

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43247 of 2016

ORDER:

In this writ petition, the petitioners seek a writ of mandamus declaring the proceedings in C.C.No.18 of 2011 on the file of Special Judge for CBI Cases, Visakhapatnam as against the petitioners-A.6 & A.7 as illegal and arbitrary and consequently, quash the same.

The case of the petitioners is that on the complaint given by the 4th respondent, who is the former Zonal Manager of Bank of India alleging that the 2nd petitioner along with bank officials entered into conspiracy and got sanctioned mortgage loans to other accused including the 1st petitioner by depositing invalid documents and caused wrongful pecuniary loss to the bank, the 3rd respondent registered a case in FIR No.RC 08(A)/2008 on 31.3.2008 and after investigation laid the charge sheet, which was taken cognizance and numbered as C.C.No.18 of 2011 for the offences punishable under Sections 120-B, 420, 471, 109 r/w 419 IPC and Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act. The main grievance of the petitioners is that absolutely there is no evidence to prove the offence alleged as against the petitioners and there is no specific allegation as against them.

This Court is not inclined to interfere with the impugned proceedings. But however, since the 1st petitioner is a lady, this Court is inclined to dispense with her presence before the trial Court.

Hence, Writ Petition is dismissed. The presence of the 1st petitioner before the trial Court is dispensed with except on the dates so specifically the trial Court insists for her appearance. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.
Tsr

