



Crl.R.C.No.542 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Crl.R.C.No.542 of 2025
and
Crl.M.P.Nos.7949 & 7981 of 2025

Dhara Prasad

...Petitioner

vs.

The Directorate of Enforcement,
Chennai Zone.

...Respondent

Prayer: Criminal Revision Petition filed under Sections 438 r/w. 442 of BNSS, 2023, to call for the records and set aside the order dated 28.01.2025 passed by the learned IX Additional Special Judge for CBI Cases, Chennai in Crl.M.P.No.5 of 2014 in Spl.C.C.No.11 of 2023 pending before the learned IX Additional Special Judge for CBI Cases, Chennai.

For Petitioner : Mr..Rahul M.Shankhar

For Respondent : Mr.R.Siddharthan
Special Public Prosecutor (ED)



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ORDER

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

The petitioner herein, who has been arrayed as first accused in Spl.C.C.No.11 of 2023 before the IX Additional Special Judge for CBI Cases, Chennai, had filed an application under Section 346 of BNSS/Section 309 Cr.P.C., praying for adjourning the Special Case until conclusion of the trial in the predicate offences, predominantly on the ground that the trial of the PMLA case can commence only after the conclusion of the predicate case. The Special Court had rejected the application, through the order dated 28.01.2025, which order is assailed in the present revision.

2. Admittedly, the predicate offences against the petitioner in C.C.No.8 of 2022, C.C.No.10 of 2022 and C.C.No.11 of 2022 are pending before the same Special Court at the stage of framing of charges.

3. The Hon'ble Supreme Court, in a few of its recent decisions, had held that the Special Court would be at liberty to proceed with the trial in PMLA cases, even when the proceedings in the predicate offences has not concluded, but shall not pronounce the final judgment until the conclusion of the predicate offences. *Sidhant Gupta Vs. The Assistant Director,*



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Directorate of Enforcement passed in **Special Leave to Appeal (Crl.)**

No.14392 of 2024, dated 22.10.2024 is one such case.

4. The claim of the petitioner to adjourn the PMLA case *sine die*, until the conclusion of the trial in the predicate offences, is not backed by any precedent. It is in this background that the Special Court had rejected the petitioner's plea through the impugned order dated 28.01.2025.

5. In the result, we find no reason to interfere with the impugned order passed by the Special Court. However, in view of the decision of the Hon'ble Supreme Court in **Sidhant Gupta's case (supra)**, we hereby hold that the Special Court is at liberty to proceed further in Spl.C.C.No.11 of 2023, but shall not pronounce the final judgment. Accordingly, the Criminal Revision Case stands dismissed. No costs. Consequently, connected Criminal Miscellaneous Petitions are closed.

[M.S.R, J.] [V.L.N, J.]
09.06.2025

Index: Yes/No
Speaking order/Non-speaking order
hvk



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M.S.RAMESH, J.
and
V. LAKSHMINARAYANAN, J.

hvk

To

- 1.The Directorate of Enforcement,
Chennai Zone.
- 2.The IX Additional Special Judge for CBI Cases,
Chennai.
- 3.The Special Public Prosecutor (ED),
High Court of Madras.

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