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Crl.O.P.No.13736 of 2024

Crl.O.P.No.13736 of 2024
and Crl.MP.No.8851 of 2024

T.V.THAMILSELVI, J.

The Criminal Original Petition has been filed seeking to enlarge the petitioner on bail, who was arrested and remanded to judicial custody on 03.05.2024 in Crime No.97 of 2023 registered on the file of the respondent police for the offence under Sections 120B, 420, 465, 467, 468, 471 of IPC, seeks bail.

2. The case of the prosecution is that the petitioner along with her deceased husband Jayaraman has created fake documents and obtained loan of Rs.6 crores as they are the absolute owners of the property. Further allegations is that the fraud committed by them was came to know during verification of documents, and therefore FIR was registered and based on the complaint nine persons have been arrayed as accused. Hence, the case.



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3. Learned Senior Counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has nothing to do with the alleged offence and she has been falsely implicated in this case. He further submitted that this petitioner has no role in the alleged offence and it was committed only by her deceased husband. He further submitted that even if, the petitioner has committed any error in response to the bank officials, they are bound to verify the documents. They also conspired with other accused with intention to take the loan amount unlawfully, although it was sanctioned in the name of the petitioner herein. He also submitted that the petitioner is suffering incarceration from 03.05.2024 and she is also ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally nine accused in this case and the petitioner herein is arrayed as A2. He further submitted that this petitioner along with other accused have created



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fake documents before the defacto complainant bank, obtained loan of Rs.6 crores, thereafter failed to repay the loan amount and caused unlawful loss to the ICICI bank and based on the complaint, FIR was registered. He further submitted that so far no amount has been recovered in this case. He further submitted that the investigation is still under progress in respect of the erring bank officials as well as the Sub Registrar Office, Saidapet. However, he vehemently opposed for the grant of bail to the petitioner.

5. Learned counsel for the intervener submitted that the petitioner along with her deceased husband borrowed a loan by cheating the bank, submitting fake documents and a fake legal heir certificate. He further submitted that the property is encumbered, but on verification it was found that the same property was given to the bank to avail a loan with the intention to default on the loan. So far more than 6 crores was disposed to them but no recovery, since the property was also not belonged to them, he raised strong objection to take action against the petitioner.



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6. Considering the grave nature of the offence and the huge amount that has also been cheated, and the fact that the investigation is at initial stage, this Court is not inclined to grant bail to the petitioner. However, the Investigation Officer is directed to investigate in respect of the erring Bank Officials as well as the Sub Registrar Office, Saidapet, who was actively participated in this conspiracy. Consequently, connected Miscellaneous Petition is closed.

7. Post the matter for 'reporting compliance' on 31.07.2024.

21.06.2024

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