

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.3105 of 2021

T.BALAJI @ TAMMINA

[PETITIONER / ACCUSED]

vs

STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
ACB, CHENNAI.

[RESPONDENT]

For Petitioner : M/S.K.KAARTHI Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 12(2) r/w.13(1)(d) of Prevention of Corruption Act, 1988 and 420, 468, 471 and 120(B) of IPC r/w.Section 409 of IPC, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/A5 who is the Managing Partner of M/s.Sigma Builders, Bangalore and the other accused persons were said to have committed criminal conspiracy, cheating and forgery and misappropriated a sum of Rs.11.80 crores of the public funds. Hence, the present complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is in no way connected with the alleged offence as prosecuted. He would further submitted that a false case has been foisted against him. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Special Public Prosecutor (CBI Cases) submitted that totally there are five accused involved in this case and the petitioner is arrayed as A5. The petitioner along with 4 accused were said to enter into criminal conspiracy with each other in the matter of sanction of 30 housing loans by State Bank of India, Hosur Branch. Out of of 30 faulty loans, 27 Accounts slipped into Non-performing Assets (NPA) within two years, the accused persons caused loss to the tune of Rs.11.80 crores by siphoning of public funds and all these transactions were done through the petitioner's account. Hence, she vehemently opposed to grant anticipatory bail to the petitioner.

5.The allegations levelled against the petitioner are serious one and that the investigation of the case is still underway and that the custodial interrogation of the petitioner is necessary in this case, this Court is of the opinion that it would not be justifiable to grant anticipatory bail to the petitioner at this point of time.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-

19/04/2021

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 DEPUTY SUPERINTENDENT OF POLICE,
ACB, CHENNAI.

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

CC to M/S.K.KAARTHI Advocate on payment of necessary charges

CRL OP.3105/2021

Date :19/04/2021

MK:30/06/2021