

ECIR/HIU-I/02/2026
Directorate of Enforcement Vs. Shanti Kiran Dandamudi
I.A. No.: 05/26

14.05.2026

Present: Sh. Simon Benjamin Ld. Special PP for ED
through VC
Sh. Manu Sharma, Ld. Senior advocate along with
Sachet Sehgal, Vaibhav Tomar, Kartik Khanna,
Prabhjot Dhillon, Hariman Dhaka, Ld. Counsels for
the applicant through VC.
IO Amit is physically present.

Reply filed. Copy supplied. With consent
arguments heard. Put up for order at 3:30 pm.

(ANKUR JAIN-I)
ASJ-04/Central/Delhi.
14.05.2026

At 3:30 pm.

1. By this order I shall decide the interim bail application of the applicant on medical grounds i.e. I.A. No. 05/26.
2. Ld. Senior Advocate for applicant submits that applicant is a lady and is suffering from myoclonic epilepsy along with severe anxiety disorder and requires continuous supervision. It is submitted that the condition is chronic, non curable in nature. The applicant is not a flight risk has deep roots in the society, is 57 years old lady and respectable member of the society. It is argued that incarceration of the applicant in such a medical condition is violative of her fundamental rights enshrined in Article 21 of the Constitution of India. Ld. Counsel for the applicant has placed reliance upon the following judgments:-

1. *Satyendar Kumar Jain Vs. Directorate of Enforcement SLP CrI. No. 6561/2023;*
2. *Amar Sadharam Mulchandani Vs. Directorate of Enforcement & Anr.*
3. *Kewal Krishan Kumar Vs. Enforcement Directorate Bail Application No. 3575/2022;*
4. *Ramesh Chandra Vs. Directorate of Enforcement 2025 SCC Online Delhi 1706*
5. *Devki Nandan Garg Vs. Directorate of Enforcement, Bail Application No. 540/2022;*
6. *Sarath Chandra Reddy Vs. Directorate of Enforcement Bail Application No. 1266/2023*
7. *Sameer Mahandru Vs. Directorate of Enforcement 2023 SCC Online Delhi 3606.*

3. On the other hand, Ld. Spl. PP for Directorate of Enforcement has argued that medical documents have been duly verified and the same are not disputed.

4. I have heard Ld. Counsels for the parties and perused the record.

5. Section 45 (1) of the PMLA 2002 lays down that in case a person is under the age of 16 or is a woman or is a sick or infirm, he may be released on bail, if the Special Courts directs.

6. The Hon'ble Delhi High Court in ***Kewal Kishan Kumar (Supra)*** placed reliance on the judgment of ***Devki Nandan Garg (Supra)*** wherein the court had noted the objects and reasons for incorporating the proviso. The Hon'ble Delhi High Court noted the purposive interpretation of the proviso to Section 45 (1) shows that it has been incorporated as a lenient provision. In case the case of the applicant is covered under the proviso, the applicant need not satisfy the twin test of Section 45 (1) PMLA.

7. The Hon'ble Delhi High Court in ***Kewal Kishan (Supra)*** also noted since 'sick' and 'infirm' are separated by 'or' consequently a person who though not sick but infirm may also

be entitled to the benefit of the exception. In the present case the applicant is a woman so she is even otherwise entitled to the benefit of the proviso even if she is no sick or infirm as the word woman is separated by 'or'.

8. In the present case the applicant has placed on record two medical documents i.e. one issued to Dr. Rahul Konduri on 07.03.2026 and the one dated 08.04.2026 issued by Dr. Raj Shekhar. Both these documents stands verified. As per the certificate issued by Dr. Rahul, the applicant was under his care for several years and is on regular medication. On account of her neurological condition and associated anxiety she requires continuous medical monitoring and supervision and her daughter should be available to assist and take care of her.

9. On 08.04.2026 the patient was seen by Dr. Raj Shekhar Reddy wherein he noted that she has a delayed response, mild weakness of right limb. Rombergs positive and was advised MRI Brain with stroke protocol. He also advised admission for close observation and further management. In medical terminology Romberg test is a test to measure a person sense of balance, meaning thereby that applicant is unable to maintain balance with closed eyes.

10. In *Kewal Kishan (Supra)* the patient was suffering from multiple episodes of seizures and required a constant attended support.

11. In the present case also the applicant is a woman and does not need to satisfy the twin conditions. In addition she is prima-facie suffering from epilepsy, requires constant treatment and supervision. The applicant is a not a flight risk, there are no

allegations that she is influencing the witness or had tampered with the evidence.

12. At this stage, therefore, the applicant is granted interim bail for a period of 6 weeks from the date of her release for her medical treatment on the following terms and conditions :-

- (a) The applicant shall furnish a personal bond with one surety in the sum of Rs. 1,00,000/-to the satisfaction of this court/Ld Duty JMFC.
- (b) The applicant shall appear before the court as and when the matter is taken up for hearing
- (c) In case she changes her address, she will inform the IO concerned and this court also
- (d) The applicant shall not leave the country during the bail period without the permission of the court.
- (e) The applicant shall not indulge in any criminal activity during the bail period
- (f) The applicant shall not communicate with or intimidate or influence any of the prosecution witnesses or tamper with the evidence of the case.

13. Application stands disposed off accordingly.

14. Copy of the order be sent to concerned Jail Superintendent and be given dasti to the counsel for the applicant and the IO.

(ANKUR JAIN-I)
ASJ-04/Central/Delhi.
14.05.2026

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