

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

Present :-

SRI.SABARINATHAN.P, SPECIAL JUDGE.

Monday the 29th day of July, 2024/07th Saravana, 1946.

Crl. M.P. No. 512/2024

in

SC PMLA 04/2023

Petitioner/Accused No. 21: Abdul Gafoor, aged 55 years,
S/o.Mohamedunny, Vaishyam Veetil,
Mambrambath, Guruvayoor.P.O,
Thrissur District-680101.

Represented By : Adv. Ieans C Chamakkala.

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 : Sri.M.J. Santhosh
Spl. Public Prosecutor,
Directorate of Enforcement.

This petition coming on for hearing on 29th day of July, 2024 in the presence of Counsels on both sides having stood over for consideration on the same day the Court passed the following:-

ORDER

Application filed by accused No.21 for releasing his passport and also seeking permission to go abroad.

2. The petitioner is accused No. 21 in the above said case registered u/s. 3 r/w. 4 of PMLA. He was granted bail by this Court on 12.01.2024 and in compliance of the condition in the bail order, he surrendered his passport. Furthermore, the petitioner was working in Dubai for several years and later returned to India and started business, however it collapsed due to wide spread of Covid-19 and the nationwide lock down. Thereafter, with intent to start a new business of importing processed metal at Dubai and Travel and Tourism Consultancy at Soudi Arabia, petitioner visited this place twice in the year, 2023. The petitioner has started a new business venture at UAE and Saudi Arabia, as per order in CrI. M.P. 322/2024, the petitioner was permitted to go abroad for a period from 13.05.2024 to 13.07.2024, after completing his journey, he has returned to India and produced back his passport before this Court on 10.07.2024 and now he again wants to go UAE, Saudi Arabia and Georgia for a period of two months w.e.f 05.08.2024. Hence this petition.

3. Respondent has not filed objection. Both sides were heard and perused the records.

4. The point for consideration is, whether there is sufficient ground to release passport and allowing the petitioner to go abroad?

5. **The Point:-** It is submitted on behalf of the petitioner that the petitioner may be permitted to go abroad for the above said period in connection with his business and granting permission to the petitioner will not in any way affect the interest of the prosecution as this is a case of 2023 and trial is yet to be started. The learned Special Prosecutor raises no serious objection in allowing this application. I am satisfied that permission can be granted to the petitioner to go abroad as prayed for by him and that will not affect the interest of the prosecution. Hence this application is only to be allowed.

In the result, petition is allowed and petitioner's passport is ordered to be released from today till 07.10.2024 and petitioner is allowed to go abroad for a period of two months w.e.f 05.08.2024 with following conditions:-

a) The petitioner shall execute a bond for ₹ 1,00,000/- (Rupees One Lakh only) with two solvent sureties each for the like sum;

b) The petitioner shall appear before this Court as and when required by this Court;

c) The petitioner shall file an affidavit stating that he will not visit any country other than UAE, Saudi Arabia and Georgia and he shall also furnish his contact address, e-mail address and telephone number in abroad in the affidavit and

d) The petitioner is directed to appear in person and surrender his original passport on or before 07.10.2024.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 29th day of July, 2024.

Sd/-
Sabarinathan.P
Special Judge, (SPE/CBI) – III
Ernakulam

Appendix: Nil.

Id/-
Special Judge, (SPE/CBI) – III

Typed by:-

Compd. by:-

Order in CrI. M.P 512/24
in SC PMLA 4/2023
Dated 29.07.2024