IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 21.09.2021

PRONOUNCED ON : 01.10.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.12502 of 2021
and Crl.M.P.No.6970 of 2021

1.R.S.Sumathe
2.S.Sulochana .. Petitioners / A3 & A4

Vs.

1.The Central Bureau of Investigation,
ACB, Chennai. ... 1st Respondent / Complainant

2.The Chief Manager,
Circle Shastra Chennai South,
PNB Towers,
Royapettah High Road,
Chennai – 14. .. 2nd Respondent / Defacto complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in RC0333021(A)003 dated 23.03.2021 pending on the file of the Court of XI Additional City Civil Judge (Special Court for CBI Cases) at Chennai pending disposal of the above Criminal Original Petition and quash the same.

For Petitioners : Mr.K.M.Vijayan, Senior Counsel
For Ms.R.T.Shyamala

For R1 : Mr.K.Srinivasan
Spl. Public Prosecutor
for CBI Cases

For R2 : Mr.M.L.Ganesh

ORDER

This Criminal Original Petition has been filed under Section 482 Cr.P.C., to call for the records in RC0333021(A)003 registered by the 1st respondent / The Central Bureau of Investigation, ACB, Chennai and now pending on the file of the XI Additional City Civil Court, Chennai / Special Court for CBI Cases, Chennai and to quash the same.

2.The petitioners have been shown as A3 and A4 in the FIR registered by the 1st respondent on a complaint given by the 2nd respondent. An unregistered partnership firm M/s.Subra Enterprises had been started by A.S.Sharath Chandran and his son S.Shiyaam / A2. A partnership deed had been entered into by them on 20.12.2010. A.S.Sharath Chandran is no more. He was the Managing Partner. The 1st petitioner / A3 is his wife and the 2nd petitioner / A4 is his mother.

3.A complaint had been given by the 2nd respondent / the Chief Manager, Punjab National Bank, Chennai, alleging that the aforementioned partnership firm M/s.Subra Enterprises had sought financial assistance claiming that they are carrying on business in import and export of pulses as well as procurement of pulses directly from farmers and thereafter selling the same to dhal manufacturers and had sought cash credit facility and pursuant to such requisition, the bank had sanctioned a sum of Rs.9.75 crores with sub limit of Rs.3.00 crores for FLC/ILC/ILG facility on 22.01.2016. The property said to have been owned by A.S.Sharath Chandran and A2, A3 and A4 had been provided as collateral securities. All the partners including the deceased Managing Partner / A.S.Sharath Chandran had executed personal guarantees.

4.It had been alleged in the complaint that the accused did not route the sale proceeds through the loan account which was in violation of the terms of sanction and amounted to diversion of funds with an intention to siphon the money. The business was also closed owing to the death of A.S.Sharath Chandran, the Managing Partner. An adhoc limit of Rs.20 Lakhs availed on 22.05.2018 was not repaid. Stock statement was also not submitted regularly. It was claimed that the accused did not co-operate in the stock audit conducted by the bank. It was further stated that the accused did not divulge the details of business turnover, stock statement, bill purchase, book debts, receivables, stocks in trade and annual audited balance sheet. Since the loan was running irregular it was classified as Non-Performing Asset on 16.11.2018 and the bank had reported the account as fraud to the Reserve Bank of India on 12.04.2019. It was also stated that internal investigation conducted in the account revealed that from the cash credit account, several credits were transferred to the current account and had been withdrawn in cash. It was claimed that the accused had availed credit facilities only to gain unlawful enrichment and to cause wrongful loss of the property.

5.Further the properties located at Sananallur Village, Tiruvarur Taluk had been offered as collateral securities and had been valued at Rs.14.29 crores as per valuation report dated 10.02.2016. However, when the properties were subsequently valued they were found that their value was only Rs.4.51 crores vide a report dated 28.08.2019 and only Rs.3.65 crores by another report dated 31.08.2019.

6.It was also stated that between 18.04.2016 and 15.03.2017, Rs.3.73 crores had been transferred from the cash credit account to the current account and substantial portion of the same had been withdrawn by cash and huge amounts had been withdrawn on a single day on many occasions.

