

HON'BLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.3681 of 2024

ORDER:

This Writ Petition is filed assailing the action of respondent No.3 in issuing summons bearing No. PMLA/SUMMON/HYZO/2024/2633 in File No.ECIR/HYZO/26/22 dated 07.02.2024 to the petitioner under Section 50 (2) and (3) of Prevention of Money Laundering Act, 2002 (for short "PMLA Act"), calling upon him to attend before him, despite the case in S.C.No.16 of 2023 is pending on the file of learned Metropolitan Sessions Judge-cum- Special court under PMLA Act, 2002, at Nampally, Hyderabad, as illegal, arbitrary and violative of Article 14 and 21 of Constitution of India and in contravention with provisions of PMLA Act, and for other consequential reliefs.

2. The brief facts of the case that are necessary for disposal of the writ petition are stated under:

3. The petitioner claims to be Director of M/s. Farmax India Limited upto 23.11.2011 and thereafter he resigned from his directorship. It is stated that the petitioner herein is looking after sales and marketing division of the company. Basing on the FIR No.664/2013 dated 29.10.2013 registered on the file of Station

House Officer, Dundigal Police Station, the respondent No.3 herein registered ECIR No.IHY/ZO/26/2022 on 05.05.2022. The FIR initially registered was transferred to Crime Investigation Department (CID) and thereafter, it was referred to the Enforcement Directorate (ED). Initially, complaint was filed by one of the Director of the company and on the basis of said predicate offence, the respondent No.3 issued summons to the petitioners and other directors of the company. It is stated that Criminal Petition No.10076/2022 has been filed on the file of this Court seeking to quash the proceedings in ECIR/HYZO/26/22 and this Court has granted interim stay on 15.11.2022. In view of the stay granted by this Court, the proceedings against the Morthala Srinivasa Reddy/A.2 stalled. While the matter stood thus, the respondent No.3 herein proceeded to file a complaint under Sections 44 and 45 of PMLA Act for the alleged offences under Sections 3 r/w Section 4 r/w 70 (1) and (2) of the Act and said complaint was taken on record as SC No.16/2023 on the file of learned Metropolitan Sessions Judge-cum-Special Court under PMLA Act, Nampally, Hyderabad. It is also case of the petitioner, the respondents while invoking provisions of Section 37(A) (1) of Foreign Exchange Management Act, seized certain properties vide order dated 20.11.2023.

4. The grievance of the petitioner in the present writ petition is that while the matter is *sub judice* on the file of Special Court under PMLA Act in SC No.16/2023, the respondent No.3 has issued summons to the petitioner vide No.PMLA/SUMMON/HYZO/2024/2633 in File No.ECIR/HYZO/26/22 dated 07.02.2024 invoking Section 50(2) and (3) of PMLA Act without seeking leave of the Court and therefore, the said action on the part of respondents amounts to violation of principles of natural justice and the provisions of the PMLA Act.

5. A counter affidavit has been filed by the respondent No.2, wherein it is stated that petitioner was one of the Executive Directors of M/s. Farmax India Limited and actively involved in all major decisions of the company. It is further stated that the petitioner being a Director has met Accused No.3-Arun Panchariya in Dubai to device the fraudulent scheme and was responsible for the decisions made by the company's board and for passing resolutions that facilitated the scam. It is further stated that the petitioner and his brother, misused their positions, engaging directly in criminal activities. It is stated that the petitioner was arrayed as Accused No.2 in ECIR/HYZO/26/2022. It is further stated that since money laundering is a continuous activity and investigation against the petitioner is still ongoing, summons have

been issued to the petitioner based on some important information that has come to the notice of the Enforcement Directorate, to verify the facts which came to light during ongoing investigation. It is further stated that Enforcement Directorate is having all powers akin to the Civil Court whenever attendance of accused is necessary during the course of investigation to establish that an offence under Section 3 of the PMLA Act has been committed. It is further stated that mere filing of the complaint by the Enforcement Directorate before the Special Court does not signify the conclusion of investigation and according to the Explanation (ii) of Section 44(1)(d) of PMLA Act, the complaint shall be deemed to include any subsequent complaint in respect of further investigation that may be conducted to bring any further evidence, oral or documentary, against any accused person involved in respect of the offence, for which complaint has already been filed, whether named in the original complaint or not. It is stated that as per Section 65, the provisions of Cr.P.C apply insofar as they are not inconsistent with the provisions of PMLA to arrest, search and seizure, attachment, confiscation, etc.,. It is specific case of respondents that sub-Section (3) of Section 173 of Cr.P.C applies to the investigations being carried on under the provisions of PMLA Act and permission of Special Court is only required to bring on record, further

evidence after further investigation and not for issuing of summons.

