<u>M.L Case no 9 of 2025</u>
<u>CNR – WBCS01-000469-2025</u>
<u>Present: Sri Sukumar Ray</u>
<u>Chief Judge, City Sessions Court, Calcutta</u>
<u>J.O. CODE NO.-WB00590.</u>

<u>Order no. **05** dated **02.08.2025**</u>

1. Today is fixed for for hearing bail petition dated 16.07.2025 filed on behalf of this accused person Sk. Jinnar Ali @ Jinnar Ali.
2. Ld. Special Public Prosecutor for Enforcement Directorate and Ld. Advocate for this accused person are present.
3. Now the bail petition of accused **Sk. Jinnar Ali @ Jinnar Ali** is taken up for hearing.
4. The bail petition is moved.
5. Ld. Advocate for the accused/petitioner prays for bail of this accused/petitioner on the following grounds :

   i) the accused/petitioner was arrested on 02.07.2025 and since then he is in custody;

   ii) the allegations made in the complainant against the accused/petitioner are misconceived, misleading and inherently improbable;

   iv) this accused/petitioner is suffering from serious health conditions which requires medical attention;

   v) the accused/petitioner's father is totally bedridden and none to look after him;

   vi) this accused/petitioner is the sole earning member of his family.
6. Ld. Special Public prosecutor for Enforcement Directorate vehemently opposes the bail prayer of this accused/petitioner on the following grounds:

   i) this accused/petitioner is directly involved in the alleged offence of extorting huge money from various victims under the pretext of helping in Enforcement Directorate Investigation;

   ii) this accused/petitioner has allegedly extorting huge money from various victims through middlemen.

   iii) this accused/petitioner also portrays himself as Chairman of a fake organization named National Anti-Trafficking Committee (NATC), claiming affiliation with NITI Aayog.

   iv) there is substantial risk that if the accused be released on bail, will interfere with the investigation, influence witnesses, terrorize victims and further dissipate the proceeds of crime.

7. I have carefully perused the complaint and the materials appearing in the case diary.
8. Section 45 of the PML Act imposes two conditions for grant of bail to an accused of an offence punishable for an offence under the PML Act. These two conditions are that :

   i) the prosecution must be given an opportunity to oppose the application for bail and

   ii) the Court must be satisfy that there are reasonable grounds for believing that the accused person is not guilty of such offence and that he is not liable to commit any offence while on bail. As well settled, these two conditions are mandatory in nature and they need to be complied with by the accused person is released on bail.
9. At the outset, it needs to be mentioned that the object of the PML Act is to prevent money laundering which has posed a serious threat not only to the financial system of the country but also to its integrity and sovereignty. The offence of money laundering is very serious offence which is committed by an individual with a deliberate desire and the motive to enhance his gains, disregarding the interest of the nation and the society as a whole and such offence by no stage of imagination can be regarded as an offence of trivial in nature. The stringent provisions have been made in the Act to combat the menace of money laundering.
10. The PML Act has been enacted to deal with the subject of money laundering activities having transnational impact on financial system including sovereignty and integrity of the country. The offence of money laundering has been regarded as aggravated form of crime world over and the offenders involved in the activity connected with the proceeds of crime are treated as separate class from ordinary criminals.
11. On careful perusal of the materials appearing in the case diary, it appears that this accused/petitioner is allegedly involved in extorting money from various victims under the pretext of helping in Enforcement Directorate investigation. It further appears that he has extorted huge sum of money from various victims through middlemen. The offence of Money Laundering has been regarded as an aggravated form of crime and offender involved in the activity connecting with the proceeds of crime is treated as separate class from ordinary criminals.
12. Money laundering is an aggravated form of crime that has serious consequences and should not be treated like ordinary offences. It is no more res integra that offence of money laundering is an independent offence regarding the process or activity connected with the proceeds of crime, which had been derived or obtained

as a result of criminal activity relating to or in relation to a scheduled offence. Hence, involvement in any one of such process or activity connected with the proceeds of crime would constitute offence of money laundering. In this regard, I borrow my wisdom from the observation of the Hon'ble Apex Court in **Union of India vs Kanhaiya Prasad** reported in **AIR 2025 Supreme Court 1028**.

13. Going by the nature, gravity and enormity of the alleged offence and materials on record, apprehension of tampering of evidence and intimidation/influencing of witnesses in the event of accused/petitioner being liberated on bail does not appear to be misplaced.
14. In view of the facts and circumstances of the case and the role played by the accused person in the alleged offence in question, I do not find any just cause to allow the prayer for bail for the accused/petitioner.
15. Accordingly, the application for bail dated 16.07.2025 of the accused person namely, **Sk. Jinnar Ali @ Jinnar Ali** stands **rejected**.
16. Todate i.e. on 11.08.2025 for production of the accused person.
17. Return the case diary.
18. Let a copy of this order be sent to the Investigating Officer of this case through Ld. Special Public Prosecutor for Enforcement Directorate for information.

Dictated & corrected by me

Sd/-

Chief Judge,
City Sessions Court, Calcutta.

Sd/-

Chief Judge,
City Sessions Court, Calcutta.