



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.13185 & 13586 of 2021

D.VADIVEL MUGUNDHAN

[PETITIONER / ACCUSED 6
IN BOTH THE PETITIONS]

Vs

THE DEPUTY DIRECTOR,
THE DIRECTORATE OF ENFORCEMENT,
GOVERNMENT OF INDIA,
MINISTRY OF FINANCE,
DEPARTMENT OF REVENUE,
2ND AND 3RD FLOOR,
MURUGESA NAICKER COMPLEX,
NO.84, GREAMS ROAD, THOUSANDS LIGHTS,
CHENNAI-600006.

[RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS]

(Ref ECIR No: Not Known/2021)

For Petitioner : MR.V.KARTHIK, Senior Advocate for
M/S.C.ARUNKUMAR Advocate
[IN BOTH THE PETITIONS]

For Respondent : M/S.N.RAMESH, Special Public Prosecutor
[IN BOTH THE PETITIONS]

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest on the hands of the respondent police for the alleged offences punishable **under Sections 3 & 4 of the Prevention of Money Laundering Act, 2002** in ECIR/CEZO-I/44/2021 and ECIR/CEZO-I/25/2021 in both the CrI.O.P.Nos.13185 & 13186 of 2021, seek anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Special Public Prosecutor Enforcement Directorate.



3. The petitioner herein is facing threat of arrest based on the complaints alleging that misappropriation in the Indian Red Cross Society and in the St.John's Ambulance Association, while this petitioner was one of the office bearers. The petitioner states that he is a responsible person doing social service. He was holding the post of Vice President on honorarium basis in the Indian Red Cross Society and also as a Chairman in the St.John's Ambulance Association and he never had any cheque signing power or withdrawal power.

4. Considering the fact that the case devolves on documents and it is suffice the petitioner is available for enquiry and trial, to ensure the same, the learned counsel for the petitioner was asked to furnish the details of Passport, Aadhar Card, Pan card and residential proof.

5. Hence, this Court is inclined to grant Anticipatory Bail to the petitioner on condition that the petitioner shall appear before the Investigating Officer and shall not leave the State without prior intimation to the Investigating Officer and if he want to leave the Country, proper permission from the Court is required.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Principal Sessions Judge, Chennai** on condition that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh Only), with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned. It is open to the Court to accept the same and on further condition that:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioner shall report before the **Investigating Officer as and when required and shall co-operate for investigation.**

(d)the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has 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]**; and;

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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

04/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL SESSIONS JUDGE,
CHENNAI.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR ED CASES, HIGH COURT, MADRAS.

3 THE DEPUTY DIRECTOR,
THE DIRECTORATE OF ENFORCEMENT,
GOVERNMENT OF INDIA,
MINISTRY OF FINANCE, DEPARTMENT OF REVENUE,
2ND AND 3RD FLOOR, MURUGESA NAICKER COMPLEX,
NO.84, GREAMS ROAD, THOUSANDS LIGHTS,
CHENNAI-600006.

+5 CC to M/S.C.ARUNKUMAR Advocate on payment of necessary charges
SR.NO.3432

CRL OP.13185 & 13186/2021

Date :04/03/2022

TA-14/03/2022