7.It had been further stated that a total of Rs.3.15 crores had been paid to M/s.Annai Agro on various dates and a total of Rs.3.87 crores had been transferred from M/s.Annai Agro on various date. Similarly a sum of Rs.1.87 crores had been paid to M/s.Orchards Foods and Rs.92.50 lacs had been credited from M/s.Orchards Foods. It was also stated that the sales was also gradually coming down and the address was also changed. Further the sale proceeds were not routed through the account from the beginning of the financial year 2017- 2018. It was stated that transactions among allied concerns were also done.

8.On the basis of this complaint, the 1st respondent registered a First Information Report in RC0322021A0003 on 23.03.2021 under Sections 120B r/w 420 IPC and under Section 13(2) r/w 13(1)(d) IPC against M/s.Subra Enterprises - A1, S.Shiyaam - A2, R.S.Sumathe - A3 / 1st petitioner and S.Sulochana - A4 / 2nd respondent and against unknown public servants and private persons. This FIR is now sought to be quashed by way of the present Criminal Original Petition filed by A3 and A4.

9.Heard arguments advanced by Mr.K.M.Vijayan, learned Senior Counsel appearing for Ms.R.T.Shyamala, learned counsel appearing for the petitioner and Mr.K.Srinivasan, learned Special Public Prosecutor appearing for the 1st respondent and Mr.M.L.Ganesh, learned counsel for the 2nd respondent.

10.Mr.K.M.Vijayan, learned Senior Counsel appearing for the petitioner took the Court through the petition and stated that the petitioners herein are widow and mother of A.S.Sharath Chandran, the Managing Partner of A1, Supra Enterprises. He stated that they are of advanced age and did not have any connection with the day to day activities of the partnership firm / A1. They had only stood as guarantors for the loan availed by A1. The learned Senior Counsel lamented that they had not personally and either directly or indirectly operated any of the accounts of the firm, and pointed out that still they had been arrayed as accused. The learned Senior Counsel further stated that the valuation of the properties had been done by panel valuators of the bank. Therefore, if at all there is a charge that the properties had been over-valued then such charge should be laid only at the door step of the bank officials and the petitioners herein cannot accused on that account. The learned Senior Counsel further stated that it is not the case of the bank that forged documents had been given. The title to the properties were clear. Outstanding loan can always be realized by proceedings against the properties.

11.As a matter of fact, in this connection, the bank had also initiated debt recovery proceedings since the loan advanced was secured. Criminal prosecution had been lodged by the 1st respondent by registering the FIR based on the complaint given by the 2nd respondent without conducting any preliminary enquiry as is mandated. The learned Senior Counsel further stated that the complaint proceeds on the basis that the partnership firm / A1 still exists when it is common knowledge that if a partner dies, a partnership firm stands dissolved.

12.The learned Senior Counsel further pointed out that one of the allegations was that a small portion of the lands offered as security had been acquired by land acquisition proceedings, but maintained that the properties available are more than sufficient to cover the loans availed by the accused. At any rate, the petitioners herein had not availed the loans but had only stood guarantee for the loan. The learned Senior Counsel therefore stated that the continuation of pendency of the FIR would only be an harassment to the petitioners and therefore urged that this Court should interfere and quash the FIR insofar as the petitioners / A3 and A4 are concerned.

13.Mr.K.Srinivasan, learned Special Public Prosecutor appearing for the 1st respondent stated that the specific allegation is that, after availing the loan, A1 / M/s.Subra Enterprises had not routed the sale proceeds through the loan account and there was diversion of funds. Further the accused did not co-operate in submitting the details of the business turnover and the details with respect to the stocks. The learned Special Public Prosecutor further pointed out the account had been classified as Non-Performing Asset on 16.11.2018 with a total outstanding of Rs.10,34,78,076.31/-. The account was also reported as fraud account to the Reserve Bank of India on 12.04.2019.

14.The learned Special Public Prosecutor further pointed out that the investigation is at a nascent stage. Documents will have to be collected. Statements of witnesses will have to be recorded. The role of the present petitioners will have to be ascertained. The overtacts as against the present petitioners will have to be examined. The learned Special Public Proseuctor further pointed out that the liability of a guarantor is coextensive with that of a principal borrower and since the firm was run by a family, stated that it was highly improbable that the petitioners can claim innocence and ignorance of the transactions of A1 firm and urged that their claim for indulgence by this Court should be rejected.

