) 12 SCC 240	Right to obtain redacted statement.
28	Mohammed Asuradeen Vs. Union of India & Others Spl. Leave Petition (Crl.) 18155/2024 dt. 6.05.2025	No blanket order for witness protection.
29	R. Sarala Vs. T.S. Velu & Others (2000) 4 SCC 459	Investigation and Prosecution are two different facets in the administration of criminal justice.
30	P. Krishna Mohan Reddy Vs. State of Andhra Pradesh 2025 SCC Online SC 1157	Use of Statements under Sec. 161 CrPc, confession of co accused while deciding bail.
31	Mottai Thevan Vs. State 1951 SCC OnLine Mad 247, AIR 1952 Mad 586	The statement made in the confession can be used by accused in his favour.
32	<ul style="list-style-type: none"> Aghnoo Nagesia Vs. State of Bihar 1965 SCC Online SC 109 Narayan Yadav Vs. State of Chhattisgarh 2025 SCC Online SC 1603 	Evidentiary value of a confessional FIR.
33	State of Uttar Pradesh Vs. Deoman Upadhyaya 1960 SCC Online SC 8	Whether sec. 25 evidence act infringes upon Art 14 of the constitution?
34	Woolmington Vs. DPP (1935) AC 462	The Prosecution to prove guilt of the accused beyond reasonable doubt.

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Bail under UAPA, NIA		
35	<ul style="list-style-type: none"> Union of India Vs. K. A. Najeeb (2021) 3 SCC 713 Jahir Hak Vs. State of Rajasthan (2022) 18 SCC 389 Siddique Kappan Vs. State of UP Cr.A. No. 001534/2022 dt. 09.09.2022 (SC full Bench) Tapas Kumar Palit Vs. State of Chhattisgarh 2025 SCC OnLine SC 322 Buhari @ kitchan Buhari Vs. State, Madras High Court (DB) Cri.Appl. No. 220/2024 dt. 12.04.2024 	Long incarceration, bail granted.
36	Sudesh Kedia Vs. Union of India (2021) 4 SCC 704	Mere payment of Extortion does not incontrovertibly equate to providing funds to a terrorist organization, bail granted.
37	Thwaha Fasal Vs. Union of India (2022) 14 SCC 766	Sec. 43-D-(5) of UAPA applies only in cases of offences under Chs. IV and VI, in case of other offences under UAPA, Ordinary bail principles enshrined in CrPc shall apply.
38	<ul style="list-style-type: none"> Frank Vitus Vs. NCB & Others (2024) 8 SCC 415 Puranmal Jatt Vs. State of Rajasthan 2023 SCC Online SC 1418 	Bail conditions and Article 21 of the constitution.
39	Ranjitsing Brahmajeetsing Sharma Vs. State of Maharashtra (2005) 5 SCC 294	Considerations for grant of bail under MCOCA.
40	<ul style="list-style-type: none"> NIA Vs. Zahoor Ahmad Shah Watali (2019) 5 SCC 1 Birbal Ganjhu Vs. Union of India through National Investigation Agency 2020 SCC OnLine Jhar 566 	Accusations prima facie true, bail rejected.
41	Sheikh Javed Iqbal Vs. State of UP 2024 SCC Online SC 1755	Bail is rule, rejection is exception even in special Act.

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42	Yedala Subba Rao & Another Vs. Union of India (2023) 6 SCC 65	Genuineness of Confessional statements doubtful, bail granted.
43	Jalaluddin khan Vs. Union of India (2024) 10 SCC 574	Accusations not appearing Prima facie true, bail granted.
44	Dr. P. Varavara Rao Vs. National Investigation Agency and Another 2022 SCC OnLine SC 1004	Bail on Medical Ground.
45	Sushila Aggarwal & Others Vs. State (NCT of Delhi) & Another (2020) 5 SCC 1	Anticipatory bail can be granted without any fixed time limit.
46	Ahammedkutty Pothiyil Thottiparambil Vs. Union of India, represented by the National Investigation Agency and Another 2023 SCC OnLine Ker 5501	Anticipatory Bail for UAPA Offences, Sec. 43 D(4) of UAPA affirms exclusion of Sec 438 of CrPC.
47	Shakul Hameed Vs. State by the Superintendent of Police, NIA of Kochi (2019) 6 SCC 350	Default bail in NIA case.
48	State of NCT of Delhi Vs. Rajkumar@Lovepreet@Lovely SLP (Crl) No. 2503/2021 dt. 03.01.2024	No default bail, if charge sheet is filed in time.
49	<ul style="list-style-type: none"> Sadique & others Vs. State of MP Cri. Appl. No. 963/2021 dt. 07.09.2021 (Investigation by NIA) Bikramjeet Singh Vs. State of Punjab 2020 SCC Online SC 824 (Investigation by NIA) Mir Anas Ali Vs. State represented by IOP, SSC Online Madras 5997 (Investigation by state agency) 	Magistrate can not extend charge sheet deadline under Sec. 43 D (2) (b) Proviso of UAPA.
50	Naser Bin Abu Bakr Yafai Vs. State of Maharashtra & Another (2022) 6 SCC 308	Jurisdictional Powers of state police and NIA, and default bail.
51	<ul style="list-style-type: none"> Vipin Kumar Dhir Vs. State of Punjab Crl.Appl.No.11611162 OF 2021 (ARISING OUT OF SLP (CRL.) NOS. 54 045405 OF 2021) State of Bihar Vs. Rajballav Prasad (2017) 2 SCC 178 Dolat Ram & Others Vs. State of Haryana (1995) 1 SCC 349 	Grounds to revoke/cancel bail.

