



Crl.R.C.No.269 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

Crl.R.C.No.269 of 2023

Ambirsh Singh Ahluwalia

... Petitioner

Vs.

The Assistant Director,
Directorate Enforcement,
Chennai.

... Respondent

PRAYER: Criminal Revision filed under Sections 397 r/w 401 Cr.P.C., to call for the records pertaining to the case pending in C.C.No.61 of 2016 pending on the file of the learned Principal Special Judge for CBI cases VIII Additional City Civil Court, Chennai and to set aside the order passed in Crl.M.P.No.7143 of 2022 in C.C.No.61 of 2016 dated 02.12.2022.

For Petitioner : Ms.Umayal Muthaiah

For Respondents : Mr.Cibi Vishnu
Special Public Prosecutor for ED



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ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

This criminal revision has been filed challenging the order dated 02.12.2022, passed in Crl.M.P.No.7143 of 2022, in C.C.No.61 of 2016, on the file of the learned Principal Special Judge for CBI cases, VIII Additional City Civil Court, Chennai.

2.The writ petitioner earlier filed criminal revision petition in Crl.R.C.No.971 of 2022, challenging the order passed by the Special Court rejecting the petition for discharge filed under Section 227 Cr.P.C. The High Court allowed the Crl.R.C.No.971 of 2022 on 24.08.2022. It was allowed on the ground that in the predicate offence, the CBI has not preferred an appeal against the discharge order passed by the Special Court in the predicate offence.

3.However, in the present case, challenging the order dated 24.08.2022, in Crl.R.C.No.971 of 2022, the Enforcement Directorate preferred an appeal before the Hon'ble Supreme Court of India. Thus, the



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relief as such sought for in the present writ petition to release the seized property cannot be considered by this Court. The petitioner is at liberty to raise the grounds raised in the present writ petition before the Hon'ble Supreme Court of India.

4. With these observations, this Criminal Revision Petition stands dismissed.

[S.M.S., J.]

[V.S.G., J.]

30.08.2024

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

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To

1. The Assistant Director,
Directorate Enforcement,
Chennai.

2. The Public Prosecutor,
High Court, Madras.



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