15.The learned Special Public Prosecutor also stated that there is every possibility that the properties had been over valued to enhance the value of the credit facilities in favour of A1. The learned Special Public Prosecutor, therefore stated that the 1st respondent should be given an opportunity to investigate into the allegations and also very fairly stated that if such investigation revealed that the petitioners had no role in any of the allegations or with the criminal offences alleged, then most certainly that would also be mentioned in the final report. But however, the learned Special Public Prosecutor again urged that scuttling investigation at the preliminary stage should not be resorted to by the Court.

16.Mr.M.L.Ganesh, learned counsel for the 2nd respondent pointed out the facts as stated in the complaint which had been stated supra and also stated that the valuator who had given an inflated value for the properties offered as collateral security had been removed as panel valuator. The learned counsel stated that there were several allied enterprises run by the family and amounts had been diverted from the account of A2 to those allied concerns and therefore, it was very evident that the petitioners, or rather the family as a whole, had benefited to a large extent by the cash credit limits sanctioned by the bank for the purpose of the business. It was pointed out by the learned counsel that even though the bank had resorted to proceedings under the Debt Recovery Act, since the acts of the petitioners and the other accused amounted to cheating, a complaint had been given to the 1st respondent in accordance with procedure as established by law. Public money was involved and there was a duty on the 2nd respondent to ensure that the same was not misappropriated or siphoned by anybody for their personal use. The learned counsel stated that documents are available to show the direct involvement of the petitioners and therefore urged that the 1st respondent should enquire into the allegations and further urged that the petition should be dismissed.

17.Mr.K.M.Vijayan, learned Senior Counsel appearing on behalf of the petitioners in reply stated that the present petitioners had been categorized only as guarantors and not as partners by the 2nd respondent even in the notice issued under the SARFAESI Act, 2002. It had been stated in the complaint that the present petitioners are partners. The learned Senior Counsel further stated that the petitioners were not partners of A1 when the loan was availed. This is a fact known to the 2nd respondent. The learned Senior Counsel further reiterated that on the death of A.S.Sharath Chandran, the partnership firm stood dissolved. The learned Senior Counsel further stated that the civil liability of the legal heirs cannot be a ground for including the legal heirs the criminal liability of a firm. He stated that the petitioners had not signed any documents with the bank claiming to be partners. He also stated that only a small portion of the property had been acquired by the State Highway Department, but there was more than sufficient security available to cover the loan sanctioned by the 2nd respondent. The learned Senior Counsel finally stated that criminal prosecution cannot be inherited by the legal heirs of a deceased partner. The learned Senior Counsel therefore reiterated that the Court should interfere with the further progress of investigation against the petitioners herein in the FIR registered by the 1st respondent.

18.I have carefully considered the arguments put forth and also the available records.

19.The present petition has been filed to quash the FIR registered on the basis of a complaint given by the 2nd respondent. Some of the facts in the complaint, cannot be either disputed or denied. Those facts are that A1 had availed cash credit limit from the 2nd respondent and had offered as security properties perpetrated to be valued at Rs.14.29 crores which valuation was done by the panel valuers of the 2nd respondent. It is to be noted that A1/ M/s.Subra Enterprises, was a partnership firm, with A.S.Sharath Chandran, since deceased, and A2, S.Shiyaam his son as partners. The petitioners herein are widow and mother of deceased A.S.Sharath Chandran.

20.The firm was carrying on business in import and export of pulses as well as procurement of pulses directly from the farmers and selling the same to dhal manufacturers. The firm sought cash credit facility. The 2nd respondent sanctioned a sum of Rs.9.75 crores with sub-limit of Rs.3.00 crores on 22.01.2016. The present petitioners had also executed documents standing guarantee for due repayment of the amount benefited from such sanction. It must be pointed out that guarantee cannot be limited to that particular aspect. The guarantor also stands guarantee ensuring that the loan would be utilized for the purpose for which it was sanctioned and that it would not be misappropriated in violation of the terms of the sanction.