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52	P. K. Shaji@Thammanam Shaji Vs. State of Kerala (2005) 13 SCC 283	Bail granted by Superior Court, who can cancel it?
53	Prahlad Singh Bhati Vs. NCT Delhi & Another (2004) 4 SCC 280	Factors for grant of bail, magistrate's power to grant bail where the punishment is life or death.
54	Dinesh Dalmia Vs. CBI (2007) 8 SCC 770	Scope and Applicability of Sec. 167 (2) & 309 (2) of CrPc.
55	Hamida Vs. Rashid Alias Rasheed & Others (2008) 1 SCC 474	Grant of bail for less Severe offences, Offences escalated, use of Inherent powers under Sec. 482 of CrPc.
56	Mithabhai Pashabhai Patel & Others Vs. State of Gujarat (2009) 6 SCC 332	Can a court permit police custody after new and graver offences are added?
57	Pradeep Ram Vs. State of Jharkhand & Another (2019) 17 SCC 326	Procedure for bail cancellation of an accused who was previously granted bail.
58	Suwendu Adhikari & Others Vs. State of West Bengal & Others (2023) 20 SCC 184	Central Govt. powers to direct NIA investigation.
59	<ul style="list-style-type: none"> Pankaj Bansal Vs. Union of India (2024) 7 SCC 576 Prabir Purkayastha Vs. State (NCT of Delhi) (2024) 8 SCC 254 Vihaan Kumar Vs. State of Haryana & Another (2025) 5 SCC 799 Mihir Rajesh Shah Vs. State of Maharashtra 2025 SCC Online SC 2356 Ashish Kakkar Vs. UT of Chandigarh 2025 SCC Online SC 1318 Ahmed Mansoor & Others Vs. The state Rep. by Assistant Commissioner of Police & Anr. Crl.Appl. No. 4505/2025 Slp. Crl. 198/2025 	Mandatory obligation of investigating authority to furnish written grounds of arrest to the accused.
60	V. Santhil Balaji Vs. The State 2023 SCC Online SC 934	ED's power to investigate and Seek custody under PMLA.

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61	Paramvir Singh Sini Vs. Baljit Singh & others (2021) 1 SCC 184	Directions to compulsory install CCTV Cameras and recording equipment in police station as a deterrent against custodial torture.
62	Miranda Vs. Arizona 1966 SCC Online US SC 112	The person in custody, prior to interrogation, be clearly informed that he has the right to remain silent, right to consult and to have the lawyer with him during interrogation.
63	Ashish Jain Vs. Makrand Singh & others (2019) 3 SCC 770	Miranda rights not available in India.
64	<ul style="list-style-type: none"> • G. Karthikeyan Vs. The Union of India, Crl. A. No. 855/2025 dated 31.7.2025, Madras High Court • Zahira Habibulla H. Sheikh and Ano. Vs. State of Gujarat and Ors. AIR 2004 SC 3114 • Rajeev Kourav Vs. Baisahab (2020) 3 SCC 317 	Not obligatory on the part of the police officer to record the statements of all the witnesses examined by him.
65	Nandini Satpathy Vs. P. L. Dani AIR 1978 SC 1025	Article 20(3) of the constitution with S. 161(2) of Cr.P.C. protects the right to be silent.
66	Tilkeshwar Singh Vs. State of Bihar (1955) 2 SCC 606	Recording of joint statement of witnesses (S. 161 Cr.P.C.) not permitted.

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