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Crl.O.P.Nos.5085 and 7370 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Crl.O.P.Nos.5085 and 7370 of 2026
and Crl.M.P.Nos.5849, 5852, 5847 and 5848 of 2026

M/s.Southern Agrifurane Industries
Pvt. Ltd.,
Rep. by its Director MGM Anand,
MGM Centre, No.1, 9th Street,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.

Petitioner in
Crl.O.P.No.5085/2026

MGM Anand
MGM Centre, No.1, 9th Street,
Dr.Radhakrishnan Salai, Mylapore,
Chennai-600 004.

Petitioner in
Crl.O.P.No.7370/2026

Vs



Crl.O.P.Nos.5085 and 7370 of 2026

The Assistant Director,
Directorate of Enforcement,
(The Prevention of Money
Laundering Act, 2002),
Government of India,
Ministry of Finance,
Department of Revenue,
5th & 6th Floor,
BSNL Administrative Building,
No.2, Kushkumar Road,
Nungambakkam, Chennai-600 034.

Respondent
in both OPs

PRAYER: Petitions filed under Section 528 BNSS, 2023 to call for the records in Spl. C.C.No.13 of 2025 pending on the file of VIII Additional Special Judge for CBI Cases, Chennai and quash the proceedings against the petitioners.

For Petitioners: Mr.Abudu Kumar Rajaratinam
Senior Counsel
for Ms.T.Kokilavani

For Respondent: Mr.N.Ramesh
Special Public Prosecutor
for ED Cases

COMMON ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the parties.



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2. These petitions have been filed by the petitioners aggrieved by order dated 07.10.2025 by which the Principal Sessions Judge, Chennai, has taken cognizance of the offences alleged in the complaint in the matter of ECIR No.CEZO-11/26/2022.

3. The ground of challenge in these petitions is that without giving pre-cognizance notice under Section 223(1) of BNSS, the order dated 7.10.2025 has been passed.

4. An identical issue came up for consideration before this Court in Crl.O.P.No.35200 of 2025 [*R.Sampath and another v. The Assistant Director, Directorate of Enforcement, Chennai-600 034*] and, vide order dated 23.1.2026, the said petition was partly allowed and the order taking cognizance was set aside.

5. Accordingly, the order dated 7.10.2025 passed in ECIR No.CEZO-11/26/2022 taking cognizance in Spl. C.C.No.13 of 2025 on the file of VIII Additional Special Judge for CBI Cases, Chennai is set aside. The complaint is restored to its original file number and the Court concerned shall proceed in accordance with law.



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6. The Criminal Original Petitions are partly allowed in terms aforesaid. No costs. Consequently, connected miscellaneous petitions are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
17.04.2026

Index : Yes/No
Neutral Citation : Yes/No
bbr

To:

The Assistant Director,
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(The Prevention of Money
Laundering Act, 2002),
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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