

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.4616 OF 2024
IN
CRIMINAL WRIT PETITION NO.3446 OF 2022**

Anantha Narayan Iyer] **Applicant**

IN THE MATTER BETWEEN:

Anantha Narayanan Iyer] **Petitioner**

Vs.

Union of India and others] **Respondents**

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Mr. Rizwan Merchant a/w Mr. Ramiz Shaikh, Mr. Rishi Bindra i/b
Rizwan Merchant & Associates, for Applicant/Petitioner.

Mr. Nikhil Daga i/b Mr. Shreeram Shirsat, for Respondent Nos.1, 3
and 4.

Ms. Manisha Jagtap, S.P.P a/w Ms. Swara Vichare, for Respondent
No.2 – Directorate of Enforcement.

Mr. Konde-Deshmukh, Addl. P.P, for Respondent No.5 – State.

Mr. H.S. Venegavkar a/w Mr. Ayush Kedia and Ms. Divya Gontia,
for Respondent No.6 – SFIO.

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**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATE : 26th November, 2024.

P.C:

1. By this Interim Application, the applicant seeks permission to travel overseas to United States of America (for short “U.S.A”) for a period of seven months and fourteen days i.e from 4th December, 2024 to 18th June, 2025. During the said period, the applicant seeks suspension of the Look Out Circular (for short “LOC”) issued against him at the behest of the respondent No.2 – Directorate of Enforcement and the respondent No.6 – Serious Fraud Investigation Office.

2. Perused the papers. It is not in dispute that the applicant had travelled overseas earlier on three occasions i.e once for six months, vide an order dated 11th January, 2023; for two months vide an order dated 11th November, 2023 and for six months vide an order dated 17th April, 2024, on certain terms and conditions stipulated therein.

3. Ms. Jagtap, learned Special Public Prosecutor appearing on behalf of the respondent No.2 – Enforcement Directorate and Mr. Venegavkar, learned Public Prosecutor appearing on behalf of the respondent No.6 – S.F.I.O state that they have no objection

provided similar conditions are imposed, as imposed in the earlier orders.

4. Considering the aforesaid, that the applicant has travelled earlier on three occasions and has complied with the terms and conditions stipulated in the aforesaid orders; and the no objection of the learned Special Public Prosecutor appearing for the respondent No.2 and learned Public Prosecutor appearing for the respondent No.6, the application is allowed on the following terms and conditions;

:O R D E R:

(a) The applicant – Anantha Narayan Iyer is permitted to travel to U.S.A from 4th December, 2024 to 18th June, 2025. During the said period, the LOCs' issued as against the applicant, at the behest of the respondent No.2 – E.D as well as the respondent No.6 – SFIO, shall stand suspended;

(b) Before leaving India, the applicant shall furnish the full itinerary of his overseas travel with all details, including the address where he would stay, telephone/mobile/contact numbers, on which he can be contacted during the said

period, to the respondent No.2 – ED as well as the respondent No.6- SFIO, via e-mail/fax or any other electronic mode, atleast 72 hours of his departure;

(c) Since, cash security of Rs.5,00,000/- has already been deposited by the applicant in the Registry of this Court, the same to remain with the Registry, till the applicant's return;

(d) The applicant shall mark his presence with the office of the Consular General of India situate at Seattle, U.S.A, on the first Monday of every month any time between 11.00 a.m and 2.00 p.m and shall keep a record of the same;

(e) The respondent No.2- E.D as well as the respondent No.6 – SFIO will be at liberty to call for the record from the Consular General of India, Seattle, U.S.A and verify the attendance of the applicant. Liberty is granted to the respondent No.2 – ED as well as the respondent No.6 – SFIO to move this Court for recall of this order, in the event, there is non-compliance of the condition of attendance;

(f) The applicant on his return to India shall within three days, inform the respondent No.2 – ED as well as the respondent No.6 – SFIO, of his arrival;

(g) The Immigration Authorities, on all points of departure, will permit the applicant to pass through immigration and to board his flight or flights, irrespective of whether the immigration system has been updated and whether the respondent No.2 – ED as well as the respondent No.6 – SFIO has informed the Immigration Authorities or not;

(h) The respondent No. 2 – ED as well as the respondent No.6 – SFIO shall inform the Immigration Authorities of the order passed today, at the earliest and, in any event, within 48 hours of this order being uploaded;

(i) The applicant shall not apply for extension or renewal of this order, until he returns to India.

5. Needless to state that, in the event, summons is issued by the Special Court, the applicant shall abide by the same and appear

before the said Court.

6. The Interim Application is allowed and disposed of, in the aforesaid terms.

7. The main petition being Criminal Writ Petition No.3446 of 2022, to be listed on **26th June, 2025**.

8. All concerned to act on the authenticated copy of this order.

[PRITHVIRAJ K. CHAVAN, J.]

[REVATI MOHITE DERE, J.]