W.P.Crl.No.607 of 2025

M. NIRMAL KUMAR, J.

Today, the matter is listed under the caption “For Being Mentioned” at the instance of the learned counsel for petitioner.

2.It is submitted that in the first paragraph of the order dated 10.09.2025, C.C. Number has been wrongly mentioned as 'C.C.No.08 of 2022' instead of 'C.C.No.554 of 2023'.

3.The Registry is directed to carry out the correction and issue fresh copy of the order dated 10.09.2025.

4. The issue is clarified, accordingly.

15.10.2025

rsi

Note: Issue order copy on 15.10.2025.

M. NIRMAL KUMAR, J.

rsi

W.P.Crl.No.607 of 2025

15.10.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.Crl.No.607 of 2025

Karthik Parthiban ... Petitioner

Versus

1.The Superintendent of Police,
Central Bureau of Investigation (CBI)
Bank Securities and Frauds Branch,
No.36, Bellary Road, Ganga Nagar,
Bangalore - 32.

2.Foreigner Regional Registration Officer (FRRO)
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
No.26, Haddows Road, Chennai - 600 006. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondents to permit the petitioner to travel abroad 15 working days a month.

For Petitioner : Mr.Vijayan Subramanian

For Respondent-1 : Mr.K.Srinivasan,
Special Public Prosecutor (CBI cases)

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ORDER

The petitioner/accused in Crime No.9 of 2018, in which a charge sheet has been filed in C.C.No.08 of 2022 against the petitioner and others for offences under Sections 120-B read with 409 and 420 of the Indian Penal Code, 1860, and Section 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988. Thereafter, further investigation is in progress.

2. The contention of the petitioner is that the petitioner's name was not found in F.I.R. No.9, dated 13.04.2018, filed by the first respondent. It is submitted that subsequently, a final report under Section 173 Cr.P.C., dated 24.12.2022, was filed by the Central Bureau of Investigation, BSFC, Bangalore, before the learned Additional Metropolitan Magistrate, Egmore, Chennai, for the offences alleged to have been committed by the petitioner under Sections 120-B read with 409 and 420 of the I.P.C. He further submitted that a notice dated 10.04.2023, under Section 160 Cr.P.C., was sent to him directing him to appear before the first respondent, Central Bureau of Investigation, BSFC, Bangalore, on 17.04.2023 to answer certain questions in connection with the investigation in R.C.9(E) of 2018.

3. The petitioner landed at Chennai International Airport on

09.04.2023. To his shock and surprise, he was informed by the Airport Authority Officials that a "Look Out Circular" (LOC) had been issued against him by the first respondent. The petitioner appeared before the first respondent on 24.04.2023 and was co-operating with the investigation.

4. The petitioner has business interests abroad and earlier filed four writ petitions, namely, (i) W.P.No.15517 of 2023, (ii) W.P.No.28915 of 2023, (iii) W.P.No.24906 of 2024, and (iv) W.P.No.13960 of 2025, by which he was permitted to travel abroad with certain conditions.

5. Over the past several years, the petitioner transitioned into rapidly evolving health technology sector, providing advisory services to several companies, engaged in AI-driven diagnostics, remote patient monitoring, and digital health infrastructure. His current focus is on under served health care systems in Asia, Africa, and the Middle East, where health-tech adoption is accelerating in response to the growing demand for scalable and cost-effective health care delivery.

6. Due to the condition and restrictions imposed, the petitioner unable to complete his tasks during foreign travel. He further referred to the order passed by this Court in W.P.No.18754 of 2025, relating to the co-accused, one S.Saravana, wherein this Court, by order dated 25.06.2025, permitted him to travel for 10 days subject to the following conditions:

(a) As required by the petitioner, the petitioner is permitted to travel to other countries for 10 days in every month.

(b) The petitioner is permitted to travel to countries where there is reciprocal arrangements and extradition arrangements alone and not to other countries.

(c) The petitioner should furnish the reason and specific date of his travel, his travel itinerary, place of stay, contact details and he shall be accessible through e-mail and other modes of communications and the contact details of the persons/places in the visiting country.

