



Crl.O.P.No.8843 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Crl.O.P.No.8843 of 2026
and Crl.M.P.Nos.6274 and 6276 of 2026

1. Dhara Prasad
S/o Dhara Narasimha Moorthy
resident of Plot No.127 & 128
Sai Ram Nagar Phase-2,
Nadergul, Ranga Reddy District
Telangana – 501 510.
2. Harshita Annapragada
W/o Dhara Prasad
resident of Plot No.127 & 128
Sai Ram Nagar Phase-2,
Nadergul, Ranga Reddy District
Telangana – 501 510.

... Petitioners

-VS-

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

... Respondent



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PRAYER: Petition filed under Section 528 BNSS, 2023 to call for the records in Spl. C.C.No.15 of 2025 pending on the file of IX Additional Special Judge for CBI Cases, Chennai and set aside the order dated 16.09.2025 taking cognizance of the complaint filed in Spl.C.C.No.15 of 2025.

For Petitioners: Mr.Rahul M.Shankhar

For Respondent: Mr.Cibi Vishnu
Special Public Prosecutor
for ED Cases

ORDER

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

Heard learned counsel for the parties.

2. This petition has been filed by the petitioners aggrieved by order dated 16.09.2025 by which the IX Additional Special Judge for CBI Cases, Chennai, has taken cognizance of the offences alleged in the complaint in the matter of ECIR No.CEZO-I/48/2021.

3. The ground of challenge in this petition is that without giving pre-cognizance notice under Section 223(1) of BNSS, the order dated 16.09.2025 has been passed.



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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 16.09.2025 passed in ECIR No.CEZO-I/48/2021 taking cognizance in Spl. C.C.No.15 of 2025 on the file of IX 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.

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

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
20.04.2026

Index : Yes/No
Neutral Citation : Yes/No
kst



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To:

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.



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

KST

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