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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2026

CORAM :

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(Crl.)No.71 of 2025
and WPMP (Crl.)Nos.34, 36 & 38 of 2025

Akash Baskaran,
A-3, 3rd Floor, La Gracia Apartment,
K.B.Road, Seethamal Colony,
Teynampet, Chennai - 600 018. .. Petitioner(s)

Vs

The Joint Director,
Directorate of Enforcement, Chennai Zone-1,
Floor No.5 and 6, BSNL Admin Office,
Kushkumar Road, Nungambakkam,
Chennai - 600 034. .. Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari calling for the records pertaining to search dated 16.05.2025 conducted by respondent Department at the residential premises of Shri Akash Baskaran at Flat No.A-3, Third Floor, La Gracia Apartment, No.5 and 7, Old Nos.3 and 4 K.B.Road, Seethammal Colony, Teynampet, Alwarpet, Chennai - 600 018 from 06.03 a.m. to 7.00 p.m. and quash the same as illegal along with all consequential proceedings.

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For Petitioner(s) : Mr.Manishankar
Senior Counsel
for Mr.K.M.Kalicharan

For Respondent(s) : Mr.S.V.Raju
Additional Solicitor General
Assisted by Mr.Zoheb Hossain
Special Public Prosecutor for ED Cases
and Mr.N.Ramesh
Special Public Prosecutor for ED Cases

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

Heard Mr.Manishankar, learned Senior Counsel for the petitioner and Mr.S.V.Raju, learned Additional Solicitor General for the respondent.

2. The writ petition is filed seeking to call for the records pertaining to search proceedings dated 16.05.2025 conducted by the respondent/Enforcement Directorate in the premises of the petitioner and quash the same as illegal along with all consequential proceedings.

3. It is the case of the petitioner that a search was conducted by the respondent/Enforcement Directorate in his premises on 16.05.2025 based on an investigation into the alleged money

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laundering linked to Tamil Nadu State Marketing Corporation (TASMAC). He is neither an employee nor an official of TASMAC and had no role in the internal operations. When he was not named in any FIR or complaint, without any basis, the search was conducted in the premises. It is further stated that there is non-compliance with Section 17 of the Prevention of Money-Laundering Act, 2002, as there is lack of reason to believe that he has committed money laundering; possesses crime proceeds or has any records relevant to the crime, to search the premises.

4. At the outset, it is to be noted that, based on the ECIR registered in ECIR No.CEZO-II/23/2023 dated 03.10.2023, the Enforcement Directorate had conducted search on 16.05.2025, 17.05.2025 and 18.05.2025 in the premises of the petitioner, P.R.Rajesh Kumar and 3 others.

5. Challenging the very search proceedings conducted by the Enforcement Directorate, P.R.Rajesh Kumar had preferred Writ Petition (Crl)No.493 of 2025 seeking an identical relief as in the present writ petition, which is extracted hereunder:-

"Petition filed under Article 226 of the Constitution of India seeking

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issuance of a writ of certiorari or any writ, order or direction of like nature and call for the records pertaining to the impugned search and seizure proceedings made by the 3rd respondent on 16.05.2025, 17.05.2025 and 18.05.205 at the residential premises of the petitioner at Adyar, and quash the same together with all the consequential proceedings as arbitrary and illegal and thus render justice, and to issue a writ of mandamus or any writ order or direction of like nature restraining the respondents from taking any coercive action in respect of or in pursuance of the impugned Search and Seizure proceedings conducted by 3rd respondent, including conducting search and seizure at petitioner's residences/offices or issuing look out circulars based on ECIR No.ECIR/CEZO-II/23/2023, dated 3.10.2023."

6. This Court, by order dated 10.12.2025, observing that it is unnecessary at this stage to go into the issue of legality and validity of the search proceedings, relegated the petitioner to agitate the issues before the Appellate Tribunal, as the attachment proceedings have been confirmed by the Adjudicating Authority. The order is reproduced hereunder:-

"Though the legality and validity of the search proceedings is under challenge in this petition, learned counsel for the respondents would submit that during the pendency of this petition, the attachment proceedings have been confirmed by the Adjudicating Authority and petitioner has already approached the Appellate Tribunal.

2. Taking into consideration the aforesaid statement, we are of the view that it is unnecessary for this court, at this stage, to go into the issue of legality and validity of the search proceedings. However, we are not commenting upon the validity of the attachment proceedings.

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3. Leaving it open for the petitioner to raise all the grounds available in the pending appeal before the Appellate Tribunal, this petition is closed. There shall be no order as to costs. Consequently, interim applications stand closed."

7. When the connected writ petition seeking similar relief has been disposed of by this Court, relegating the petitioner to adjudicate all the grounds raised before the Appellate Authority in respect of the search proceedings conducted from 16.05.2025 to 18.05.2025, we deem it fit that the same issue need not be adjudicated once again in this writ petition, but leave it open to the petitioner to raise all the grounds before the Appellate Tribunal.

8. At this juncture, the learned Senior Counsel appearing for the petitioner submitted that when the interim order granted by this Court on 20.06.2025 was operating against the respondent, the Adjudicating Authority had issued notice for enquiry which resulted in initiation of contempt proceedings that is still pending.

9. The learned Additional Solicitor General appearing for the respondent submitted that though notice has been issued by the Adjudicating Authority, the same has been kept in abeyance and he

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further submitted that the notice issued by the Adjudicating Authority would be withdrawn and they would proceed afresh in accordance with law.

10. Considering the fact that the connected writ petition assailing the same search proceedings has been closed, relegating the party to raise all the issues before the Appellate Authority and also in view of the submissions made by the learned Additional Solicitor General that the notice issued by the Adjudicating Authority would be withdrawn and proceedings afresh would be undertaken in accordance with law, we deem it fit to close the writ petition, leaving it open to the petitioner to raise all the grounds assailing the search before the Appellate Tribunal.

11. Accordingly, the writ petition stands closed. All the interim orders stand vacated. There shall be no order as to costs. Consequently, interim applications are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN, J)

02.06.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

The Joint Director,
Directorate of Enforcement, Chennai Zone-1,
Floor No.5 and 6, BSNL Admin Office,
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Chennai - 600 034.

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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