

**IN THE SPECIAL COURT FOR THE TRIAL OF PMLA CASES/
SPECIAL COURT (SPE/CBI)-I/NIA, ERNAKULAM.**

Present:-

Sri. P.K. Mohandas, Judge, Special court for PMLA Cases
Monday the 22nd day of July, 2024/ 31st Ashada, 1946

Crl.M.P. No.197/2024

In

SC (PMLA) No.03/2023

Petitioner/Accused No.7

V. Selvaraj, aged 76 years, S/o (Late)G.
Venugopal, Srivari Saket, No.8 NKPM Layout,
Red Fields, Coimbatore - 641018.

Represented by

Adv. Sri. Mathews K Uthuppachan

Respondent/Complainant

Central Bureau of Investigation, Cochin.
Represented by Smt. Ramya Prasad, Public
Prosecutor, CBI.

These Criminal M.Ps coming on for hearing before me on 22.07.2024
and the Court on the same day passed the following:

ORDER

This is an application filed by 7th accused in the case to release his
passports.

2. According to the petitioner he is implicated in the case as the 7th
accused on the basis of a consolidated final report in 7 RCs . The final report

was filed in the Court of the Chief Judicial Magistrate, Ernakulam and taken on file as CC No.218/2015. The petitioner was released on bail by the Chief Judicial Magistrate, Ernakulam, on 12/2/2016 vide order in Crl.M.P. No. 444/2016, with the condition to surrender his passport, and it remains in court custody.

3. Later, the case was transferred to this Court as S.C.(PMLA) No. 3/2023 for consideration along with the PMLA case. The petitioner is also the 13th accused in S.C. No. 533 of 2018. He appeared on summons and was granted bail as per the order in Crl.M.P 58/2022 dated 03.12.2022, imposing certain conditions that he has to surrender his passport. The petitioner filed affidavit stating that the passport has surrendered in C.C 218 of 2015. The petitioner has been complying the conditions imposed while granting bail and he was permitted to travel abroad on different occasions. The petitioner filed this petition to release the passport to the interim custody of the petitioner.

4. The Special Public Prosecutor filed objection stating that the petitioner is one of the main accused, faces serious charges as per the final report. The petitioner has committed conspiracy and serious cheating offenses under Section 120B read with Section 420 IPC, along with other offenses under the Lotteries (Regulation) Act and Rules. The petitioner is a highly influential person with numerous contacts, so there is a risk that he may abscond if he is permitted to obtain his passport.

5. I have heard the counsel for the petitioner and the Public Prosecutor.

6. The Public Prosecutor opposed the application stating that offence against the petitioner is very serious and if he is permitted to obtain his passport he may flee from the country that may affect the trial of the case. Counsel for the petitioner submitted that the petitioner has complied with all the conditions imposed while granting bail, and on all previous occasions when granted permission to travel abroad, he had complied with the directions of the court.

7. The case is of the year 2018 and the petitioner is on bail for long time. The case is not ripe for trial. On hearing the counsel for the petitioner and the learned Public Prosecutor, and considering the facts and circumstances of the case, I am of the view that the petition can be allowed.

In the result, the petition is allowed as follows:-

1. The petitioner is permitted to retain the passports until further orders.
2. The petitioner shall deposit a sum of Rs.1,00,000/- and execute a bond for the like amount undertaking to produce the passport as and when directed by the court.
3. The petitioner shall not leave the country without obtaining

permission from this court.

4. The petitioner shall not use the passport for any purpose other than the one for which permission is given and the petitioner shall not involve any sought of activity or transactions with any person/company which may adversely affect the present case.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 22nd day of July, 2024.

Appendix: Nil

Sd/-
P. K. Mohandas
Judge, Special Court for PMLA Cases

Id/-
Judge, Special Court for PMLA Cases
(By Order)

//True Copy//

Sd/-
Sheristadar