



WEB COPY



Crl.O.P.Nos.3508 & 3510 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 08.04.2025

PRONOUNCED ON : 21.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.3508 & 3510 of 2025

1. Jaffer Sadiq ... Petitioner in Crl.OP.No.3508 of 2025 /A1
2. Mohamed Saleem ... Petitioner in Crl.OP.No.3510 of 2025 /A2

Vs.

The Assistant Director,
Directorate of Enforcement,
Chennai Zonal Unit-1, 5th & 6th Floor,
BSNL Administrative Building,
Kushkumar Road, Nungambakkam,
Chennai – 600 034. ... Respondent/Complainant in both cases

COMMON PRAYER: Criminal Original Petitions filed under Section 483 of BNSS, to enlarge the petitioners/A1 & A2 on bail, in connection with the Spl.CC.No.17 of 2024.

For Petitioner in
Crl.OP.No.3508 / 2025 : Mr.Abudu Kumar Rajarathinam,
Sr. Counsel
for Mr.K.T.Sankara Subramanian
Crl.OP.No.3510 / 2025 : Mr.Sri Charan Rangarajan,
Sr. Counsel
for Mr.K.T.Sankara Subramanian
For Respondent : Mr.AR.L.Sundaresan, ASGI,
in both cases assisted by Mr.N.Ramesh,
Special Public Prosecutor



WEB COPY



Cr1.O.P.Nos.3508 & 3510 of 2025



Crl.O.P.Nos.3508 & 3510 of 2025

COMMON ORDER

WEB COPY

The petitioner in Crl.O.P.No.3508 of 2025 [Jaffer Sadiq] was arrested on 26.06.2024 and remanded to judicial custody on 15.07.2024 for the alleged offences defined under Section 3 and punishable under Section 4 of the Prevention of Money Laundering Act, 2002 [hereinafter referred to as 'PMLA'] registered in ECIR No.09 of 2024 dated 11.03.2024, which was recorded on the basis of predicate offences registered by the Narcotics Control Bureau (NCB), New Delhi, Customs Departments based in Mumbai and Chennai under Sections 9A, 25A, 29, 22(c), 23(c), 24, 30 and 25 read with Section 8(c) of the NDPS Act, 1985.

2. In the above said ECIR, the petitioner in Crl.OP.No.3510 of 2025 [Mohamed Saleem] was arrested on 12.08.2024 and remanded to judicial custody on 13.08.2024.

3. The case of the prosecution in brief is as follows:

(i) The petitioner in Crl.OP.No.3508 of 2025/Jaffer Sadiq who is hereinafter referred to as '**first accused**' was involved in the following three cases.

(a) The first case was registered in the year 2015, by



Crl.O.P.Nos.3508 & 3510 of 2025

WEB COPY

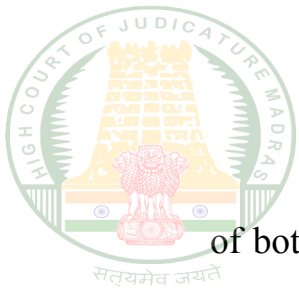
Chennai Customs, Air Cargo Complex, Meenambakkam,
Chennai, for exporting 50Kgs of Pseudoephedrine.

(b) The second case was registered in the year 2019, by the Special Intelligence Investigation Branch, Air Cargo Complex, Sahar, Mumbai in CNR No.MHCC02-020110-2019 for attempting to export 38.867 kgs of Ketamine through a concern by name 'M/s.Cube Impex'; and

(c) The third case was registered in the year 2024, by the Narcotics Control Bureau of New Delhi for trafficking of 50.070 kgs of Pseudoephedrine.

(ii) As regards the petitioner in Crl.OP.No.3510 of 2025/Mohamed Saleem, who is hereinafter referred to as the '**second accused**', he is said to be involved in the case registered in the year 2019 by the Mumbai Customs for attempting to export 38.867 kgs of Ketamine

(iii) It is the case of the respondent that both the accused were involved in the process connected with the proceeds of crime including, concealment, possession, acquisition or use and projecting or claiming it as untainted property; that substantial cash was credited into the accounts



Cr1.O.P.Nos.3508 & 3510 of 2025

WEB COPY

of both the petitioners; that the petitioners have availed unsecured loans; that those loans are accommodation entries; that the Income Tax returns of both the accused is not proportionate to the cash credits made in their accounts; that both the accused were unable to explain the sources of cash; and that the first accused, in a statement under Section 50 of the PMLA recorded on 08.05.2024 had admitted that he had made the investments in cash, which was acquired from the Narcotics trade in various forms.

