

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2017

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.RC.No.1118 of 2017

Sridhar Subashri ... Petitioner
Vs
State Rep.by
The Inspector of Police,
BS and Bangalore ... Respondent

Prayer:- Criminal Revision Petition filed under Section 397 & 401 of Cr.P.C., against the order of the learned XI Additional Special Judge for CBI cases, Chennai made in Crl.M.P.No.437 of 2010 in C.C.No.3 of 2009 dated 22.07.2013.

For Petitioner :No appearance
For Respondent :Mr.K.Srinivasan,
Special Public Prosecutor

ORDER

This petition is filed against the order of the learned XI Additional Special Judge for CBI cases, Chennai made in Crl.M.P.No.437 of 2010 in C.C.No.3 of 2009 dated 22.07.2013.

2. The question of law raised by the petitioner in the grounds of revision is that the Officers who are working in the Global Trust Bank Ltd are not public servants and they are not amenable for prosecution under the Prevention of Corruption Act. The Hon'ble Supreme Court has settled

P.VELMURUGAN, J

dpq

this issue in the case of *Central Bureau of Investigation Bank Securities and Fraud Cell Vs Ramesh Gelli and others reported in (2016) 2 Supreme Court Cases (Cri) 222* in which it was held that officers of the Bank holds an office and performs public duty so as to attract the definition of “public servant” for the purpose of Prevention of Corruption Act and the prosecution launched against the officers of such Bank are maintainable in law. Therefore the question raised by the petitioner in the grounds of revision is not maintainable under law and also factually not acceptable.

3. The learned Special Public Prosecutor for CBI would submit that charges framed and trial also commenced, prosecution witnesses are being examined.

4. Under these circumstances, nothing survives in this revision petition. Therefore this revision petition is dismissed.

18.08.2017

Internet : Yes/No

dpq

To

1. The learned XI Additional Special Judge, Chennai

2. The Inspector of Police,

BS and Bangalore

3. The Public Prosecutor, High Court, Madras.

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