



Crl.O.P.No.29876 of 2022

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WEB C **T.V.THAMILSELVI, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 120B r/w 420 of IPC and Section 7 of Prevention of Corruption Act, 1988 (as amended in the year 2018) in FIR No.RC0322021A0012 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the officials belonging to Indian Overseas Bank, namely A13 and A14 at Valasaravakkam Branch, Chennai has sanctioned and disbursed 21 Cash Credit Loans in the names of non-existing units of A1 and A12 except M/s.A.K.Spinning and Weaving Mills and also sanctioned 2 Nos. of Loans against Property (LAP) in the names of G.Murugan and Geetha and cheated Indian Overseas Bank, Valasaravakkam Branch by diverting the funds for the ultimate benefit of M/s.A.K.Spinning and Weaving Mills by its partners, namely Anandheeswara Sharma (A1) and R.Subramanian (A2), thereby caused wrongful loss of Rs.9.18 crores to Indian Overseas Branch, Valasaravakkam Branch, Chennai and corresponding wrongful gain to themselves and thereby they have committed above offences. Hence, the case.



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WEB COP 3. The learned counsel for the petitioner would submit that the petitioner is not the beneficiary. Further, he would submit that the petitioner at the best can only be brought in the rank of witness in the case and that the entire case of the prosecution is borne out by records. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent CBI would submit that the petitioner aided the main accused in committing the act of fraud and cheating and the petitioners, without doing any business, opened two current accounts each in the name of M/s.Pon Agro Industries & M/s.P R Textiles Corporation and M/s.R R Seeds & M/s.Ayyanar Textiles respectively, and also signed in the blank loan documents, cheque books, etc., and thereby, they facilitated the main accused (A1) to avail Cash Credit of Rs.40 lakhs each in the name of the above said four firms. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsels and perused the materials available on record. Taking into consideration the facts and circumstances of the case and



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also considering the allegation against the petitioner that they have abetted and aided the main accused, who is the ultimate beneficiary, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the **learned XI Additional CBI Court, Chennai** on condition that the petitioner shall execute 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 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 petitioner 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 petitioner shall report before the respondent police every Monday at 10.30 a.m., until further orders.

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



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

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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

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04.01.2023

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