

**IN THE COURT OF THE SPECIAL JUDGE, (SPE/CBI)-III,
ERNAKULAM
(SPECIAL COURT FOR TRAIL OF CASES UNDER THE PML ACT)**

Present :-
SRI.SABARINATHAN.P, SPECIAL JUDGE.

Thursday the 08th day of August, 2024/17th Sravana, 1946.

Crl. M.P. No. 528/2024

in

SC PMLA 04/2023

Petitioner/Accused Nos.32: Deepak Sathyapalan, S/o.Dr.Sathyapalan,
aged 43 years, Polakulath House,
Kompara, Market Road, Ernakulam

Represented By : Adv.Basil Mathew.

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 08th day of August, 2024 in the presence of Counsels on both sides having stood over for consideration on the same day the Court passed the following:-

ORDER

Petition to delete/modify bail condition No.2 and 3, ordered, as per order in Crl. MP. 172/2024 dated 13.02.2024.

2. Petitioner is the accused No.32 in the above case, who is alleged to have committed the offence u/s.3 and 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. It is submitted that petitioner is the Director of Metropolitan Lanka Hospitals Pvt. Ltd. He has a residence visa of Sri Lanka. He has earlier submitted an application, as Crl. MP.316/2024 for relaxation of the conditions of bail, in order to renew the visa, and also to visit Sri Lanka. The said application was allowed by this Court on 29.04.2024 and the petitioner was permitted to go Sri Lanka for a period from 29.04.2024 to 05.06.2024 and his passport was ordered to be released for

the said period. In compliance of the order in that application, the passport of the petitioner was released, but he could not travel to Sri Lanka for want of time and accordingly he returned the passport on 05.06.2024. Again, as per order in CrI. M.P. 475/2024 dated 02.07.2024 the petitioner was permitted to go Sri Lanka for a period from 04.07.2024 to 10.08.2024 and his passport was ordered to be released for the said period. In compliance of the order in that application, the passport of the petitioner was released, but he could not travel to Sri Lanka due to general strike in Sri Lanka and accordingly he returned the passport on 02.08.2024. Now he seeks permission to go Sri Lanka for a period from 10.08.2024 to 30.09.2024 and for that purpose, he prays to modify the condition of bail.

5. The learned Public Prosecutor has not filed counter and it is submitted that the prosecution is having only a formal objection.

6. Both sides were heard and perused the records.

7. I am satisfied that permission can be granted to the petitioner to go Sri Lanka for a period from 10.08.2024 to 30.09.2024 and the passport of the petitioner can be released to him for the said purpose.

Hence, the operation of condition No.2 and 3 are suspended for a limited period from 10.08.2024 to 30.09.2024.

In the result, petition is allowed in part and the petitioner is permitted to go Sri Lanka for a period from 10.08.2024 to 30.09.2024 and the passport of the petitioner can be released to him for the said purpose with following conditions:-

a) The petitioner shall execute a bond for ₹ 50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum;

b) Petitioner shall file an affidavit stating that he will not visit any country other than Sri Lanka;

c) After returning from Sri Lanka, the petitioner shall appear before Court with his original passport on or before 03.10.2024 and surrender the same.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 8th day of August, 2024.

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

Appendix: Nil.

Sd/-
Special Judge, (SPE/CBI) – III

Typed by:-

Compd. by:-

Order in CrI.M.P 528/2014
in SC PMLA 4/2023
Dated 08.08.2024

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

Appendix: Nil.

Special Judge, (SPE/CBI) – III

Typed by:-
Compd. by:-