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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD) . No.21289 of 2025

Amjath Khan Gori,
S/o.Mohamed Ismail Ghorl,
No.3,Kutrala Nagar,
Kovaipudur,
Coimbatore..

... Petitioner/Accused

Vs

The State of Tamilnadu, Rep.,
By the Deputy Director.T,
Directorate of Enforcement,
Government of India,
Ministry of Revenue,
Shastri Bhavan,
3rd Floor,
3rd Block, No.26,Haddows Road,
Chennai.
(ECIR No.48 of 2010)

... Respondent/Complainant

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel

for M/s.Roy and Roy Associates,

For Respondent : Mr.S.G.L.Rishwanth
Special Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS



PRAYER :-

To enlarge the petitioner on Bail in CC.No.07 of 2019 on file of the Learned II Additional District Judge (CBI Cases) Madurai in ECIR No.48 of 2010 on the file of the respondent police and pass such further or other orders as this Honble Court may

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 01.07.2024 for the offences punishable under Sections 420 r/w 511 of IPC (Correspondent Section 318(4) r/w 62 of BNS, 2023) and Sections 4 and 5 of Prize Chits and Money Circulation Scheme (Banning) Act, 2020 of Tamil Nadu Protection of Interest of Depositors Act, (Financial Establishment) Act, 1997, in ECIR No.48 of 2010 on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons have started a financial institution in the name of Green Life Finance and published propaganda on various plan schemes, by believing the said schemes, totally there are 1112



depositors deposited their deposit in the said Company, thereafter, a sum of Rs.12,65,65,420/- were not returned to the depositors. Further, the petitioner along with other accused persons have cheated the depositors. Hence, the case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 01.07.2024. Hence, he seeks bail to the petitioner.

4. The learned Special Public Prosecutor submitted that the petitioner has five previous cases, which are similar in nature. He further submitted that A1, A4 and A5 are absconding and A1 is the brother of the petitioner. He further submitted that the trial commenced and the trial Court posted the case on 06.02.2026 for the examination of L.W.1 to L.W.4. He further submitted that the petitioner prolonged the proceedings by recalling the witnesses. He further submitted that the petitioner has changed advocates three times whenever the case was



posted for hearing and therefore, he vehemently objected for grant of bail to the petitioner.

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5.Per contra, the learned counsel appearing for the petitioner submitted that the petitioner was granted bail in the previous cases.

6.The prosecution submitted that there is a bar to grant of bail under Section 45 of PMLA. But the petitioner submitted that the Hon'ble Supreme Court in Arvind Dham Vs. Directorate of Enforcement reported in 2026 Live Law (SC) 7 has held statutory restrictions under Special Acts like PMLA cannot be permitted to result in indefinite pretrial detention. It is seen in the present case, the crime number is of the year 2010. The petitioner is under judicial custody for more than one year. Therefore, applying the above judgment this Court is inclined to grant bail to the petitioner.

7. Taking into consideration of the facts and circumstances of the case and considering the period of



incarceration suffered by the petitioner and the trial commenced, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

8. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned II Additional District Judge (CBI Cases), Mdaurai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall appear before the learned II Additional District Judge (CBI Cases), Madurai, daily at 10.30 a.m., and on all hearing dates, until further orders. If the petitioner fails to appear before the trial Court even for a single day, the bail granted



by this Court will be considered for
cancellation;

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[c] the petitioner shall not tamper with
the evidence or witness either during
investigation or trial;

[d] the petitioner shall not abscond either
during investigation or trial;

[e] On breach of any of the aforesaid
conditions, the learned Magistrate/Trial Court
is entitled to take appropriate action against
the petitioner in accordance with law as if the
conditions have been imposed and the petitioner
is released on bail by the learned
Magistrate/Trial Court himself as laid down by
the Hon'ble Supreme Court in P.K.Shaji vs.
State of Kerala [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a
fresh FIR can be registered under Section 269
BNS.

8.The learned II Additional District Judge (CBI
Cases), Madurai, is directed to proceed with the trial on
a day-to-day basis and complete the same within a period
of four months from the date of receipt of a copy of this



order.

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VSG

(S S Y J)
04.02.2026



TO

- 1.The learned II Additional District Judge (CBI Cases),
Madurai,
- 2.The Superintendent,
Central Prison, Madurai.
- 3.The Deputy Director.,
Directorate of Enforcement,
Government of India,
Ministry of Revenue,
Shastri Bhavan,
3rd Floor,
3rd Block,
No.26,Haddows Road,
Chennai..
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY, J.,

vsg

ORDER
IN
CRL OP (MD) No.21289 of 2025

Date : 04/02/2026