6. Considered the submissions of Sri T. Bala Mohan Reddy, learned counsel for the petitioner, Mr.Gadi Praveen Kumar, learned Deputy Solicitor General of India, appearing for the respondent No.1, Sri D. Narender Naik, learned Standing Counsel for Central Government appearing for the respondent Nos.2 and 3 and perused the record.

7. The learned counsel for the petitioner has submitted that respondent No.3 acting on the offences alleged in Crime No.664/2013 on the file of Station House Officer, Dundigal Police Station, as predicate offences, registered ECIR/HYZO/26/22 dated 05.05.2022. In the said complaint, the company M/s. Farmax India Private Limited was arrayed as accused. It is further submitted that the petitioner was issued summons under Section 50(2) and (3) of the PMLA Act and in compliance with the same, the petitioner attended enquiry on 17.11.2022 and 18.11.2022. Subsequently the respondent No.3, filed a complaint under Section 44 of PMLA Act before the Special Court under Section 43(1) of the Act and the said complaint was registered as SC No.16/2023 on the file of learned Metropolitan Sessions Judge-cum-Special Court under PMLA Act, 2002 at Nampally, Hyderabad on 25.11.2023. In

the said case, the petitioner herein was arrayed as Accused No.2. The learned counsel submitted that once the case has been taken cognizance by the competent Court and the case in SC No.16/2023 is pending for adjudication, the Enforcement Directorate is not competent to issue summons and the said action on the part of respondents amounts to violation of Article 20(3) of the Constitution of India. It is further submitted that Section 50(4) of PMLA Act, is a deeming provision which makes the proceedings under Section 50(2) and (3) of PMLA Act to be a judicial proceedings, within the meaning of Sections 193 and 228 of IPC and non-compliance of the said provisions would attract consequences under Section 63 of PMLA Act. It is further contention of the learned counsel for the petitioner that under the provisions of Cr.P.C, the person has right to remain silent and whereas under the provisions of PMLA, under Section 50(3) and 63(2) of PMLA Act, compel the person to state truth statement and produce the document as required. In the said circumstances, issuance of impugned summons under Section 50(2) of PMLA Act to the accused after filing of the complaint before the Special Court would amount to testimonial confession and therefore, the same is violative of fundamental rights of the Constitution of India. The learned counsel referred to various provisions of the Act and placed much reliance on the decision of the Hon'ble Apex Court in **Vijay**

Mandalal Choudhary vs. Union of India¹. It is further submitted that once the Special Court has taken cognizance in S.C.No.16/2023, respondent No.3 does not have the authority to issue summons under Section 50(2) or (3) of the PMLA Act for inquiry or investigation, compelling the making of a statement or the production of documents under threat of penal consequences, as this would violate fundamental rights, particularly those enshrined under Article 20(3) of the Constitution of India. In support of his submissions, the learned counsel relied upon the decision in ***Tarsem Lal vs. Directorate of Enforcement***².

8. Per contra, learned Standing Counsel for the Central Government appearing for the respondent No.2 vehemently contended that the petitioner and his brother misusing their position engaged directly in criminal activities, connected to the proceeds of the crime and the petitioner as an Executive Director, frequently met Accused No.3-Arun Panchariya to frame the fraudulent scheme and was responsible for the decisions taken by the company. It is further submitted that money laundering is a continuous activity and the investigation against the petitioner is still ongoing. The impugned summons were issued based on

