

## INDEPENDENT COMMISSION AGAINST CORRUPTION

(Now the Financial Crimes Commission (“FCC”))

v

### **Mohmed Imran Ibrahim PATEL**

Mr. Mohmed Imran Ibrahim PATEL (“Mr. Patel”), an Indian national residing in Johannesburg, South Africa, was prosecuted by the FCC for the offence of money laundering in breach of sections 3(1)(b), 6 and 8 of The Financial Intelligence and Anti-Money Laundering Act 2002.

On 30 January 2019, at SSRN International Airport, Mr. Patel was found in possession of foreign currencies (i) ZAR 4,801,350/- and (ii) USD 200,150/- equivalent to approximately Rs. 18,776,690/- in his checked-in luggage while transiting from Johannesburg to Dubai via Mauritius.

The Prosecution argued that there was sufficient circumstantial evidence from which it may be reasonably inferred that the cash money (Rs. 18,776,690) originated from a crime.

Mr. Patel claimed ignorance of the requirement to declare cash in checked-in luggage.

The Learned Magistrate held that:

- As Mr. Patel was a passenger in transit, he had the legal obligation to make a declaration even for the currencies in his check-in luggage;
- Mr. Patel did not take special security measures for the two suitcases containing the currencies during his travel and made efforts to avoid detection by the Mauritian authorities.
- Mr. Patel neither checked the suitcases' contents nor requested proof of the cash declaration of the currencies in Johannesburg. Any person carrying such a large sum through Mauritius would be expected to verify customs requirements in Mauritius beforehand.
- As Mr. Patel was well aware of the facts and circumstances surrounding the transportation of the cash money, he knew that such cash money was proceeds of crime.

The Court found Mr. Patel guilty of money laundering and the funds of Rs. 18,776,690 will be subject to confiscation by the FCC.

**Financial Crimes Commission**

**17 March 2025**