21.It had been very specifically stated in the complaint that the sales were not routed through the cash credit account. Further the credits in the cash credit amounts were transferred to a current account and thereafter, withdrawn. There were also transfer of money to allied enterprises. There were also heavy withdrawals on a single day. These are also aspects which were enquired into during the course of internal investigation by the 2nd respondent. They all form one bundle of facts or rather one huge assortment of actions committed by the accused persons and it will have to be examined whether the present petitioners were either directly or indirectly involved in such transactions. It had been very specifically stated that there had been diversion of funds to atleast two named enterprises namely, M/s.Annai Agro and M/s.Orchards Foods. The 1st respondent has a duty to examine the constitution of those two enterprises to find out whether the petitioners herein have any interest in the said enterprises.

22.It is also to be mentioned that the properties which had been offered as security were actually valued at only Rs.4.51 crores and Rs.3.65 crores by two other valuators. The role of the present petitioners will therefore have to be scanned and scrutinized by the 1st respondent. If there is participation in anyone of the criminal activities alleged, either offering properties which were not actually valued properly or playing a role in the diversion of funds or playing a role in not routing the sale proceeds to the cash credit account, then the petitioners will necessarily have to give explanations for those allegtations which are levelled against them.

23.The investigation is at the preliminary stage. It cannot and should not be curtailed by a Court of law, merely because the petitioners claimed that they were only co-guarantors. This would not make them innocent of the transactions of A1. They are directly involved in the interests of A1. The partners of A1 are blood relations to the petitioners herein. Therefore, the role of the petitioners in the transactions relating to the sanctioned funds being diverted will necessarily have to be investigated by the 1st respondent. The role of any public servant or bank official or any other private individual will also have to be examined during the course of investigation. Documents will have to be collected. Bank accounts will have to be scrutinized and analysed. Statements will have to be recorded from the witnesses. The properties offered for valuation will have to be re-valued and necessary details will have to be obtained. The bank statement of the allied enterprises will also have to be verified by the 1st respondent. The flow of money after availing the cash credit limit will have to be determined. All these aspects will have to be necessarily carried out as steps in investigation before coming to any conclusion whether the petitioners herein were involved in what the 2nd respondent termed as a fraud account to the Reserve Bank of India. The entire transactions will have to be examined by the 1st respondent.

24.I am confident and even the learned Special Public Prosecutor stated that if during the course of examination, materials do not surface with respect to the direct involvement of the petitioners herein, then most certainly, the 1st respondent would take an appropriate decision in accordance with the results of the investigation done by them. The 1st respondent has no private axe to grind against the petitioners. They discharge public duty. They have a duty to examine a complaint involving siphoning and misappropriation of public money. If public money had been unlawfully diverted to the personal account of any individual, the 1st respondent has a duty to identify such a transaction. It is precisely that particular duty which they now seek to discharge with respect to the complaint given by the 2nd respondent which disclosed, prima facie, that a cognizable offence had been committed. Diversion of loan received from the bank for private purposes is a very serious offence. The role of the each one of the accused and the role of any other public servant or private individual will have to be examined in detail.

25.It is a fact that on the death of a partner, the partnership firm stands dissolved. Sections 42(c) of the Indian Partnership Act, 1932, is very clear on that aspect. It is as follows:-

> "42. Dissolution on the happening of certain contingencies.
> Subject to contract between the partners a firm is dissolved -
> a)......
> b)......
> c)by the death of a partner.
> d)......"

26.There cannot be any quarrel with the above proposition. It is of course a fact that A1 had been described as partnership firm. But the crucial aspect is utilization of the loan amount for the purpose other than which it was sanctioned and allegations of diversion of such funds for private ends. That will be the focus of the investigation by the 1st respondent.

27.The learned Senior Counsel referred to a judgment reported in 1992 SCC Crl 426, State of Haryana & others Vs. Bhajanlal & others. In that case, the Hon'ble Supreme Court had identified the following cases in which FIR / complaint can be quashed. They are reduced below:

> (1) Where the allegations made in the first information report or the complaint, even if they are taken at their face value and accepted in their entirety do not prima facie constitute any offence or make out a case against the accused.
>
> (2) Where the allegations in the first information report and other materials, if any, accompanying the FIR do not disclose a cognizable offence, justifying an investigation by police officers under Section 156(1) of the Code except under an order of a Magistrate within the purview of Section 155(2) of the Code.
>
> (3) Where the uncontroverted allegations made in the FIR or complaint and the evidence collected in support of the same do not disclose the commission of any offence and make out a case against the accused.
>
> (4) Where, the allegations in the FIR do not constitute a cognizable offence but constitute only a non-cognizable offence, no investigation is permitted by a police officer without an order of a Magistrate as contemplated under Section 155(2) of the Code.
>
> (5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused.
>
> (6) Where there is an express legal bar engrafted in any of the provisions of the Code or the concerned Act (under which a criminal

proceeding is instituted) to the institution and continuance of the proceedings and/or where there is a specific provision in the Code or the concerned Act, providing efficacious redress for the grievance of the aggrieved party.