(iv) As regards the second accused, it is the case of the prosecution that though he was not made an accused in two of the cases, registered in the years 2015 and 2024 for the predicate offences, the proceeds of crime were enjoyed by him and he had purchased movable and immovable properties making use of the proceeds of crime; and that therefore, he has committed the offence under Section 4 of the PMLA.

(v) It is the further case of the prosecution that several properties were purchased in the names of both the accused during and after the registration of the FIR in the predicate offences.



CrI.O.P.Nos.3508 & 3510 of 2025

WEB COPY (vi) After investigation, the respondent filed the complaint before the learned Principal Sessions Judge, Chennai on 18.10.2024, which is pending trial.

4. Mr.Abudu Kumar Rajarathinam, learned senior counsel appearing for the first accused/petitioner in CrI.O.P.No.3508 of 2025, made the following submissions.

(i) that under Section 19(1) of the PMLA, the respondent is bound to record the reasons to believe that the petitioner is guilty of the offences; that those reasons are unsustainable, since the respondent has not shown that the unaccounted cash said to have been deposited by the accused was the proceeds of crime; that in two of the cases registered for predicate offences, the first accused was granted bail / anticipatory bail as he had satisfied the twin conditions under Section 37 of the NDPS Act; and that in one case, he has not been made an accused and therefore, he is deemed to have satisfied the twin conditions under Section 45 of the PMLA;

(ii) that the grounds of arrest proceed on the basis that the accused



Crl.O.P.Nos.3508 & 3510 of 2025

WEB COM

was involved in exporting and concealing Pseudoephedrine and other Narcotics substances, which is incorrect as the jurisdictional Courts have granted bail, since the accused had satisfied the twin conditions; and that the other grounds, viz., that the accused did not co-operate with the investigation, would no longer be a ground after the judgment of the Hon'ble Supreme Court in ***Pankaj Bansal v. Union of India and others***, reported in **2023 SCC OnLine SC 1244**;

(iii) the material relied upon by the respondent, viz., the statement said to have been made by the accused under Section 50 of the PMLA is inadmissible and the arrest and the reasons to believe that the first accused is guilty of the offence, cannot be based on inadmissible material. According to him, the statement was recorded on 08.05.2024, while the accused was in custody in the predicate offence;

(iv) that as per the judgment of the Hon'ble Supreme Court in ***Prem Prakash v. Union of India***, reported in **AIR 2024 SC 4286** [*in Crl.A.No.3572 of 2024 decided on 28.08.2024*], the arrest and remand of the first accused is illegal and violative of Article 22(2) of the Constitution of India inasmuch as though the first accused was arrested



Crl.O.P.Nos.3508 & 3510 of 2025

on 26.06.2024, while he was in custody in the predicate offence, he was released on bail in the predicate offence and the trial Court issued the release warrant on 11.07.2024 and he was remanded in the instant case only on 15.07.2024, which is in violation of Article 22(2) of the Constitution of India.

(v) The learned senior counsel appearing for the first accused relied upon the judgments of the Hon'ble Supreme Court in ***Vihaan Kumar v. State of Haryana and another*** [SLP (Crl.) No.13320 of 2024 decided on 06.02.2025] and ***Directorate of Enforcement v. Subhash Sharma***, [in SLP (Crl.) No.1136 of 2023 dated 25.01.2025].

(vi) The learned Senior counsel also submitted that arrest under the PMLA cannot be effected unless certain preconditions which have been provided under the Act, which is to safeguard the life and liberty of the individuals, have been satisfied; and that the reasons to believe under Section 19 of the PMLA, provides for a more stringent standard than the 'mere suspicion' threshold, provided under Section 41 of the Cr.P.C., and relied upon the judgment of the Hon'ble Supreme Court in ***Radhika Agarwal v. Union of India*** [Neutral citation : 2025 INSC 272].



