



WEB COPY



CrI.O.P.No.16861 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.16861 of 2024

and

CrI.M.P.No.10177 of 2024

V.Subramanian

... Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Central Crime Branch,
Egmore, Chennai-600008

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C.,
pleaded to direct further investigation of the case in Crime No.23 of 2009
and set aside in C.C.No.1701 of 2017 pending on the file of the learned
Special Court for CCB, Egmore, Chennai and direct further investigation
on the file of the respondent police and include to all the offences
committed by the accused stated in the competent authority.

For Petitioner : No appearance

For Respondent : Mr.S.Udayakumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition is filed to order further
investigation of the proceedings in C.C.No.1701 of 2017 pending on the
file of the Special Court for CCB, Chennai.



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WEB COPY 2.

The petitioner is an accused and the case against him in C.C.No.1701 of 2017 is that he after producing the document of a property at Valasarawalkam, Sri Lakshmi Nagar 1st Main Road, No.77A as collateral security for availing loan of Rs.15/- lakhs from Syndicate bank, Teynampet branch, he paid only Rs.1/- lakh. Later, on verification it was found that the title deed produced by Subramanian is a forged one. Hence the final report for the offences under Sections 420, 467, 468, 471 & 465IPC been lodged. In this petition, the accused claims that the allegations against him is utterly false. The property mortgaged with them already been attached and sold in auction. Therefore, the allegations of producing fake documents is not sustainable. Further, he submits that the crime of this attitude could not be committed by single person, prosecution failed to collect details about the supplier of the stamp papers, typist, the person who put a seal and created a bogus documents and how the documents came to the bank and who has submitted the documents to the bank.

3. This Court, on perusing the affidavit filed in support of the petition seeking further investigation, finds that the petitioner who has



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committed the crime of presenting fake documents and availed loan is now questioning the Investigating Officer that they have not found out who sold the stamp papers, who prepared documents and presented it to the bank, while the specific case of the prosecution is that the petitioner has presented the fake document to the Syndicate bank and availed loan. The rest of the facts are within the exclusive knowledge of the accused/ the petitioner, who having failed to disclose the fact, the presumption against him for creating fake documents to cheat the bank. While so, though there is no ground for further investigation, the present petition been filed with dubious reason to protract the proceedings. Therefore, this Criminal Original Petition is dismissed as devoid of merits. Consequently, the connected Criminal Miscellaneous Petition is closed.

30.08.2024

Neutral Citation : Yes/No
rpl

To

1.The Special Court for CCB, Egmore, Chennai

Dr.G.JAYACHANDRAN,J.

rpl



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2.The Inspector of Police,
Central Crime Branch,
Egmore, Chennai-600008

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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