28.In the instant case, the allegations in the FIR point out that there had been sanction of cash credit facility to A1 and subsequently diversion of the same from the cash credit account to the current accounts and withdrawals from the same. There are also allegations that there had been transfer of funds to atleast two other enterprises namely, M/s.Annai Agro and M/s.Orchards Foods. These are all aspects which will have to be examined. It will have to be further probed whether the petitioners stood to gain and benefited from such transfer of funds. They are guarantors but whether in any other manner they gained from such diversion of funds will have to be examined by the 1st respondent. Therefore, none of the above stipulations are attracted to the present case.

29.In (2021) 5 SCC 795 [Skoda Auto Volkswagen (India) Vs. State of Uttar Pradesh and Others], the Hon'ble Supreme Court had held as follows:-

> " 40. It is needless to point out that ever since the decision of the Privy Council in King Emperor v. Khwaja Nazir Ahmad [King Emperor v. Khwaja Nazir Ahmad, 1944 SCC OnLine PC 29 : AIR 1945 PC 18] , the law is well settled that the courts would not thwart any investigation. It is only in cases where no cognizable offence or offence of any kind is disclosed in the first information report that the court will not permit an investigation to go on.
>
> 41. As cautioned by this Court in State of Haryana v. Bhajan Lal [State of Haryana v. Bhajan Lal, 1992 Supp (1) SCC 335 : 1992 SCC (Cri) 426] , the power of quashing should be exercised very sparingly and with circumspection and that too in the rarest of rare cases. While examining a complaint, the quashing of which is sought, the Court cannot embark upon an enquiry as

to the reliability or genuineness or otherwise of the allegations made in the FIR or in the complaint.

42. In S.M. Datta v. State of Gujarat [S.M. Datta v. State of Gujarat, (2001) 7 SCC 659 : 2001 SCC (Cri) 1361 : 2001 SCC (L&S) 1201], this Court again cautioned that criminal proceedings ought not to be scuttled at the initial stage. Quashing of a complaint should rather be an exception and a rarity than an ordinary rule. In S.M. Datta [S.M. Datta v. State of Gujarat, (2001) 7 SCC 659 : 2001 SCC (Cri) 1361 : 2001 SCC (L&S) 1201] , this Court held that if a perusal of the first information report leads to disclosure of an offence even broadly, law courts are barred from usurping the jurisdiction of the police, since the two organs of the State operate in two specific spheres of activities and one ought not to tread over the other sphere. ”

30.In 2021 SCC Online 206 [Priti Saraf and Another Vs. State of NCT of Delhi and Another] , the Hon'ble Supreme Court had held as follows:-

“28. It is thus settled that the exercise of inherent power of the High Court is an extraordinary power which has to be exercised with great care and circumspection before embarking to scrutinise the complaint/FIR/charge-sheet in deciding whether the case is the rarest of rare case, to scuttle the prosecution at its inception.”

31.In M/s. Neeharika Infrastructure Pvt. Ltd., Vs. State of Maharashtra and others [2021 SCC Online 315], the Hon'ble Supreme Court had again reiterated that the High Courts should be extremely circumspect had held as follows:-

“23 i) Police has the statutory right and duty under the relevant provisions of the Code of Criminal Procedure contained in Chapter

XIV of the Code to investigate into a cognizable offence;

ii) Courts would not thwart any investigation into the cognizable offences;

iii) It is only in cases where no cognizable offence or offence of any kind is disclosed in the first information report that the Court will not permit an investigation to go on;

iv) The power of quashing should be exercised sparingly with circumspection, as it has been observed, in the ‘rarest of rare cases (not to be confused with the formation in the context of death penalty).

