IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.16205 of 2018

LEO LAWRENCE [PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
CBI, ACB CHENNAI.
CR.NO.RCMA1 2016 A 0047.

For Petitioner : M/S.P.JESUS MORIS RAVI Advocate

For Respondent : MR.K.SRINIVASAN, SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner seeks bail in Crime No.RCMA1 2016 A 0047 of 2016 registered by the respondent police for the alleged offences punishable under Sections 120B r/w 420, 468, 471 and 409 of IPC and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988.

2. On a written complaint received from one T.Mohan Rajan, Deputy General Manager, Syndicate Bank, Regional Office, Chennai-01 alleging the commission of offences punishable under Sections 120B r/w 420, 468, 471 and 409 of IPC and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988, the investigation was initiated. The case of the prosecution is that V.Rajendran (A1), Senior Manager, then Branch Manager of Syndicate Bank along with other accused conspired by fabricating documents obtained loans from the Bank to the tune of Rs.6.7 crores and later cheated the Bank.

3. The learned counsel for the petitioner would submit that the petitioner is arrayed as A7 in this case and that the allegation against him is that he introduced A.Raajendher (A2) to V.Rajendran (A1). He would submit that he has got some business dealings with M/s.BM Cars and that certain monies have been transferred to his account from M/s.BM Cars and other than that, the petitioner has nothing to do with the alleged occurrence or receiving of loan from the Bank. He would submit that the petitioner was arrested on 31.05.2018 and he is in custody for more than 40 days. He would also submit that the other arrested accused have been enlarged on

bail.

4. The learned Special Public Prosecutor (for CBI cases)would submit that during the period September 2015 to July 2016 V.Rajendran (A1), who is the Senior Branch Manager, Teynampet Branch, entered into conspiracy with one A.Raajendher (A2), Proprietor of M/s.BM Cars and also along with other accused P.Raghu Kumar (A3) and P.Babu Reddy (A4) and others and in pursuance of the same 61 vehicle loans have been sanctioned by V.Rajendran (A1). V.Rajendran (A1) to the purported purchasers of cars through M/s.BM Cars and that out of the 61 cases, in 48 cases, cars were not delivered and in 13 cases, cars were shown as delivered but no hypothecation done. The further allegation is that M/s.BM Cars is a dealer of used Cars and that the document relating to income and other documents were fabricated by the Car dealer A.Raajendher (A2) and two agents of him viz., Raghu Kumar(A3) and T.Babu Reddy(A4), who brought persons, who posed as borrowers. He would further submit that the specific allegation against the petitioner is that he is the person through whom Raajendher (A2) came into contact with Rajendran, Senior Branch Manger (A1) and that the petitioner is a private person, who had acted as agent for the Senior Branch Manager Rajendran (A1) and he has also involved in the money transactions. He would also submit that police custody was taken and that he has been sent back to the judicial custody.

5. Taking into consideration the facts of the case and taking note of the fact that the petitioner has been in custody since 31.05.2018 and that the investigation in respect of the petitioner is also over this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned XI Additional Special Judge for CBI Cases, Chennai, and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30.a.m., until further orders.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].**

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
11/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XI ADDITIONAL SPECIAL
JUDGE FOR CBI CASES, CHENNAI.

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CBI, ACB CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.P.JESUS MORIS RAVI Advocate on payment of necessary charges in SR.NO. 12791

CRL OP.16205/2018

Date :11/07/2018

MLT-12/07/2018