

**IN THE COURT OF THE SPECIAL JUDGE, (SPE/CBI)-III,
ERNAKULAM**

(Special court for trial of the offence under the PML Act, 2002)

Present :-

SRI.SABARINATHAN.P, SPECIAL JUDGE.

Monday the 16th day of June, 2025/26th Jyaishta, 1947.

Crl. M.P. No. 405/2025

in

S.C (PMLA) 3/2023

Petitioner /Accused No. 5 :

Shri Praful Jain, aged 38/2024,
S/o.Subodh Jain, Flat No.5053,
Tower No.5, Prestige Neptune
Courtyard, Marine Drive, Cochin.

Represented By

:

Advs. Deepu Thankan, Ummul Fida,
Lakshmi Sreedhar, Lakshmi.P.Nair
and Namitha.K.N.

Respondent/Complainant:

Director of Enforcement, Government
of India, represented by its Assistant
Director, Cochin Zonal Office, Kanoos
Castle, A.K. Sheshadri Road
(Mullassery Canal Road West),
Cochin – 682 001.

Represented By

:

Adv. M. J. Santhosh,
Special Public Prosecutor.

This petition is coming on for hearing on 16.06.2025 in the presence of Counsel on both sides and having stood over for consideration and the Court on the same day passed the following:

ORDER

Application filed by the 5th accused seeking return of his passport and for permission to travel abroad.

2. Petitioner is the accused No.5 in the above case. The case is registered u/s.3 punishable u/s. 4 of Prevention of Money Laundering Act, (PMLA) 2002. The petitioner surrendered his passport in compliance of bail condition in Crl. M.P.128/2024 dated 29.01.2024. Earlier, the passport of the petitioner was released to him on various occasions and after performing his journey to abroad, he surrendered his passport before this Court, lastly on 09.06.2025. Now he again wants to travel abroad and also to apply for a schengen visa to travel Europe from 10.08.2025 to 25.08.2025. According to him, for the purpose of processing and stamping of schengen visa, he has to submit the original passport before the concerned Embassy/Consulate and the processing of the same may take time upto three months. Further, seeking permission of the Court for frequent travel abroad and obtaining and surrendering of the passport on each occasion would cause inconvenience to him as he is a resident of Rajasthan. Further, the petitioner has already surrendered his passport

before the Special Judge, CBI-XXI, New Delhi and in compliance of the orders of the Hon'ble High Court of Delhi in CRL. MC No. 714/2022 dated 23.02.2023, the passport of the petitioner was released in his favour and later he surrendered the same before this Court. Hence he prays to release his passport for a period of one year to travel abroad and also for applying for schengen visa by relaxing the bail condition.

3. Notice in this application has been given to the complainant through the Special Prosecutor, the Special Prosecutor has filed a formal counter opposing the application, I heard both sides and perused the records.

4. Now the point that arises for consideration is, whether there is sufficient ground to allow the petition?

5. **The point:-** The petitioner is seeking return of his passport for a period of one year, for enabling him to travel abroad and also for applying for schengen visa. He intends to perform frequent travel abroad for his business purpose. This is a case of 2023, the charges against the accused are yet to be framed and as such, the trial of the case has not started so far. I am satisfied that release of the passport to the petitioner for a period of one year, for enabling him to travel abroad and also for applying for schengen visa will not adversely affect the interest of the prosecution. Hence I am inclined to allow this application. Point answered accordingly.

In the result, petition allowed subject to following conditions:-

- a) Petitioner shall execute a bond for ₹1,00,000/- (Rupees One Lakh only) with two solvent sureties;
- b) The petitioner is permitted to obtain and retain his passport for a period of one year for enabling him to travel abroad and also for applying for schengen visa;
- c) He shall surrender his passport on or before 30.06.2026.

Dictated to the Confidential Assistant, transcribed and prepared by her in computer, corrected by me and pronounced in open Court on this the 16th day of June, 2025.

**Sd/-
Sabarinathan.P
Special Judge**

Appendix: Nil.

**Sd/-
Special Judge**

Order
in
Crl.M.P 405/25
in
S.C(PMLA) 3/23
Dated 16.06.2025