¹ 2022 (6) SCR 382

² AIR 2024 SC 2152

important information that has come to the notice of the Enforcement Directorate. It is further submitted that the powers of the Enforcement Directorate is akin to the powers of the Civil Court and upon investigation if Enforcement Directorate finds sufficient evidence to constitute offence under PMLA Act, they can issue summons and mere filing of complaint before the Special Court, does not signify the conclusion of the investigation. The learned counsel further submitted that Explanation (ii) to Section 44(1)(d) of the PMLA Act confers power on Enforcement Directorate to conduct further investigation against any person who is already arrayed as accused and against whom a complaint has been filed and there is no bar under Article 20(3) or any other provision of law, creating an embargo on the investigating agency to proceed with further investigation or to issue summons. It is also submitted by the learned counsel that under Section 173(8) Cr.P.C, which is equally applicable to the investigations carried on, under the provisions of PMLA Act, shall not preclude further investigation in respect of an offence, even after a report under sub-Section (2) of Section 173 Cr.P.C has been forwarded to the Magistrate. It is further stated by the learned counsel that, in view of the powers conferred on the Enforcement Directorate under Section 50 and Section 44(1)(d) Explanation (ii), along with the procedures prescribed under Sections 46 and 65 of the PMLA Act, and in

terms of Section 173(8) of the Cr.P.C., the filing of a complaint by the Enforcement Directorate before the Special Court does not bar the Enforcement Directorate from further investigating the offence. It is further contended that there is no specific provision mandating the investigating agency to obtain permission from the Special Court to issue summons to the accused. In support of his submissions, the learned counsel placed reliance on following judgments:

- i) Vijay Madanlal Choudhary and others vs. Union of India and others*** (supra),
- ii) State Through Central Bureau of Investigation vs. Hemendhra Reddy and another***³
- iii) State of Bombay vs. Kathi Kalu Oghad and others***⁴
- iv) State of Andhra Pradesh vs. A.S.Peter***⁵

9. To examine the above contentions, it is necessary to refer Section 44 of the PMLA Act, which reads as under:

“Section 44. Offences triable by Special Courts

(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),--

(a) an offence punishable under section 4 and any scheduled offence connected to the offence under that section shall be triable by the Special Court constituted for the area in which the offence has been committed:

³ 2023 SCC Online SC 515

⁴ AIR 1961 SC 1808

⁵ (2008) 2 SCC 383

Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence; or;

(b) a Special Court may, upon a complaint made by an authority authorised in this behalf under this Act take cognizance of offence under section 3, without the accused being committed to it for trial;

(c) if the court which has taken cognizance of the scheduled offence is other than the Special Court which has taken cognizance of the complaint of the offence of money-laundering under sub-clause (b), it shall, on an application by the authority authorised to file a complaint under this Act, commit the case relating to the scheduled offence to the Special Court and the Special Court shall, on receipt of such case proceed to deal with it from the stage at which it is committed.

(d) a Special Court while trying the scheduled offence or the offence of money-laundering shall hold trial in accordance with the provisions of the Code of Criminal Procedure, 1973 (2 of 1974) as it applies to a trial before a Court of Session.

Explanation.--For the removal of doubts, it is clarified that,--

(i) the jurisdiction of the Special Court while dealing with the offence under this Act, during investigation, enquiry or trial under this Act, shall not be dependent upon any orders passed in respect of the scheduled offence, and the trial of both sets of offences by the same court shall not be construed as joint trial;

(ii) the complaint shall be deemed to include any subsequent complaint in respect of further investigation that may be conducted to bring any further evidence, oral or documentary, against any accused person involved in respect of the offence, for which complaint has already been filed, whether named in the original complaint or not.

(2) Nothing contained in this section shall be deemed to affect the special powers of the High Court regarding bail under section 439 of the Code of Criminal Procedure, 1973 (2 of 1974) and the High Court may exercise such powers including the power under clause (b) of sub-section (1) of that section as if the reference to "Magistrate" in that section includes also a reference to a Special Court designated under section 43."

10. A careful reading of explanation to Section 44(1)(d) of the Act implies that the Enforcement Directorate is conferred with the power to include any subsequent complaint in respect of further investigation that may be conducted to bring any further evidence,

oral or documentary against any accused person, for which a complaint has been already filed, whether named in the original complaint or not. In such a proceedings, a person cannot refuse to give an answer on the plea that it might tend to subject him to criminal prosecution at a later date, if he refused to furnish any evidence and to raise an objection that unless a permission is obtained, from the Special Court where the case is pending to issue summons under Section 50 (2) and (3) of the PMLA Act. Section 50 of the PMLA Act, reads as under:

“50. Powers of authorities regarding summons, production of documents and to give evidence, etc.