WEB COPY



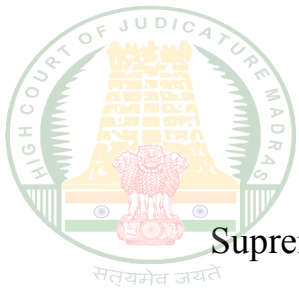
Cr1.O.P.Nos.3508 & 3510 of 2025



WEB COPY (vii) Lastly, the learned senior counsel submitted that the continuous incarceration of the first accused without trial has violated his right under Article 21 of the Constitution of India; that the trial is not likely to be completed in the near future; that the investigation has been completed; that the properties have been attached; and that therefore, further custody is not required.

5. Mr.Sricharan Rangarajan, the learned senior counsel appearing for the second accused/petitioner in Crl.O.P.No.3510 of 2025, made the following submissions:

(i) that admittedly, the second accused is not an accused in two cases which have been relied upon by the prosecution as predicate offences; that the prosecution has made contrary stands in the complaint and in the counter affidavit as regards the role played by the second accused; that the prosecution had cited 19 witnesses and filed 190 documents running to 20,220 pages; that there are 20 accused persons and summons to some of them have not been served yet and therefore, prolonged incarceration would violate his right under Article 21 of the Constitution of India and relied upon the judgments of the Hon'ble



Crl.O.P.Nos.3508 & 3510 of 2025

Supreme Court in ***Manish Sisodia v. Directorate of Enforcement***,
reported in **2024 SCC OnLine SC 1920**; ***Padam Chand Jain v. Enforcement Directorate*** in SLA (Crl.) No.17476 of 2024, decided on 02.12.2024 and ***Ramkripal Meena v. Directorate of Enforcement***, reported in **2024 SCC OnLine SC 2276**;

(ii) that the second accused in any case, has satisfied the twin conditions under Section 45 of the PMLA as there are reasonable grounds to believe that he has not committed the offence; that in the only case viz., in 2019 case registered by the Mumbai Customs, he was granted bail, after the Court found that the twin conditions under Section 37 of the NDPS Act was satisfied; that he is not involved in any of the six entities said to have been involved in the alleged drug trade; that the respondent has not proved the link between the money received and the criminal activity relating to the scheduled offence; and that since the link has not been established, the presumption that the unaccounted money must have been derived as a result of criminal activity relating to scheduled offence, would not arise;

(iii) that the properties purchased by the second accused were



WEB.COM

purchased much prior to the date of registration of the first scheduled offence in the year 2015 and that therefore, this alone is enough to establish that the prosecution has failed to make out a *prima facie* case that the second accused had dealt with the proceeds of crime.

6. Mr.AR.L.Sundaresan, learned Additional Solicitor General of India, reiterated the prosecution case and submitted as follows:

(i) The fact that both the accused were granted bail in the predicate offence would not mean that they are not guilty of those offences; that neither of them has been discharged or acquitted in those cases; that the prosecution collected evidence to show that the money was acquired by the petitioners through the offences and that merely, because the second accused is not an accused in two of the cases, it cannot be said that he had not possessed or dealt with the proceeds of crime; and that it is well settled that in order to prosecute a person under Section 3 r/w 4 of the PMLA it is not necessary that the said person must be an accused in the predicate offence and it is enough, if it is shown that he dealt with the proceeds of crime knowingly;

(ii) the complaint would show that there were huge cash deposits in



CrI.O.P.Nos.3508 & 3510 of 2025

the bank account, which could not be accounted for by the petitioners;

that the witnesses have stated that both the petitioners have paid substantial money by way of cash for construction and for business purposes; that the loans shown in the accounts were all accommodation entries and no money was repaid to the alleged lenders; and that in all, the circumstances clearly establish that the petitioners had dealt with huge unaccounted cash, which are proceeds of crime;

(iii) that the arrest of the respondent and the remand order of the Special Court were challenged by the first accused before the Division Bench of this Court in CrI.OP.Nos.16117 of 2024 and 21737 of 2024 and the submissions of the first accused were considered and rejected vide orders dated 30.08.2024 and 11.09.2024, respectively; that the said orders have not been challenged and have become final; and that therefore, the first accused cannot re-agitate the very same issue at this stage;

