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Crl.O.P.No.33515 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.33515 of 2025

George Fernandez

... Petitioner

Vs.

The Assistant Director,
Director of Enforcement
Government of India Ministry of Finance,
Department of Revenue, 2nd and 3rd Floor,
C-Block 84 Greaves Road,
Chennai – 600 006.
(ECIR No.22 of 2011)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
trial in C.C.No.59 of 2016 on the file of the Principal Sessions Court,
Chennai.

For Petitioner : Mr. R. Thirumoorthy

For Respondent : Mr. S. Sasikumar
Special Public Prosecutor



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ORDER

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The petitioner, who was arrested on 31.10.2024 based on execution of Non-Bailable Warrant dated 16.08.2017, for the offences punishable under Sections 3, 4 and 8(5) of the Prevention of Money Laundering Act, 2002 pending trial in C.C.No.59 of 2016 on the file of the Principal Sessions Court, Chennai, seeks bail. The earlier bail applications of the petitioner was dismissed by this Court, vide orders dated 14.08.2025 and 30.10.2025 in Crl.O.P.Nos.19687 and 27837 of 2025, respectively.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was earlier arrested and released on bail and he was regularly appearing before the Trial Court for the case in C.C.No.59 of 2016; that since the petitioner has not appeared before the Trial Court on 16.08.2017, hence a NBW was issued as against the petitioner and subsequently, the petitioner was arrested and remanded to judicial custody on 31.10.2024. He further submitted that the petitioner had co-operated for the trial and earlier the prosecution had shown only one list witness in the final report and subsequently, that witness was also examined; that thereafter, the prosecution has filed petition under Section 311 of Cr.P.C for examination of



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additional witnesses in this case; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

3. The learned Special Public Prosecutor appearing for the respondent police while opposing the bail to the petitioner submitted that, the petitioner has absconded nearly for seven years and the trial of this case is progressing and if the petitioner is enlarged on bail, he may abscond again and hamper the trial process. He also submitted that the witness cited by the prosecution in the final report has already been examined, however additional witnesses are likely to be examined based on the petitions filed under Section 311 of Cr.P.C by the prosecution.

4. I have considered the submissions made on both sides and perused the materials available on record, including the report received from the Trial Court concerned, wherein it is stated that the only witness cited by the prosecution has already been examined as P.W.1.

K. RAJASEKAR, J.
stn



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5. Considering the facts and circumstances of the case, taking note of the fact that the case is of the year 2011 and the petitioner has absconded for nearly 7 years and stalled the trial process and if the petitioner is enlarged on bail, there is possibility of hampering of trial process, hence this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition stands dismissed.

06.01.2026

stn

To

1. The Principal Judge, Principal Sessions Court, Chennai.

2. The Assistant Director,
Director of Enforcement
Government of India Ministry of Finance,
Department of Revenue, 2nd and 3rd Floor,
C-Block 84 Greaves Road,
Chennai – 600 006. (ECIR No.22 of 2011)

3. The Public Prosecutor,
High Court of Madras.

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