



Crl.O.P.No.2735 of 2025

Crl.O.P.No.2735 of 2025

WEB CO **SUNDER MOHAN,J.**

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner would submit that this Court, by an order dated 24.02.2025, has granted anticipatory bail to the petitioner in Crl.O.P.No.2735 of 2025. However in the order copy, in paragraph no.1, Sections 3 and 4 of Prevention of Money Laundering Act, 2002 has been omitted. Hence, he prayed for suitable corrections in the order.

3. Registry is directed to include “**Section 3 and Section 4 of Prevention of Money Laundering Act, 2002**” in paragraph no.1 and issue order copy afresh. Time is extended for a period of one week from the date of receipt of copy of this order to execute the sureties and to comply with the other conditions.

27.03.2025

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Note: Issue order copy today i.e., 27.03.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2735 of 2025

Harjinder Singh

... Petitioner/A9

Versus

Directorate of Enforcement
Chennai-1, Zonal Unit at 2nd , 5th 6th Floor,
BSNL Administrative Building,
Kush Kumar Road, Nungambakkam,
Chennai-600 034.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of the arrest of the petitioner by the respondent police in ECIR/CEZO/14/2017 pending as Spl.CC.No.14 of 2023 on the file of the learned XIII Additional Special Court for CBI Cases, Chennai.

For petitioner : Mr.M. Vijay Anand

For Respondent : Mr.P.Sidharthan
Spl. Public Prosecutor

ORDER



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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B r/w 420 of IPC and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 in Spl.CC.No.14 of 2023 on the file of learned XIII Additional Special Court for CBI Cases, Chennai, seeks anticipatory bail.

2. The case of the prosecution is that M/s.Pajero Impex, M/s.Green International, M/s Honesty Enterprises, M/s.Vishnu Geetha Enterprises, M/s.AR Impex, M/s.Gee Gee Coaches, M/s.Royal Marketing, M/s Deccan Enterprises, M/s Star Overseas, M/s Santhosh Impex, M/s.Smart Enterprises, M/s.Namman Enterprises, M/s.Sri Hari Enterprises, M/s Empire Powergen, M/s Santhosh Agency, M/s Bhatti Exports, M/s.Bhagya Laxmi Traders, M/s Sonam Marketing and M/s Chouhan Exports had fraudulently opened current accounts in Punjab National Bank, Mint Street, Chennai by colluding with unknown public servants of PNB, that from January 2015 to May 2015, the above referred 19 entities in furtherance of the criminal conspiracy, entered into with the officials of the bank had made foreign outward remittances during the period between January 2015 and May 2015



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based on the quotation alleged to have been given by the overseas entities/foreign suppliers of around 700 advance remittances.

3. The petitioner was not arrested during the course of investigation conducted by the respondent. The respondent has now filed a complaint in Spl.C.C.No.14 of 2023. The petitioner who is arrayed as A9 in ECIR No.ECIR/CEZO/14/2017 did not appear before the trial court inspite of receipt of summons on 04.04.2024 and hence Non Bailable Warrant was issued on 20.09.2024 and the petitioner therefore apprehends arrest.

4. The learned counsel for the petitioner would submit that the petitioner is presently residing at Hongkong and would abide any stringent condition and would regularly appear before the trial Court and cooperate with the trial and sought for anticipatory bail.

5. The learned Special Public Prosecutor for the respondent submitted that since the respondent had not arrested the petitioner during



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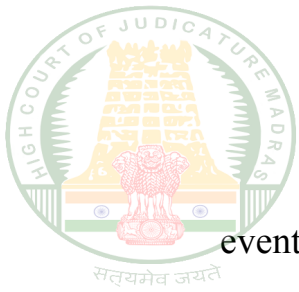
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investigation, they have no objection for enlarging the petitioner on anticipatory bail, provided his presence in the trial is ensured and he offers sufficient sureties and surrenders his passport.

6. In response, the learned counsel for the petitioner would submit that the petitioner would abide by any conditions, however as regards the surrender of the passport, he submitted that since he has to frequently travel abroad, the passport may be retained by him and he would inform the trial Court as to when he travels abroad.

7. Considering the aforesaid facts, the submissions made by either side and since the respondent has already filed a complaint, which is pending trial, this Court is of the view that the custody of the petitioner is not required. However, the petitioner's presence and cooperation in the trial have to be ensured. Hence, this Court is inclined to grant anticipatory bail on the following conditions.

8. Accordingly, the petitioner is ordered to be released on bail in the



event of arrest or on his appearance, within a period of fifteen days from the

date on which the order copy is made ready, before the ***learned XIII***

Additional Special Judge for CBI Cases, Chennai on condition that the

petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty

Five Thousand only) with two sureties, out of which, one shall be the blood

surety for a like sum to the satisfaction of the respondent police or the

police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned, failing which, the petition for anticipatory bail shall

stand dismissed and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall appear before the trial Court on the next hearing date i.e., on 27.03.2025 and thereafter on all hearing dates when his presence is required for the progress of the trial;

[c] the petitioner shall inform the trial Court as and when he leaves abroad;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 have been imposed and the Petitioner is 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

24.02.2025

Vv/ars

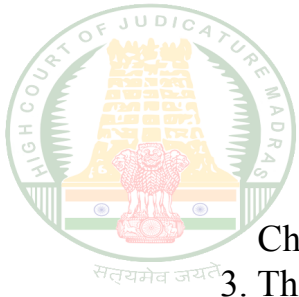
SUNDER MOHAN, J.

Vv/ars

To

1. The XIII Additional Special Judge for CBI Cases,
Chennai
2. The Directorate of Enforcement
Chennai-1, Zonal Unit at 2nd, 5th 6th Floor,
BSNL Administrative Building,
Kush Kumar Road, Nungambakkam,

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Chennai-600 034.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

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