(1) The Director shall, for the purposes of section 13, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) while trying a suit in respect of the following matters, namely:--

(a) discovery and inspection;

(b) enforcing the attendance of any person, including any officer of a reporting entity and examining him on oath;

(c) compelling the production of records;

(d) receiving evidence on affidavits;

(e) issuing commissions for examination of witnesses and documents; and

(f) any other matter which may be prescribed.

(2) The Director, Additional Director, Joint Director, Deputy Director or Assistant Director shall have power to summon any person whose attendance he considers necessary whether to give evidence or to produce any records during the course of any investigation or proceeding under this Act.

(3) All the persons so summoned shall be bound to attend in person or through authorised agents, as such officer may direct, and shall be bound to state the truth upon any subject respecting which they are

examined or make statements, and produce such documents as may be required.

(4) Every proceeding under sub-sections (2) and (3) shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Indian Penal Code (45 of 1860).

(5) Subject to any rules made in this behalf by the Central Government, any officer referred to in sub-section (2) may impound and retain in his custody for such period, as he thinks fit, any records produced before him in any proceedings under this Act:

Provided that an Assistant Director or a Deputy Director shall not--

(a) impound any records without recording his reasons for so doing; or

(b) retain in his custody any such records for a period exceeding three months, without obtaining the previous approval of the Joint Director.”

11. A conjoint reading of Sections 44 and 50 of the PMLA Act emphasizes the requirement to seek permission from the Special Court only when the Enforcement Directorate wishes to introduce additional evidence based on further investigation, particularly related to the proceeds of crime. Further, Section 173(8) Cr.P.C states that nothing in the Section shall be deemed to preclude further investigation in respect of an offence, after a report under sub-Section (2) has been forwarded to the Magistrate and, where upon such investigation, the officer in charge of the police station obtains further evidence, oral or documentary, he shall forward to the Magistrate a further report or reports regarding such evidence in the form prescribed and the provisions of sub-sections (2) to (6) shall, as far as may be, apply in relation to such report or reports as they apply in relation to a report forwarded under sub-section

(2). The Hon'ble Apex Court in **Hemendhra Reddy's** case (supra), while dealing with the powers of investigation authorities for filing report and for conducting investigation under Section 173(8) Cr.P.C, in Para 83, summarized the law as under:

"83. We may summarise our final conclusion as under:

(i) Even after the final report is laid before the Magistrate and is accepted, it is permissible for the investigating agency to carry out further investigation in the case. In other words, there is no bar against conducting further investigation under Section 173(8) of the CrPC after the final report submitted under Section 173(2) of the CrPC has been accepted.

(ii) Prior to carrying out further investigation under Section 173(8) of the CrPC it is not necessary that the order accepting the final report should be reviewed, recalled or quashed.

(iv) Further investigation is merely a continuation of the earlier investigation, hence it cannot be said that the accused are being subjected to investigation twice over. Moreover, investigation cannot be put at par with prosecution and punishment so as to fall within the ambit of Clause (2) of Article 20 of the Constitution. The principle of double jeopardy would, therefore, not be applicable to further investigation.

(v) There is nothing in the CrPC to suggest that the court is obliged to hear the accused while considering an application for further investigation under Section 173(8) of the CrPC."

12. It is also settled that the law does not mandate taking of prior permission from the Magistrate for carrying out further investigation, even after filing of charge sheet. In view of difference between further investigation and re-investigation, the investigation agencies under the PMLA Act, are allowed to carry out further investigation, even after filing a report under Section 173(2) Cr.P.C and even after acceptance of the same by the Special Court.

The offence under Section 3 of the PMLA Act, which is connected with the proceeds of crime, is a continuing activity and it continues till such time a person is directly or indirectly enjoying the property by its concealment. The power conferred to the Enforcement Directorate to conduct further investigation/ issuing of summons to trace proceeds of the crime arising out of an offence under Section 3 of PMLA Act, cannot be restricted upon filing of the complaint on the file of Special Court, since even after filing of the complaint under Section 44 of the PMLA Act, the investigation agency is having power to file any subsequent complaint, in respect of further investigation that may be conducted to bring any further evidence against any accused. Simply because, the petitioner is shown as an accused in the complaint, it does not take away the power of investigating authorities to further investigate the complaint for lodging of subsequent complaint and issuance of summons under Section 50 (2) and (3) of the PMLA Act. The petitioner even after receipt of the summons can always exercise his right to remain silent in the event that any questions posed to him might lead submissions of incriminating evidence or testimony against him which amounts to compulsion would attract Article 20(3) of the Constitution of India. The Hon'ble Apex Court in **Vijay Madanlal's** case (supra) in Para 425 and 428 observed as follows:

