

**IN THE COURT OF THE ADDITIONAL SPECIAL SESSIONS JUDGE,  
(SPE/CBI)-III, ERNAKULAM  
(Special Court for trial of the offence under the PML Act, 2002)**

Present :-

**SRI. SABARINATHAN.P, SPECIAL JUDGE.**

Saturday the 28<sup>th</sup> day of December, 2024/07<sup>th</sup> Pousha, 1946.

**Crl. M.P. No. 805/2024**

in

**SC PMLA 04/2023**

**Petitioner/Accused No. 21** : Abdul Gafoor, aged 55 years,  
S/o. Mohammadunny, Vaishyam Veetil,  
Mambrambath, Guruvayoor.P.O,  
Thrissur District-680 101.

**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 the Special Public  
Prosecutor, Ernakulam.

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

This petition coming on for hearing on 28<sup>th</sup> day of December, 2024 in the presence of Counsels on both sides and having stood over for consideration on 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 Crl. 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, later the passport of the petitioner was released

to him as per order in Crl. M.P. 512/2024 dated 29.07.2024, he was permitted to go abroad for a period of two months w.e.f 05.08.2024 and after performing the journey, he returned to India and returned the passport on 04.10.2024. Later the passport of the petitioner was released to him as per order in Crl. M.P. 661/2024 and 689/2024 dated 17.10.2024 and 21.10.2024 respectively, he was permitted to go abroad for a period of two months w.e.f 21.10.2024 and after performing the journey, he returned to India and returned the passport on 18.12.2024. Now he again wants to go UAE and Saudi Arabia for a period of three months. He prays to release the passport for a period of three months and undertook to produce the passport on 10.04.2025.

3. Notice in this application has been given to the learned Special Public Prosecutor in charge of this case and the respondent has filed counter through the Special Public Prosecutor. 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 serious objection in allowing this application. It is submitted that the passport of the petitioner can be released for a limited period of two or three months. I have perused the available records. I am satisfied that permission can be granted to the petitioner to go UAE and Saudi Arabia as prayed for by him for a period of three months and that will not affect the interest of the prosecution. Hence this application is to be allowed.

In the result, petition is allowed and petitioner's passport is ordered to be released to the petitioner to go UAE and Saudi Arabia for a period of three months w.e.f 01.01.2025 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 and Saudi Arabia 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 09.04.2025.

Dictated to the Confidential Assistant, transcribed and prepared by her, in computer, corrected by me and pronounced in open Court on this the 28<sup>th</sup> day of December, 2024.

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

**Appendix: Nil.**

Sd/-  
**Special Judge**

Typed by:-  
Compd. by:-

Order  
in  
CrI. M.P 805/24

in  
SC PMLA 4/2023

Dated: 28.12.2024