(d) The petitioner shall file an affidavit providing his proposed date of foreign travel to the Additional Chief Metropolitan Magistrate Court, Egmore, Chennai, and to the Investigating Agency at whose request the LOC was issued.

(e) The petitioner shall execute a personal bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) and produce two sureties for Rs.10,00,000/- each before the Additional Chief Metropolitan Magistrate Court, Chennai. Of the two sureties, one must be a relative. The two sureties should file separate affidavits before the Additional Chief Metropolitan Magistrate Court, Chennai, undertaking that the petitioner will return to India on or before the date of return as per the schedule to be provided by petitioner.

(f) One of the sureties (either a relative or a business associate of the petitioner) must possess a valid Indian passport and have traveled abroad at least a couple of times. The said surety shall deposit the original passport before the Additional Chief Metropolitan Magistrate Court, Chennai, at the time of travel of the petitioner. Upon the of petitioner, the passport shall be handed back to the surety.

(g) The Look Out Circular (LOC) issued by the CBI against the petitioner shall stand suspended during the period when the petitioner leaves India in the manner as stated above and til he returns back to India.

7. The same benefit may be extended to the petitioner permitting him to travel for a period of 15 days without date restriction, as the petitioner is required to undertake immediate foreign travel for 15 days on any part of a month.

8.The learned Public Prosecutor (Crl. Side) strongly opposed the petitioner's contention and filed a counter, which is as follows -

> **6)** That, the petitioner is a Seychelles National and Director of M/s.BroadCourt Investments Ltd (A-2). The petitioner along with another Director, Shri C.Sivasankaran (A-12) who was also the Chairman of Siva Group had opened a Current Account in the name of A-2 Company bearing A/c.No.9001103000001601 in IDBI Bank Ltd, Dubai International Financial Branch, Dubai on 24.03.2014 just two days prior to the disbursement of loan to M/s.ASL (A-1) without fully complying the KYC Norms. Out of the sanctioned loan of USD 83 Million, USD 67 Million was disbursed to M/s.ASL (A-1) on 26.03.2014. On the same day the entire amount of USD 67 Million was transferred by the Director (A-13) of M/s.ASL (A-1) to the account of petitioner's Company A-2 for the purpose of Palm Business. On receipt of the said amount of USD 67 Million into the account of A-2 Company, the petitioner has diverted the entire amount USD 67 Million to other companies without utilizing it for the stated purpose.
>
> **9)** That the averments made in Paras 5&7 are true. However, the investigation in the said case has disclosed the role of the petitioner in diversion of loan proceeds of M/s.Axel Sunshine Ltd (A-1) received into the account of his company M/s.Broadcourt Investments Ltd (A-2) as narrated supra. Look Out Circular was opened against the petitioner to prevent him from leaving the country. The

petitioner was not traceable during the investigation, hence charge sheet was not earlier filed against him but further investigation was kept open under section 173(8)Cr.P.C. Also, there is no provision for providing information to the LOC subject regarding opening of a Look Out Circular.

12) It is respectfully submitted that the averments made in Para 11 to 15 are submissions of the petitioner. That, the petitioner is a Seychelles National and his parents are settled in Malaysia and he is working in Singapore. Under these circumstances, there is all likelihood that the petitioner being an Overseas Citizen of India and well settled in abroad, may permanently escape the judicial process in India. The accused applicant is involved in a massive economic fraud to the tune of Rs.600.00 Crores by defrauding IDBI Bank Ltd. Further, the public faith in the system will erode if such economic offenders are allowed to leave country when there is an apprehension that once he leaves the country, there is every possibility that he may not return to the country to face the trial as he is not an Indian National. Such a move will badly protract the process of law in such serious economic frauds.

