

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1726 of 2016

ORDER:

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1. This Criminal Revision Case is filed by the petitioner-A1 aggrieved by the order dated 11.4.2016 passed in CrI.M.P.No.388 of 2015 in C.C.No.32 of 2014 by the II Additional Special Judge for CBI Cases, Visakhapatnam.

2. Brief facts of the case are as follows:

(i) One Bayireddy Venkata Ramana, Regional Manager, Region-I, State Bank of India, Regional Business Office, Kakinada lodged a complaint before CBI, Visakhapatnam alleging about the criminal conspiracy, furnishing of false information, cheating, impersonation, submission of fake title deeds/documents as genuine, criminal breach of trust and criminal misconduct by the Bank Staff in the matter of sanction of housing loan of Rs.20 lakhs to Mallidi Venkata Narayana Reddy and sanction of various credit limits to a tune of Rs.10 Crores to M/s. VNR Refineries Private Limited, Vemulapalle, in which Mallidi Venkata Narayana Reddy is the Managing Partner. On the said complaint, a case in Crime No.RC.09(A)/2012-VSP was registered at CBI Visakhapatnam Branch and investigated into. After completion of the investigation, charge sheet was filed against the petitioner and other accused.

(ii) It is alleged that the petitioner worked as Relationship Manager-Medium Enterprises (RMME), State Bank of India (SBI), Sales Hub, Regional Business Office, Kakinada, East Godavari District during 10.10.2010 and 25.7.2012 and as RMME the petitioner was responsible for taking care of existing medium enterprises accounts and to look after documentation and causing pre and post sanction enquiries of the loan etc. A6 represented by A5 approached SBI, Ananparthy Branch and availed term and working capital loan.

The officials of SBI, Anaparthi branch did not properly attend the documentation work and again A5 requested SBI, Anaparthi for enhancement of the cash working capital limits/credit limit and that the petitioner without following the responsibilities cast upon him, sent the loan proposal to Circle Credit Committee recommending renewal of working capital limits and it was approved by CCC. The officials of SBI, Anaparthi branch accepted fake and forged documents as collateral security and that on 22.8.2011, A5 made a request to the Branch Manager, SBI, Anaparthi for allowing adhoc limit of Rs.1 Crore and on the basis of that A1 and J. Chandrasekharam, the then Regional Manager sent proposal recommending sanction of the said adhoc unit and A1 presented this proposal before CCC-II, LHO, Hyderabad through video conference and this proposal was rejected as 'withdrawn' and A1 did not communicate this fact to SBI, Anaparthi, Branch and further, he did not properly act relating to 3 LCs of A6. The petitioner-A1 allowed transfer of funds in the account of A6 facilitating diversion of funds. All the accused conspired among themselves to cause wrongful loss to SBI.

3. The charge sheet filed by the investigating agency in the above crime was taken on file for the offence punishable under Sections 120-B r/w 420, 468, 471 and 477-A IPC and Section 13(2)r/w 13(1)(d) of the Prevention of Corruption Act and numbered as C.C.No.32 of 2014.

4. The petitioner filed the above CrI.M.P. before the Court below under Section 239 Cr.P.C. seeking to discharge him. The Court below after considering the material on record and the statements of the witnesses recorded under Section 161 Cr.P.C., dismissed the above CrI.M.P. Aggrieved by the same, the petitioner filed this revision.

5. Learned Counsel for the petitioner after arguing for some time, confined his argument only to dispense with the presence of the petitioner before the trial Court.

6. In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the date of framing of charges; on the date of examination under Section 313 Cr.P.C. and on the date of pronouncement of judgment. The petitioner is directed to be represented through a Counsel on all hearing dates.

7. Accordingly, the Criminal Revision Case is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 5th July, 2016

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