(iv) that the long incarceration is not a ground for grant of bail, as the constitutional safeguard was incorporated in the statute viz., Section 436-A of the Code of Criminal Procedure and as per Section 479 of the BNSS 2023, the accused would be entitled to bail if he had served 1/3rd



of the maximum sentence; that the sentence provided under the Act is

seven years and the petitioners have not completed 1/3rd of the sentence;

(v) that the proceeds of crime would include not only the property derived or obtained as a result of criminal activity relating to a scheduled offence, but also the value of any such property and relied upon the observations made by the Hon'ble Supreme Court in paragraph No.298 in *Vijay Madanlal Choudhary and others vs. Union of India and others*, reported in 2022 SCC OnLine SC 929.

(vi) The learned Additional Solicitor General also pointed to the observations made by the Hon'ble Supreme Court in *Vijay Madanlal Choudhary's case* [cited supra] (paras 400 and 401) while dealing with Section 45 of the PMLA and submitted that for the purpose of considering the application for bail, though detailed reasons are not necessary, the order granting bail must demonstrate application of mind; that at that stage, the Court has to see if there is a genuine case against the accused and the prosecution is not required to prove the charge beyond reasonable doubt.



WEB COPY

7. This Court has carefully considered the rival submissions and perused the available record.

8. The following facts are not disputed.

(a) The first accused was granted bail in the 2024 case, which was registered by the NCB, Delhi for alleged trafficking of 50.070 Kgs of Pseudophedrine.

(b) The first accused was granted anticipatory bail in the 2019 case, which was registered by the Special Intelligence and Investigation Branch, Mumbai Customs for attempting to export 38.867 kgs of Ketamine through a company by camouflaging it with genuine exports.

(c) The first accused has not been arrested in the 2015 case registered by the Chennai Customs.

(d) The second accused is not an accused in cases registered in the years 2015 and 2024 and he was granted bail in the 2019 case, after the Court found that he had satisfied the twin conditions under Section 37 of the NDPS Act.

(e) Both movable and immovable properties of both the accused which according to the respondent have been acquired from the proceeds of crime, have been attached.



WEB COPY

(f) The complaint against the petitioners was filed on 18.10.2024 and the prosecution has cited 19 witnesses and 190 documents. There are 20 accused in this case and the Court is yet to complete the service of summons to some of the accused.

(g) The second accused had surrendered on 12.08.2024 and was remanded to judicial custody on 13.08.2024.

(h) The first accused was arrested on 26.06.2024 by the respondent while he was in custody in one of the predicate cases. The letter dated 12.07.2024 relied upon by the second accused by the Deputy Superintendent-I, Central Jail No.04 Tihar, New Delhi to the learned learned Special Judge, NDPS Court, Patiala House, New Delhi, makes it clear that the Court issued a release warrant on 11.07.2024 after the first accused had executed sureties pursuant to the bail order, in the said case.

(i) The first accused was thereafter kept in custody for five days to enable the respondent to produce the first accused before the learned Principal Sessions Judge, Chennai. The first accused was thereafter produced before the Court on 15.07.2024 and therefore, he was in illegal detention for nearly four days.

9. It is seen that the first accused had challenged the arrest and



Crl.O.P.Nos.3508 & 3510 of 2025

WEB COPY

remand on the very same ground before the Division Bench of this Court and the same was dismissed in Crl.OP.Nos.16117 of 2024 and 21737 of 2024 vide orders dated 30.08.2024 and 11.09.2024, respectively. The first accused has not challenged the two orders before the Hon'ble Supreme Court. It is seen that the Hon'ble Supreme Court in a subsequent decision, viz., ***Subhash Sharma's case*** [cited supra] had held that if the accused is not produced before the Court within 24 hours, the arrest would be rendered illegal and would be in violation of Article 22(2) of the Constitution of India. The Division Bench of this Court did not have the benefit of the law enunciated by the judgment of the Hon'ble Supreme Court which was rendered on 21.01.2025.