“425. Indeed, sub-section (2) of Section 50 enables the Director, Additional Director, Joint Director, Deputy Director or Assistant Director to issue summon to any person whose attendance he considers necessary for giving evidence or to produce any records during the course of any investigation or proceeding under this Act. We have already highlighted the width of expression "proceeding" in the earlier part of this judgment and held that it applies to proceeding before the Adjudicating Authority or the Special Court, as the case may be. Nevertheless, sub-section (2) empowers the authorised officials to issue summon to any person. We fail to understand as to how Article 20(3) would come into play in respect of process of recording statement pursuant to such summon which is only for the purpose of collecting information or evidence in respect of proceeding under this Act. Indeed, the person so summoned, is bound to attend in person or through authorised agent and to state truth upon any subject concerning which he is being examined or is expected to make statement and produce documents as may be required by virtue of sub-section (3) of Section 50 of the 2002 Act. The criticism is essentially because of subsection (4) which provides that every proceeding under sub-sections (2) and (3) shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228 of the IPC. Even so, the fact remains that Article 20(3) or for that matter Section 25 of the Evidence Act, would come into play only when the person so summoned is an accused of any offence at the relevant time and is being compelled to be a witness against himself. This position is well-established. The Constitution Bench of this Court in *M.P. Sharma* 665 had dealt with a similar challenge wherein warrants to obtain documents required for investigation were issued by the Magistrate being violative of Article 20(3) of the Constitution. This Court opined that the guarantee in Article 20(3) is against "testimonial compulsion" and is not limited to oral evidence. Not only that, it gets triggered if the person is compelled to be a witness against himself, which may not happen merely because of issuance of summons for giving oral evidence or producing documents. Further, to be a witness is nothing more than to furnish evidence and such evidence can be furnished by different modes. The Court went on to observe as follows:

"Broadly stated the guarantee in article 20(3) is against "testimonial compulsion". It is suggested that this is confined to the oral evidence of a person standing his trial for an offence when called to the witness-stand. We can see no reason to confine the content of the constitutional guarantee to this barely literal import. So to limit it would be to rob the guarantee of its substantial purpose and to miss the substance for the sound as stated in certain American decisions. The phrase used in Article 20(3) is "to be a witness". A person can "be a witness" not merely by giving oral evidence but also by producing documents or making intelligible gestures as in the case of a dumb witness (See section 119 of the Evidence Act) or the like. "To be a witness" is nothing more than "to furnish evidence", and such evidence can be furnished through the lips or by production of a thing or of a document or in other modes. So far as production of documents is concerned, no doubt Section 139 of the Evidence Act says that a person producing a document on summons is not a witness. But that section is meant to regulate the right of cross-examination. It is not a

guide to the connotation of the word "witness", which must be understood in its natural sense, i.e., as referring to a person who furnishes evidence. Indeed, every positive volitional act which furnishes evidence is testimony, and testimonial compulsion connotes coercion which procures the positive volitional evidentiary acts of the person, as opposed to the negative attitude of silence or submission on his part. Nor is there any reason to think that the protection in respect of the evidence so procured is confined to what transpires at the trial in the court room. The phrase used in article 20(3) is "to be a witness" and not to "appear as a witness". It follows that the protection afforded to an accused in so far as it is related to the phrase "to be a witness" is not merely in respect of testimonial compulsion in the court room but may well extend to compelled testimony previously obtained from him. It is available therefore to a person against whom a formal accusation relating to the commission of an offence has been levelled which in the normal course may result in prosecution. Whether it is available to other persons in other situations does not call for decision in this case."

