



Crl.O.P.No.17205 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Crl.O.P.No.17205 of 2025
and Crl.M.P.No.10889 of 2025

1.Hamsa Venugopalan

2.M/s.Universal Engineers Chennai Pvt. Ltd.

Rep. by its Director

Smt.Hamsa Venugopalan

... Petitioners

Vs.

Directorate of Enforcement

Rep. by its Assistant Director

No.2 & 5th and 6th floor

BSNL Administrative Building

Nungambakkam

Chennai 600 034

... Respondent

Prayer: Petition filed under Section 528 of BNSS, 2023 r/w Section 482 of the Cr.P.C, to set aside the order dated 29.04.2025 passed by the learned XIV Additional Special Judge for CBI Cases, Chennai, rejecting the contentions of the petitioners and consequently direct the deferment of arguments on framing of charge in Spl.C.C.No.6 of 2024, on the file of



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learned XIV Additional Special Judge for CBI Cases, Chennai, till further investigation is completed.

For Petitioners : Mr.B.Kumar
Senior Counsel

For Respondent : Mr.N.Ramesh
Special Public Prosecutor (E.D.)

ORDER

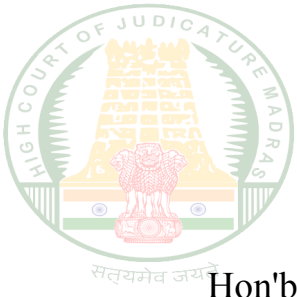
M.S.RAMESH, J.

AND

V.LAKSHMINARAYANAN, J.

The Special Court vide impugned order dated 29.04.2025, in Special C.C.No.6 of 2024, had rejected the plea of the petitioners herein by holding that the charges can be framed only after completion of further investigation. While holding so, the Special Court had predominantly relied upon the judgment of the High Court of Delhi at New Delhi in the case of *Sanjay Aggarwal Vs. Directorate of Enforcement* dated 11.11.2024 [2024 SCC Online Del. 8002].

2.It is now brought to the notice of this Court that the Special Leave Petition against the decision of High Court of Delhi in *Sanjay Aggarwal Vs. Directorate of Enforcement*, has now been stayed by the



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Hon'ble Supreme Court through an order passed in Spl.Leave Petition (Crl) Diary No.59099 of 2024, dated 31.01.2025, in the following manner:

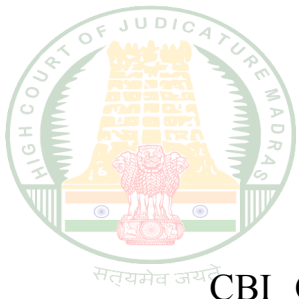
"1. ...

2. Learned counsel for the petitioner submits that except the order at page No.103 of the paper book, there is no other order which can be said to be an order taking cognizance.

3.A perusal of the order at page No.163, in our view, cannot be considered to be an order taking cognizance.

3.It appears that the order of interim stay has not been brought to the notice of the Special Court. In this view of the matter, we deem it appropriate to remit back the matter to the Special Court for reconsideration.

4.Accordingly, the impugned order dated 29.04.2025 passed by the learned XIV Additional Special Judge for CBI Cases, Chennai, is set aside and the case is remitted back to the Additional Special Judge for



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CBI Cases, Chennai, for reconsideration. The Special Court shall endeavour to pass final orders in the petitioners' application as expeditiously as possible, in any event within a period of one (1) month.

5.This Criminal Original Petition stands disposed of accordingly.

Consequently, connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

16.06.2025

kas

Index: Yes/No

Neutral Citation

To.

1.The Additional Special Judge for CBI Cases
Chennai

2.Directorate of Enforcement
Rep. by its Assistant Director
No.2 & 5th and 6th floor
BSNL Administrative Building
Nungambakkam
Chennai 600 034

M.S.RAMESH, J.
AND



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V.LAKSHMINARAYANAN, J.

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