10. Be that as it may. This Court is of the view that since the case of the petitioners would be squarely covered by the observations of the Hon'ble Supreme Court in ***Manish Sisodia's case*** [cited supra] and confirmed by the subsequent judgments, it is not necessary to deal with the other submissions of the learned senior counsels for the petitioners, viz., that there are no reasonable grounds to believe that they are guilty of the offences; and that their arrest and remand are illegal since they are in violation of Section 19 of the PMLA and Article 21 of the Constitution of



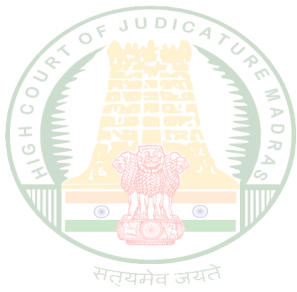
11. In *Manish Sisodia's case* [cited supra], the Hon'ble Supreme Court has held as follows:

“50. As observed by this Court, the right to speedy trial and the right to liberty are sacrosanct rights. On denial of these rights, the trial court as well as the High Court ought to have given due weightage to this factor.

51. Recently, this Court had an occasion to consider an application for bail in the case of Javed Gulam Nabi Shaikh v. State of Maharashtra and another [2024 SCC OnLine SC 1693] wherein the accused was prosecuted under the provisions of the Unlawful Activities (Prevention) Act, 1967. This Court surveyed the entire law right from the judgment of this Court in the cases of Gudikanti Narasimhulu and Others v. Public Prosecutor, High Court of Andhra Pradesh [(1978) 1 SCC 240], Shri Gurbaksh Singh Sibbia and Others v. State of Punjab [(1980) 2 SCC 565], Hussainara Khatoon and Others (I) v. Home Secretary, State of Bihar [(1980)1 SCC 81], Union of India v. K.A. Najeeb [(2021) 3 SCC 713] and Satender Kumar Antil v. Central Bureau of Investigation and Another [(2022) 10 SCC 51]. The Court observed thus:

“19. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.”

52. The Court also reproduced the observations made in



WEB COPY



Crl.O.P.Nos.3508 & 3510 of 2025

Gudikanti Narasimhulu (supra), which read thus:

“10. In the aforesaid context, we may remind the trial courts and the High Courts of what came to be observed by this Court in Gudikanti Narasimhulu v. Public Prosecutor, High Court reported in (1978) 1 SCC 240. We quote:

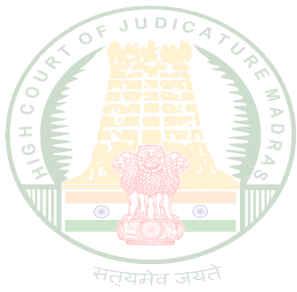
“What is often forgotten, and therefore warrants reminder, is the object to keep a person in judicial custody pending trial or disposal of an appeal. Lord Russel, C.J., said [R v. Rose, (1898) 18 Cox]:

“I observe that in this case bail was refused for the prisoner. It cannot be too strongly impressed on the, magistracy of the country that bail is not to be withheld as a punishment, but that the requirements as to bail are merely to secure the attendance of the prisoner at trial.””

53. The Court further observed that, over a period of time, the trial courts and the High Courts have forgotten a very well-settled principle of law that bail is not to be withheld as a punishment. From our experience, we can say that it appears that the trial courts and the High Courts attempt to play safe in matters of grant of bail. The principle that bail is a rule and refusal is an exception is, at times, followed in breach. On account of non-grant of bail even in straight forward open and shut cases, this Court is flooded with huge number of bail petitions thereby adding to the huge pendency. It is high time that the trial courts and the High Courts should recognize the principle that “bail is rule and jail is exception.” [emphasis supplied]

12. The above observations of the Hon'ble Supreme Court remind the High Courts and the trial courts of certain fundamental principles:

(a) that bail is the rule and jail is an exception;



WEB COPY

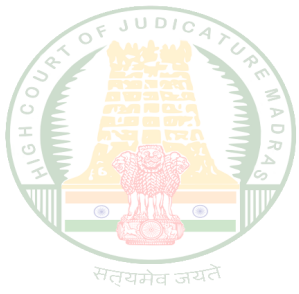
(b) that bail is not to be withheld as a punishment;

(c) that it would be applicable even to cases registered under the PMLA if there is long incarceration and there is no possibility of a speedy trial. (The Hon'ble Supreme Court in the said case dealt with a case registered under the PMLA.)

