



Crl.O.P.No.16460 of 2023

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RMT.TEEKAA RAMAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 13(2) r/w (13)(1)(a) of Prevention of Corruption Act 1988 and Section 120-B r/w 420, 468, 471 of I.P.C, in Crime No.RC0322023A0002 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that, the de-facto complainant is the Deputy Manager (B&O) of State Bank of India, Chennai North has given the complaint before the respondent police on 29.09.2022. As per the de-facto complainant, A1 and others with the help of panel valuers of SBI namely R.Malaivel Sugumaran (A3) and S.Mohan (A4) has filed an inflated valuation report for the collateral security property fraudulently borrowed a loan amount of Rs.5.22 Crores. He further submits that at the time of sanctioning the loan, credit facilities, A1 and others colluded with the bank valuers and has defrauded the de-facto complainant bank by submitting inflated valuation report, by suppressing the material fact with the intention to dishonestly misappropriate the public money from the de-facto complainant Bank. Hence, the case.



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3. The learned Counsel for the petitioners submits that the petitioners have no role in availing credit facility from the de-facto complainant bank, therefore there is no fraudulent intention to cheat the Bank and they are ready to co-operate with Investigation Officer. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioners who are all son, father and daughter and they are colluded with the bank officials and cheated the bank by infringed stock. He further submits that the investigation has been completed and the respondent is going to file charge sheet. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that the investigation has been completed,



this Court is inclined to grant anticipatory bail to the petitioners.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Additional Chief Metropolitan Court, Egmore** on condition that the petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, on every Tuesday and Saturday at 10.30 a.m., for a period of three months until further orders;

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



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[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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

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