

IN THE COURT OF SPECIAL JUDGE FOR MPID
AT BOMBAY

ORDER BELOW APPLICATION EXH. 1868

IN

MPID SPECIAL CASE NO.1 of 2014

(CNR No.MHCC02-000875-2014)

IN

C.R. NO.89 OF 2013

Suresh Rathi,
Aged about 68 years,
Residing at Vipasyana,
7 PAL Link Road, Jodhpur,
Rajasthan – 343003.

... Applicant/Original
Accused No.188

Versus

State through EOW

... Respondent/
Complainant

Appearances:

Ld. Adv. Mr. Aditya Mehta for applicant/accused no.188.

Ld. S.P.P. Mr. Vagish Mishra for the State/EOW.

CORAM : HIS HONOUR SPECIAL JUDGE

SHRI A.P. KANADE

SPECIAL COURT (C.R.No.53)

(IN CHARGE OF C.R.NO.52)

DATE : MAY 11, 2026.

(DICTATED AND PRONOUNCED IN OPEN COURT)

:ORAL ORDER:

Vide this application, accused no.188/applicant, prayed to permit him to travel abroad to Brazil, Peru, Chile, United Kingdom,

Switzerland, United Arab Emirates, Oman, Saudi Arabia and Thailand for a period of six months from 13.05.2026.

2. The Notice of this application was issued to the State. It is duly served.

3. Ld. SPP Mr. Vagish Mishra filed his say [Exh.1868A] resisting the grant of the application on the grounds that the offence is serious one as 13,000 investors are involved and there is a fraud of Rs.5600 crores. Charge-sheet is filed against the present applicant and the applicant is not relied on any document substantiating his travel to abroad that there is a likelihood of the applicant/accused absconding. The applicant is not provided his itinerary, details during his stay in above mentioned place. On these grounds, prayed for rejection of the application.

4. Heard Ld. Adv. Mr. Aditya Mehta for the applicant and the Ld. SPP Mr. Vagish Mishra for State/EOW, Mumbai.

5. Both the Ld. Advocates reiterated the contentions of the application and the say.

6. In the matter of **Satishchandra Verma vs. Union of India in Civil Appeal No.3802 of 2019 (arising out of SLP (Civil) case no.1655 of 2019)**, the Hon'ble Apex Court held that "Freedom to go abroad has much social value and represents the basic human right of great significance". So also, in the **Maneka Gandhi vs. Union of India 1978 (1) SCC 248**, the Hon'ble Supreme Court has observed that right to travel for the purpose of livelihood and business is guaranteed and

protected under Article 19 and 21 of Constitution of India by the Hon'ble Apex Court.

7. Considering the observations of the Hon'ble Supreme Court mentioned herein above, the person who is an accused can be permitted to travel abroad for livelihood, business and social purpose.

8. The applicant is a director of Suresh Rathi Commodities Private Limited and other group companies. As part of his official duties, he is required to travel abroad regularly so as to generate business from foreign clients and to deal with them, as well as attend events such as conferences. Often this travel is at short notice as meetings get scheduled without prior intimation to facilitate quick business, and multiple trips are often required. The applicant is expecting that certain meetings and conferences may be scheduled in the above captioned countries at short notice for business purposes or otherwise, though dates are yet to be finalized. Thus, the applicant is seeking permission for a period of six months to visit the above mentioned countries. It is matter of record that this applicant was not arrested during the investigation. He caused his appearance before the Court in response to summons and thereafter was released on bond application u/s 88 of Cr.P.C. on 18.06.2024.

9. As far as the contention of the Ld. SPP Mr. Vagish Mishra that details of the tour are not provided in the application, the same finds substance. Therefore the applicant can be directed to furnish detail addresses alongwith landline numbers and mobile numbers of the places, wherein he will visit and reside, so also travel details (Detail itinerary), to the EOW, prior to moving outside India. He is further

directed to file his detail programme about visit alongwith his identity and address proofs to the investigation machinery. No prejudice will be caused to the prosecution, if this application is considered subject to certain conditions. Hence, considering the overall scenario on certain terms and conditions, the application can be allowed. Hence, following order is passed -

ORDER

1. Application Exh.1868 in MPID Special Case No.1 of 2014 is allowed.
2. Applicant/accused **Suresh Rathi** is hereby permitted to travel to abroad to Brazil, Peru, Chile, United Kingdom, Switzerland, United Arab Emirates, Oman, Saudi Arabia and Thailand for a period of six months from 13.05.2026 to 13.11.2026 on the following terms and conditions -
 - a. Applicant/accused is directed to furnish detail addresses alongwith landline numbers and mobile numbers of the places, wherein he will visit and reside, so also travel details (Detail itinerary), to the EOW prior to five days of his moving outside India. As and when he travels before 13.11.2026 to the above referred countries, he is directed to file his detail programme by way of affidavit about visit before the investigation machinery alongwith his identity and address proofs.
 - b. Applicant/accused shall report by way of affidavit within a week after his every return to India from the respective foreign countries for the aforesaid period to the EOW.

- c. The security in the form of FDR of Rs.1,00,000/- deposited by the applicant with the investigating officer deposited by the applicant vide order dated 06.11.2024 passed below Exh.1225 in MPID Special Case No.1 of 2014 be considered as security for this travel period.
- d. Applicant/accused is directed to keep his Advocate present during aforesaid period, if required. He is further directed to note that, the aforesaid permission is subject to any direction requiring his personal presence before this Court or Hon'ble Bombay High Court during aforesaid period.
- e. It is hereby further directed to the applicant/accused that in case during the aforementioned time, if he is required to appear before this Court or the office of respondent in connection with the offence to assist the Investigating Machinery or whenever needed in order to pass any order or for any other reason, then he shall appear as directed.
- f. Applicant/accused is further directed to file an undertaking that he will not have any objection, if any order against him is passed in the proceeding pending before this Court, if he or his Advocate remains absent on the date of hearing and does not file proper application according to law, during the said period of travel.
- g. Applicant/accused is directed not to indulge in any sort of illegal activities at abroad and maintain the reputation of nation.
- h. Applicant/accused is hereby directed to abide by all other conditions of bond without fail.

3. Application stands disposed off accordingly.

(A. P. KANADE),
Special Judge (MPID),
(In charge of C.R. No.52),
City Civil & Sessions Court,
Gr. Bombay.

Date: 11.05.2026

Dictated directly on computer : 11.05.2026

Signed by HHJ on : 11.05.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”

UPLOAD DATE AND TIME

NAME OF STENOGRAPHER

11.05.2026 (03.15 p.m.)

MRS. K.Y. INAMDAR

Name of the Judge (with Court Room No.)	Shri A.P. Kanade C.R. No.53 [In Charge of C.R. No.52]
Date of Pronouncement of JUDGMENT/ ORDER	11.05.2026
JUDGMENT/ORDER signed by P. O. on	11.05.2026
JUDGMENT/ORDER uploaded on	11.05.2026