**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Reserved on :28.11.2017

Pronounced on : 05.12.2017

Coram:

**The Hon'ble Dr.Justice G.Jayachandran**

Criminal Revision Case No.980 of 2015

Smt.R.Nandhini
Assistant Dirctor,
Directorate of Enforcement,
Govt.of India,
Ministry of Finance,
Department of Revenue,
2nd and 3rd Floor, No.84,
Murugesa Naicker Office Complex,
Thousand Lights,
Greams Road, Chennai 600 006. .. Petitioner

/versus/

Shri Ajit Jain .. Respondent

Criminal Revision Case is filed under Section 397 r/w 401 of Criminal Procedure Code 173, r/w Section 65 of the Prevention of Money Laundering Act, 2002 praying for set aside the Special Court (PMLA) order dated 11.08.2015 in M.P.No.11975 of 2015 on the file of the Principal Sessions Court, Chennai.



For Petitioner :Mr.V.Parivallal,
Spl.P.P for Enforcement cases

For Respondent :Mr.B.Satishsundar

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**ORDER**

Ajith Jain, the respondent herein is one of the accused in the case investigated by the Enforcement Directorate. He was arrested on 29.06.2015 and granted bail on 15.07.2015 subject to condition, he should appear before the investigating officer for 3 days and thereafter, as and when required for interrogation.

2. The petition filed by Enforcement Directorate to cancel the bail on the ground that the accused is not co-operating with the investigation. In the case money laundered to a tune of Rs.300 crores, the accused failure to co-operate with the investigation hampers the process of investigation. The trial Court, had dismissed the petition filed for cancellation of bail recording that the accused/respondent has complied with the condition and bail granted cannot be cancelled based on suspicion. Challenging the order of the trial Court, the present revision is filed.



3. The main contention raised in the petition is that in the case of involving more than Rs.300 crores of rupees, the accused failed to co-operate with the investigation, so, they are able to recover only Rs.90 crores. Unless the bail granted to the accused is cancelled, it is difficult to trace the money laundered by the accused and recover the remaining money.

4. The records reveal that after filing this revision, the petitioner has filed final report and the case is taken up for trial in C.C.No.58 of 2016 on the file of Special Court (PMLA), Chennai. Since the investigation has completed and final report has been filed, the cancellation of bail granted on 15.07.2015 warrants no interference. However, in the counter filed by Enforcement Directorate, it is stated that the petitioner is still indulging in money laundering and investigation in this regard is pending.

5. If in the investigation, any new facts come to light, it is always open to the petitioner Department to proceed in accordance with law. It is made clear that the bail granted on 15.07.2015 only pertaining to the offences investigated under ECIR/CEZO.01.2013.

6. Accordingly, the Criminal Revision Case is disposed of.



05.12.2017

Index:yes/no

Internet:yes/no

Speaking order/non speaking order

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Dr.G.Jayachandran,J.

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To

1.The Special Court(PMLA),
Chennai.

2.The Special Public Prosecutor,
Enforcement Directorate, High Court, Madras.

Pre-delivery order made in
Crl.R.C.No.980 fo 2015



05.12.2017