

IN THE SUPREME COURT OF SEYCHELLES

Civil Side: MA 72/2014

(arising in MC21/2013)

[2014] SCSC 102

**IN THE MATTER OF AN APPLICATION BY
FINANCIAL INTELLIGENCE UNIT**

Applicant

versus

DJS CAPITAL LIMITED

Respondent

JN CAPITAL LIMITED

Second Respondent

Heard: 17 March 2014

Counsel: Mr. D. Esparon for petitioner

Respondent – Not Available/Unrepresented

Delivered: 17 March 2014

ORDER ON MOTION

Karunakaran J

[1] By a notice of motion dated the 17th of March 2014 the FIU has applied to this Court for the following orders:-

(i) An order pursuant to Section 10(7) of the Anti-Money Laundering Act 2006-20011 for the extension of the freezing direction issued by the FIU on the 5th of December 2012 for a further period of 180 days from the 18th of March 2014 in respect of the properties namely;

(a) USD Account no. 300000010778 in the name of DJS Capital Limited held with BMI Offshore Bank Limited in Seychelles; and

(b) USD Account no. 300000010344 held in the name of JN Capital Limited with BMI Offshore Bank Limited in Seychelles.

[2] I carefully perused the affidavit filed in support of this motion deposed by Liam Hogan of the Financial Intelligence Unit (FIU). For the reasons stated in the accompanying affidavit I find:-

(i) that there are reasonable grounds to suspect that the property represents the proceeds of criminal conduct including an offence of money laundering or may be related to money or property that is or represents the benefit from criminal conduct;

(ii) that there are reasonable grounds to suspect that the service will constitute or assist in the commission of criminal conduct including an offence of money laundering or of financing of terrorism; and

(iii) further enquiries and investigations are in progress by the FIU.

[3] In the circumstances I find it is just and necessary that an order for the extension of the freezing direction should be made as requested by the FIU in this matter. Accordingly I hereby make the following orders:-

(i) The freezing direction issued by the FIU on the 5th of December 2012 is extended for a further period of 180 days from the 18th of March 2014 in respect of the

properties namely, USD Account no. 300000010778 in the name of DJS Capital Limited held with BMI Offshore Bank Limited in Seychelles, and USD Account no. 300000010344 held in the name of JN Capital Limited with BMI Offshore Bank Limited in Seychelles.

[4] Orders made accordingly. Motion granted.

Signed, dated and delivered at Ile du Port on 17 March 2014

D Karunakaran
Judge of the Supreme Court