



Crl.M.P.Nos.556, 557 & 559 of 2024
in Crl.O.P.Nos.8645, 8834 & 8639 of 2023

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A.D.JAGADISH CHANDIRA, J.

These Criminal Miscellaneous Petitions have been filed seeking to modify the conditions (b) and (c) imposed by this Court in Crl.O.P.Nos. 8645, 8834 & 8639 of 2023 vide order dated 05.05.2023, directing the petitioners herein to produce document in respect of immovable property worth Rs.2 crores (either belonging to himself, friends or relatives) and to deposit the Passport/travel document before the Court.

2. Learned counsel for the petitioners submitted that the petitioners are arrayed as accused in ECIR/CEZO-1/17/2020 dated 23.03.2020 registered by the respondent for the offence under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002. He further submitted that this Court, while granting bail to the petitioners in Crl.O.P.Nos.8713, 8639, 8645, 8834 & 8838 of 2023 on 05.05.2023 had imposed certain conditions and further, directed the petitioners to produce document in respect of immovable property worth Rs.2crores; (either belonging to himself, friends or relatives) and to deposit the Passport/travel document before the Court concerned. The petitioners, in due compliance of the order, have deposited the title deeds worth about Rs.2 crores and also deposited



their Passport/travel document before the Court concerned.

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3. The learned counsel further submitted that the case in Crime No.39 of 2019 relating to the predicate offence registered by CCB, Chennai has been quashed by this Court in CrI.O.P.Nos.30980 of 2019, etc batch cases vide its order dated 10.05.2023. He further submitted that the petitioners have also moved the writ petitions in W.P.Nos.12847, 17111 & 17115 of 2023 before a Division Bench of this Court and this Court, by an order dated 12.12.2023, had quashed the impugned proceedings of the respondent in ECIR/CEZO-1/17/2020 and thereby, as on date, no case or proceedings is against the petitioners and thereby, compliance of the conditions are no longer required and the title deeds and the Passport/travel documents are retained in the custody of the Court without any purpose. Hence, the present petition has been filed seeking to modify the conditions. He also submitted that the Directorate of Enforcement had also preferred a Special Leave Petition (Criminal) Diary No(s).45022 of 2023 against the order passed by this Court in CrI.O.P.Nos.8713, 8639, 8645, 8834 & 8838 of 2023 dated 05.05.2023 and the same came to be dismissed by the Hon'ble Apex Court by an order dated 01.12.2023.



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4. Mr.P.Sidharthan, learned Special Public Prosecutor for Enforcement Directorate, while affirming that the Hon'ble Apex Court, by an order dated 01.12.2023, had dismissed the Special Leave Petition preferred by the respondent against the bail order passed of by this Court on 05.05.2023, would submit that though the First Information Report registered in Crime No.39 of 2019 relating to the predicate offence registered by CCB, Chennai and the proceedings in ECIR/CEZO-1/17/2020 have been quashed by this Court, vide orders dated 10.05.2023 and 12.12.2023 respectively, the Department is entitled to file the Special Leave Petitions as against such orders.

5. Heard the learned counsel for the petitioners and the learned Special Public Prosecutor for Enforcement Directorate and perused the materials available on record.

6. It is seen that the predicate offence registered by CCB, Chennai in Crime No.39 of 2019 and the proceedings in ECIR/CEZO-1/17/2020 have been quashed by the Hon'ble Division Bench of this Court vide its orders dated 10.05.2023 and 12.12.2023 respectively. Thereby, as of now, no proceedings survives against the petitioners and the requirement of compliance of condition is



no longer necessary.

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7. In view of the above, the conditions imposed by this Court against the petitioners in the order dated 05.05.2023 in Crl.O.P.Nos.8713, 8639, 8645, 8834 & 8838 of 2023 are totally relaxed. The learned District and Sessions Judge, Special Court for PMLA Cases, Chennai, is directed to return the title deeds of immovable property and the Passport/travel document deposited by the petitioners to them.

8. Accordingly, the Criminal Miscellaneous Petitions stand ordered.

18.01.2024

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Note : Issue order copy by 19.01.2024

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