v) While examining an FIR/complaint, quashing of which is sought, the court cannot embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR/complaint;

vi) Criminal proceedings ought not to be scuttled at the initial stage;

vii) Quashing of a complaint/FIR should be an exception rather than an ordinary rule;

viii) Ordinarily, the courts are barred from usurping the jurisdiction of the police, since the two organs of the State operate in two specific spheres of activities and one ought not to tread over the other sphere;

ix) The functions of the judiciary and the police are complementary, not overlapping;

x) Save in exceptional cases where non-interference would result in miscarriage of justice, the Court and the judicial process should not interfere at the stage of investigation of offences;

xi) Extraordinary and inherent powers of the Court do not confer an arbitrary jurisdiction on the Court to act according to its whims or caprice;

xii) The first information report is not an encyclopaedia which must disclose all facts and details relating to the offence reported. Therefore, when the investigation by the police is in progress, the court should not go into the merits of the allegations in the FIR. Police must be permitted to complete the investigation. It would be premature to pronounce the conclusion based on hazy facts that the complaint/FIR does not deserve to be investigated or that it amounts to abuse of process of law. After investigation, if the investigating officer finds that there is no substance in the application made by the complainant, the investigating officer may file an appropriate report/summary before the learned Magistrate which may be considered by the learned Magistrate in accordance with the known procedure;

xiii) The power under Section 482 Cr.P.C. is very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the court;

xiv) However, at the same time, the court, if it thinks fit, regard being had to the parameters of quashing and the self-restraint imposed by law, more particularly the parameters laid down by this Court in the cases of R.P. Kapur Vs. State of Punjab (AIR 1960 SC 866) and State of Haryana Vs. Bhajan Lal, (1992 Supp. (1) SCC 335), has the jurisdiction to quash the FIR/complaint;

xv) When a prayer for quashing the FIR is made by the alleged accused and the court when it exercises the power under Section 482 Cr.P.C., only has to consider whether the allegations in the FIR disclose commission of a cognizable offence or not. The court is not required to consider on merits whether or not the merits of the allegations make out a cognizable offence and the court has to permit the investigating agency/police to investigate the allegations in the FIR;

xvi) .....

xvii) .....

xviii) .....

[Emphasis Supplied]

32.The ratio laid down in all the above judgments is very clear. The Hon'ble Supreme Court had stated that the Court should not thwart any investigation. Further the power of quashing should be exercised very sparingly and with circumspection and that too in rarest of rare cases. Further the Court cannot embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR or in the complaint. Further if a perusal of the FIR leads to disclosure of an offence even broadly, Court are barred from usurping the jurisdiction of the police, since the two organs of the State operate in two specific spheres of activities and one ought not to tread over the other sphere. It had been further stated that the police have a statutory right of duty to investigate into a cognizable offence. It had been laid down as a rule of law that quashing of a complaint / FIR should be an exception rather than the ordinary rule.

33.The guidelines given are very clear.

34.To reiterate, in the instant case, there are specific allegations of diversion of the cash credit facilities sanctioned by the 2nd respondent. The end beneficiary of such diversion of funds will have to be investigated by the 1st respondent. It has to be further investigated whether the petitioners herein, who are no doubt guarantors, had actually benefited from such diversion of funds. This can be done only when the 1st respondent is permitted to conduct investigation in manner known to law. However, an obligation is placed on the 1st respondent, while conducting investigation, to keep in mind the advanced age of the 2nd petitioner and also the fact that the 1st petitioner had suffered a personal bereavement.

35.The 1st respondent is directed to proceed further with the investigation in FIR No.RC0322021A0003 dated 23.03.2021 pending on the file of the XI Additional City Civil Court (Special Court For CBI Cases) Chennai. Needless to point out, any opinion expressed in this order, is only for the purpose of deciding this particular application and should not weigh in the minds of either the Investigation Officer or the accused or the 2nd respondent or the concerned Court where the FIR is pending.

36.In view of the above reasons, the present Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

smv

To

1.The Central Bureau of Investigation,
ACB, Chennai.

2.The Chief Manager,
Circle Shastra Chennai South,
PNB Towers,
Royapettah High Road,
Chennai – 14.

Copy To:

The XI Additional City Civil Court,
Chennai.

Crl.O.P.No.12502 of 2021

GPL(CO)
SB(22/10/2021)