(emphasis supplied)

428. Again, the question came up for consideration before the eleven Judges of this Court in *Kathi Kalu Oghad*, wherein the Court noted that the person on whom summon has been served, must fulfil the character of an accused person at the time of making the statement. The Court expounded thus:

"(15) In order to bring the evidence within the inhibitions of cl. (3) of Art. 20 it is must be shown not only that the person making the statement was an accused at the time he made it and that it had a material bearing on the criminality of the maker of the statement, but also that he was compelled to make that statement. 'Compulsion' in the context, must mean what in law is called 'duress'. In the Dictionary of English Law by Earl Jowitt, 'duress' is explained as follows:

"Duress is where a man is compelled to do an act by injury, beating or unlawful imprisonment (sometimes called duress in strict sense) or by the threat of being killed, suffering some grievous bodily harm, or being unlawfully imprisoned (sometimes called menace, or duress per mines). Duress also includes threatening, beating or imprisonment of the wife, parent or child of a person."

13. Further, mere issuance of summons to an accused is not violative of Article 20(3) of the Constitution of India, and in previous stages, if an accusation has been made against him which might in the normal course result in his prosecution. Article 20 (3)

at that stage, would come into rescue of accused person when he is compelled to make the statement but not as a witness to disclose the evidence.

14. In ***State of Andhra Pradesh vs. A.S.Peter*** (supra), the Hon'ble Apex Court observed as follows:

“Indisputably, the law does not mandate taking of prior permission from the Magistrate for further investigation. Carrying out of a further investigation even after filing of the chargesheet is a statutory right of the police. A distinction also exists between further investigation and re-investigation. Whereas re-investigation without prior permission is necessarily forbidden, further investigation is not.”

15. In the instant case, the respondent No.3 has filed a complaint and the same was taken cognizance vide S.C.No.16/2023 on the file of learned Metropolitan Sessions Judge-cum-Special Court under PMLA Act, 2002 at Nampally, Hyderabad and the petitioner herein was arrayed as accused in the said complaint. Section 44 of the PMLA Act does not prohibit filing of the subsequent complaint in respect of further investigation that may be conducted to bring further evidence against any accused for which a complaint has already been filed. In the case on hand, a complaint has been filed and the petitioner was arrayed as accused and the provision does not prohibit the investigation agency to proceed further investigation against the accused and it is not mandatory to obtain prior permission from the Court as the

action on the part of the investigation authority amounts to further investigation and it is not re-investigation. No doubt, if the investigation agency wants to proceed for re-investigation into the case, a prior permission is required but to substantiate the allegations in the complaint, the investigation agency is always entitled to proceed with further investigation and said investigation does not amount to re-investigation. The Hon'ble Apex Court in ***Hemendhra Reddy's*** case (supra), has clarified the difference between further investigation and re-investigation and held that the plain reading of Section 173 of Cr.P.C, it is evident that even after completion of investigation under Section 173(2), the police has right for further investigation under sub-Section 8 of Section 173 Cr.P.C but not for fresh investigation or re-investigation. In ***Kathi Kalu Oghad's*** case (supra), the Hon'ble Apex Court observed that mere asking by a police officer investigating a crime against certain individual to do certain thing is not compulsion within the meaning of Article 20(3) of Constitution of India. Hence the mere fact that the accused person when he made statement in question was in police custody would not by itself, be the foundation or an inference of law that the accused was compelled to make statement. It is always open to the accused to demonstrate that, while in police custody at the relevant time, he was subjected to treatment that could lead to the inference that compulsion was,

in fact, exercised. In other words, it is held that this will be a question of fact in each case, to be determined by the court based on the weighing of the facts and circumstances disclosed in the evidence before it. Any statements made by the accused at that relevant point in time, and whether such statements were made under compulsion or not, will always be subject to the consideration of the trial court.

16. In view of the foregoing discussion, this Court is of the opinion that issuance of summons to the petitioner under Section 50(2) and (3) of the PMLA Act, to give evidence or to produce any records during the course of any investigation or proceeding under the PMLA Act, cannot be said to have compelled him to be a witness against himself to attract Article 20(3) of the Constitution of India. Additionally, as the investigating agency has been conferred with the powers to proceed with further investigation to bring any further evidence against any person involved in respect of the offence for which the complaint has already been filed, and as no permission is required from the Special Court, there is no illegality or irregularity warranting interference to quash the summons issued by the respondents.

17. Accordingly, this Writ Petition is dismissed.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE C.V.BHASKAR REDDY

Date: 18.09.2024

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