

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

Present :-

**SRI.SHIBU THOMAS, SPECIAL JUDGE.**

Tuesday the 16<sup>th</sup> day of April, 2024/ 27<sup>th</sup> Chaithra, 1946.

**Crl. M.P. No. 280/2024**

in

**SC (PMLA) 4/2023**

**Petitioner/Accused No.25** : Shri. Alisabri, aged 59 years,  
S/o.Kochusahib, Palliparambil House,  
Azad Road, Kattungachira, Irinjalakuda  
North, Thrissur-680125.

**Represented By** : Advs. K.Jayesh Mohankumar,  
Vimal Vijayan and Robin Vincent Gralan.

**Respondent/Complainant** : Assistant Director, Directorate of  
Enforcement, Government of India,  
Cochin Zonal Office, Kanoos Castle,  
A.K. Seshadri Road, (Mullassery  
Canal Road West, Cochin -682011.

**Represented By** : Adv. M.J. Santhosh  
Spl. Public Prosecutor,  
Directorate of Enforcement.

This petition coming on for hearing on 15<sup>th</sup> day of April, 2024 in the presence of Counsels on both sides having stood over for consideration till day the Court passed the following:-

**ORDER**

Petition to delete/modify bail condition No. 2 and 3.

2. Petitioner is the 25<sup>th</sup> accused in the above case, committed offences defined u/s 3 punishable u/s 4 of PMLA.

3. Petitioner submitted that he is absolutely innocent of the entire allegations levelled against him. He filed an application for bail and it was allowed with conditions including conditions that he shall not leave the State without prior permission from this Court and he shall produce the original passport within two weeks and if he is not in possession of a passport, file an affidavit to that effect.

4. The petitioner operates as an A-class Electrical Contractor under the business name “Prime Electrical Contractors and Engineers.” They have successfully completed numerous projects on behalf of both the government and private entities in Kerala. Currently, there are several ongoing projects that necessitate the procurement of various types of cables in large quantities from Mumbai, Hyderabad, Tamil Nadu, Karnataka, and Delhi. Additionally, the petitioner needs to obtain generators and transformers directly from manufacturers after quality checks. These requirements result in frequent travel to different States.

5. Furthermore, the petitioner recently placed an order for cables from APAR Industries, located in Gujarat. The company invited the petitioner to their factory for an inspection of the product quality before dispatching it. This inspection also requires travel outside the petitioner's home State.

6. In addition to business-related travel, the petitioner intends to undertake the Umrah pilgrimage in Saudi Arabia during April and May 2024. Consequently, he has filed this petition seeking modification of the second and third bail conditions. The petitioner requests permission to travel outside the State for a period of six months, from April 12, 2024, to December 1, 2024.

7. The learned Public Prosecutor has filed an objection, asserting that the petitioner faces serious charges. The Court has imposed certain conditions to ensure the petitioner's presence during the trial. Additionally, conditions 2 and 3 are reasonable, and the petitioner is not adversely affected by said conditions. It is further argued that the petitioner availed illegal loans from the Karuvannur Service Co-operative Bank in his own name and in the names of relatives, totaling Rs. 3,35,00,000/-. Currently, the outstanding amount stands at Rs.6,60,89,140/-. Furthermore, the petitioner did not provide sufficient documents to establish the necessity of

traveling abroad for a continuous period of six months. Therefore he prayed to dismiss the petition.

8. Heard both sides.

9. Point for consideration is, whether there is sufficient ground to allow the petition?

10. **Point:-** The petitioner asserts that he is an A-class Electrical Contractor and operates a proprietary concern named Prime Electrical Contractors and Engineers. Over the years, the petitioner has successfully completed numerous projects on behalf of both the government and private individuals in Kerala. Additionally, there are ongoing projects that require the procurement of various types of cables in large quantities from Mumbai, Hyderabad, Tamil Nadu, Karnataka, and Delhi. The petitioner also needs to acquire generators and transformers directly from manufacturers, ensuring their quality. Consequently, frequent travel to these states is necessary.

11. Furthermore, the petitioner recently placed an order for cables with APAR Industries in Gujarat. The company extended an invitation to the petitioner to inspect the quality of the ordered products at their factory before dispatching them. This inspection also requires travel outside the petitioner's home State.

12. To substantiate his contentions, the petitioner has produced Contractor's Registration Card issued by the Chief Electrical Engineer, Thiruvananthapuram, confirming his status as an A-class electrical contractor operating under the business name, Prime Electrical Contractors and Engineers. Documents numbered 2 to 5 show the various ongoing projects undertaken by the petitioner. Document number 6 consists of communication from APAR Industries Ltd, specifically requesting the petitioner's presence at their factory for a quality check of the goods ordered.

13. During the argument, the petitioner has temporarily withdrawn his request for the release of his passport and permission to undertake the Umrah pilgrimage in Saudi Arabia.

14. The objection of the learned Special Prosecutor is centered around ensuring his presence before Court for the purpose of trial and to prevent the possible risk of misuse of liberty. The apprehension of Prosecutor can be set right by imposing conditions. Acknowledging the early stage of the case, potential delay in the trial, considering the petitioner's compelling reasons and also in the interest of ensuring fairness, operation of condition No.2 is suspended for a limited period from

12.04.2024 to 01.12.2024. His claim for release of passport and permission to go abroad rejected being withdrawn.

In the result, petition is allowed in part with following conditions:-

1. Petitioner shall appear before this Court as and when required by this Court.
2. Petitioner shall not visit any States other than the States mentioned in the petition and for any other purpose.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 16<sup>th</sup> day of April, 2024.

Sd/-  
**Shibu Thomas**  
**Special Judge, (SPE/CBI) – III**  
**Ernakulam**

**Appendix:** Nil.

Id/-  
**Special Judge, (SPE/CBI) – III**

Typed by:-  
Compd. by:-