13. In a subsequent judgment, in *Union of India v. Kanhaiya Prasad* reported in **2025 SCC OnLine SC 306** rendered on 13.02.2025, the Hon'ble Supreme Court had set aside the order of bail granted by the High Court, since the High Court had not considered the twin conditions stipulated under Section 45 of the PMLA, while granting bail.

14. However in another judgement rendered on 17.02.2025, in *Udhaw Singh v. Enforcement Directorate*, reported in **2025 SCC OnLine SC 357**, the Hon'ble Supreme Court clarified the legal position, which reads as follows:

“5. Our attention is invited to a decision of a coordinate Bench in the case of Union of India through the Assistant Director v. Kanhaiya Prasad [2025 SCC OnLine SC 306]. After having perused the judgment, we find that this was a case where the decisions of this Court in the case of Union of India v. K.A.Najeeb[(2021) 3 SCC 713] and in the case of V.Senthil Balaji [2024 SCC OnLine SC 2626] were



WEB COPY

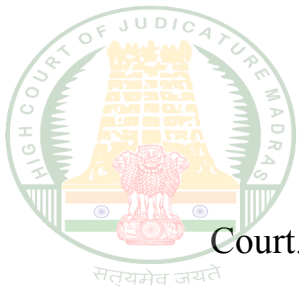


Cr1.O.P.Nos.3508 & 3510 of 2025

not applicable on facts. Perhaps that is the reason why these decisions were not placed before the coordinate Bench. The respondent-accused therein was arrested on 18th September, 2023 and the High Court granted him bail on 6th May, 2024. He was in custody for less than 7 months before he was granted bail. There was no finding recorded that the trial is not likely to be concluded in a reasonable time. In the facts of the case, this Court cancelled the bail granted by the High Court. Therefore, there was no departure made from the law laid down in the case of *Union of India v. K.A.Najeeb and V.Senthil Balaji*”

15. The above observations would therefore make it clear that the order of the High Court in *Kanhaiya Prasad's* case was set aside mainly because the High Court had not rendered a finding that the trial is not likely to be completed in the near future. The Hon'ble Supreme Court further held that in the said order of the Hon'ble Supreme Court there was no departure made from the law laid down in *Union of India v. K.A. Najeeb* reported in (2021) 3 SCC 713 and *Union of India v. V.Senthil Balaji*, reported in 2024 SCC OnLine SC 2626.

16. The undisputed facts which have been extracted in paragraph No.7 of this order would show that all the properties said to have been acquired through proceeds of crime have been attached. The investigation has been completed and the complaint has been filed in



Crl.O.P.Nos.3508 & 3510 of 2025

WEB COPY

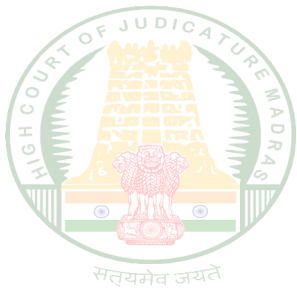
Court. The first accused has been in custody from June 2024 in the instant case and was in custody from 09.03.2024 in the predicate offence.

The second accused has been in custody from August 2024. The trial is not likely to be concluded in the near future, as summons to some of the accused have not been served. There are 19 witnesses cited by the prosecution and several documents have been relied upon. Besides that, there are 20 accused in this case.

17. The other objection raised by the respondent was that the brother of both the petitioners, viz., Mydeen Gani, is absconding. It is now seen that the said accused had surrendered before the Special Court and had executed a bond under Section 88 of the Cr.P.C., in terms of the order dated 03.01.2025 made in Crl.M.P.No.57 of 2025 by the learned XII Additional Special Judge for CBI Cases, Chennai.