14) It is respectfully submitted that in the order passed by this Court in W.P.No.27856 of 2024 filed by C.Sivasankaran (A-12), reserved on 04December 2024 and pronounced on 21December 2024, it is explicitly provided in paragraph 18(f) that the petitioner shall not travel abroad during the dates when any of the co-accused in any of the cases in which he is also an accused are themselves foreign nationals, travelled abroad. Further, in W.P.No.18754 of 2025 dated 25.06.2025 this Court allowed S.Saravana (FIR A-14) to travel abroad for 10 days in one month except the countries where reciprocal arrangement and extradition arrangement is not with India. He is also a Seychelles National.

15. That in the instant case, Shri.C.Sivasankaran (A-12) who is charge-sheeted in the case and happens to be the maternal uncle of the petitioner, is also a Seychelles national. Likewise, Shri.S.Saravana and the petitioner are

> Seychelles nationals with which India does not have extraction treaty. If petitioner is permitted to travel abroad for 15 working days each month, it would adversely affect the proceedings in the Trial Court as well as further investigation.
>
> **16.** In view of the above submissions, the case is on pre-charge stage with further investigation ongoing. There are substantial grounds to apprehend that, if such travel is permitted freely, the accused may abscond from the jurisdiction of Trial Court and will cause undue delays in finding role of the petitioner in the further investigation. Hence, the Writ Petition filed by the petitioner is liable to be dismissed in limine.

9. It is seen that the petitioner had earlier filed a petition in W.P.No.13960 of 2025 and this Court, by order dated 04.06.2025, permitted the petitioner to travel abroad subject to certain conditions. The petitioner, due to his ongoing business commitments, now seeks permission to travel abroad for period of 15 days every month. **Accordingly, permission is granted to the petitioner to travel for 15 days, subject to the following conditions**:

> **(a)** As required by the petitioner, the petitioner is permitted to travel to other countries for 15 days in every month.
>
> **(b)** The petitioner is permitted to travel to countries where there is reciprocal arrangements and extradition arrangements alone and not to other countries.
>
> **(c)** The petitioner should furnish the reason and specific date of his travel, his travel itinerary, place of stay, contact details and he shall be accessible through e-mail and other modes of communications and the contact details of the persons/places in the visiting country.

(d) The petitioner shall file an affidavit providing his proposed date of foreign travel to the Additional Chief Metropolitan Magistrate Court, Egmore, Chennai, and to the Investigating Agency at whose request the LOC was issued.

(e) The petitioner shall execute a personal bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) and produce two sureties for Rs.10,00,000/- each before the Additional Chief Metropolitan Magistrate Court, Chennai. Of the two sureties, one must be a relative. The two sureties should file separate affidavits before the Additional Chief Metropolitan Magistrate Court, Chennai, undertaking that the petitioner will return to India on or before the date of return as per the schedule to be provided by petitioner.

(f) One of the sureties (either a relative or a business associate of the petitioner) must possess a valid Indian passport and have traveled abroad at least a couple of times. The said surety shall deposit the original passport before the Additional Chief Metropolitan Magistrate Court, Chennai, at the time of travel of the petitioner. Upon the of petitioner, the passport shall be handed back to the surety.

(g) The Look Out Circular (LOC) issued by the CBI against the petitioner shall stand suspended during the period when the petitioner leaves India in the manner as stated above and til he returns back to India.

9. Once the petitioner complies with these conditions for the first time, the requirement relating to execution of a bond for a sum of Rs.10,00,000/- and the production of two sureties shall continue for all subsequent travels and need not be repeated each time. In the event of any difficulty faced by the petitioner in complying with the conditions, or any difficulty or apprehension raised by the respondent investigating agency with reference to the conditions, both parties are at liberty to approach this Court and seek modification.

10. With the above directions, **this Writ Petition (Crl.) is allowed**. No costs.

10.09.2025

Speaking Order: Yes/No
Internet : Yes/No
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To

1.The Superintendent of Police,
Central Bureau of Investigation (CBI)
Bank Securities and Frauds Branch,
No.36, Bellary Road, Ganga Nagar,
Bangalore - 32.

2.Foreigner Regional Registration Officer (FRRO)
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
No.26, Haddows Road, Chennai - 600 006.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

nvi

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