18. Yet another objection of the respondent, which is found in their notes on submission, reads as follows:

“The accused and his brother were part of the ruling dispensation in the State of Tamil Nadu and thus command considerable clout which might make the witnesses jittery and they might not be able to testify against the accused without fear. The drug trafficking operations were not limited to India



WEB COPY



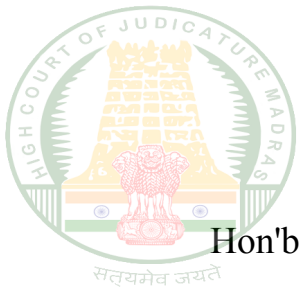
Crl.O.P.Nos.3508 & 3510 of 2025

and involved various countries including Malaysia, New Zealand and Australia etc. The Directorate is constantly trying to identify and trace out the foreign accomplices of the accused and his brother in order to further buttress the investigation. There are investigations ongoing vis a vis foreign jurisdiction and there is a real chance that the accused if let out on bail will tamper with evidence and threaten political witnesses to derail the investigation.”

19. The above objections further strengthen the conclusion that the trial is not likely to be completed in the near future. Even according

to the prosecution, the alleged offences had taken place since 2015. The petitioners were at large till they were arrested in the year 2024, except for a brief period after their arrest for the predicate offences. Therefore, the fact that further investigation is pending cannot be the reason to detain the petitioners indefinitely. That apart, it is needless to say that if the petitioners are found influencing any witness, it is always open to the prosecution to seek cancellation of bail and as on date, there is no complaint of any tampering or attempt to influence witnesses.

20. Prolonged pre-trial detention is anathema to the Constitution, besides being in violation of basic human rights. The judgment of the



WEB COPY

Hon'ble Supreme Court referred to above in *K.A. Najeed's case* [cited *supra*] reiterated the position that when the constitutional Courts find that there is an infraction of the fundamental right under Article 21 of the Constitution of India, the rigours of the provision, which places a restriction on bail, would be diluted. However, as to when this right is violated would depend on the facts and circumstances of each case. It would depend upon the period of incarceration, the role played by the accused, the nature of the evidence relied upon by the prosecution, and the likely punishment that can be imposed besides the possibility or otherwise of early conclusion of the trial.

21. Considering the various factors, this Court is of the view that further incarceration of the petitioners pending trial would violate their right under Article 21 of the Constitution of India and hence, this Court is inclined to grant bail to the petitioners on certain conditions, which would ensure that they are available to face the trial.

22. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.5,00,000/- (Rupees Five Lakhs only) each** with **two sureties**, each for a like sum to the



satisfaction of the learned **XIII Additional Special Judge for CBI**

Cases, Special Judge for CBI Cases, Chennai and on further conditions

that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall surrender their passports before the Special Court, if they have not already been seized by the respondent;

[c] the petitioners shall appear before the trial Court regularly and if their absence is not justified the respondent shall be at liberty to seek cancellation of bail granted by this Court.;

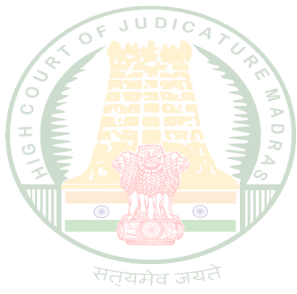
[d] the petitioners shall not make any direct or indirect attempt to contact the witnesses;

[e] the petitioners shall not abscond either during trial;

[f] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[g] the petitioners shall provide their mobile numbers before the learned trial Court and shall not change the said numbers without prior intimation to the Court;

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



WEB COPY



CrI.O.P.Nos.3508 & 3510 of 2025

appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

21.04.2025

ars

SUNDER MOHAN, J.

ars

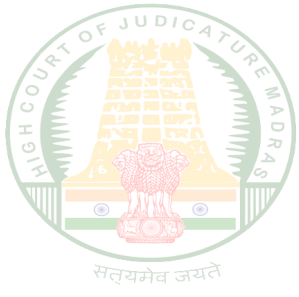
To

1. The XIII Additional Sessions Judge,
Special Judge for CBI Cases, Chennai.

2. The Assistant Director,
Directorate of Enforcement,
Chennai Zonal Unit-1, 5th & 6th Floor,
BSNL Administrative Building,
Kushkumar Road, Nungambakkam,
Chennai – 600 034.

3. The Superintendent of Prisons,
Central Prison-II, Puzhal, Chennai.

4. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.Nos.3508 & 3510 of 2025

Pre-delivery common order in
Crl.O.P.Nos.3508 & 3510 of 2025

21.04.2025