



W.P.No.10832 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10832 of 2025

State Bank of India
Represented by its Regional Manager
Mrs.Rajalakshmi Kalyanasundaram
State Bank of India, Regional Business Office(RBO-3)
Chennai Zone-1, No.5A, SIDCO Industrial Estate
Ambattur, Chennai – 600 050.

.. **Petitioner**

Vs.

1.Central Bureau of Investigation
Banking Security & Fraud Zone
5th Floor, CBI Head Quarters
No.5B-CGO Complex – Lodhi Road
New Delhi – 110 003.

2.Central Bureau of Investigation
Special Task Branch, 'A' Wing
3rd Floor, Rajaji Bhavan, Besant Nagar
Chennai – 600050.

.. **Respondents**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 1st respondent to register a First Information Report in terms of the circular dated 01.07.2016 issued by the Reserve Bank of India vide RBI/DBS/2016-17/28DBS.CO.CFMC.BC.No.1/23.04.001/2016-17

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and on the basis of the complaints dated 30.01.2024 and 07.05.2024 lodged by the petitioner with the respondent and pass such further or other orders.

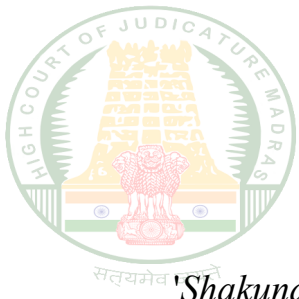
For the Petitioner : Mr.Nithyaesh Natraj

For the Respondents : Mr.K.Srinivasan
Special Public Prosecutor for CBI

ORDER

The Writ Petition is filed for a Mandamus directing the respondents to register a First Information Report, in terms of the circular dated 01.07.2016 and on the basis of the complaints dated 30.01.2024 and 07.05.2024 lodged by the petitioner – Bank with the 1st respondent.

2. Upon hearing *Mr.Nithyaesh Natraj*, the learned counsel for the complainant/petitioner and perusing the complaint as well as the other papers that are filed along with the Writ Petition, it can be seen that one *Shakuntala*, since deceased was having cash in her Bank Account to the tune of Rs.1,12,99,044.61/- as on 28.03.2022. While so, the persons accused in this case had clandestinely opened another account in Chennai, by altering the spelling as



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'*Shakundala*', instead of *Shakuntala* and have fraudulently got the amount transferred to the said account, from where the cash was siphoned off. Therefore, a complaint was lodged to the 1st respondent and the same was not registered. Hence the Writ Petition.

3. It can be seen that a reply has been sent by the 1st respondent on 25.07.2024, whereunder *inter-alia* they state that one *Malathi Vaidhyanatha*, the executor of the Will of Late *Shakuntala Venkatappa*, had already lodged a complaint regarding the same with the Siddapura Police Station, Bangalore City and a case in Crime No.92 of 2023 against the unknown Bank Officials and others was registered. So far 13 persons have been arrested and the investigation is being proceeded with.

4. It is in this context, the learned counsel for the petitioner submits that the major fraud was committed only in Chennai and could not have occurred without the connivance of certain Bank Officials. Therefore, the fraud spills over from Bangaluru to Tamil Nadu, and further the money has been siphoned off elsewhere. Therefore, by virtue of the jurisdiction, considering the involvement



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of bank officials, the interstate nature of the offences, and the seriousness of the crime, it would be appropriate for the 1st respondent to register a case and conduct an investigation.

5. Further, he would submit that the case registered by the Bangalore Police has not even gone into the details of the fraud that has been played at Chennai and the role that could have been played by some of the erring Bank Officials. Thus, a direction be issued by this Court to register a fresh case.

6. *Per contra*, the learned Special Public Prosecutor appearing on behalf of the respondents submits that a second case in respect of the same transaction cannot be registered. Even the arguments that are made with reference to the transfer of investigation has to be made only before the appropriate forum.

7. I have considered the rival submissions made on either side and perused the material records of the case.

8. There is only one case, that is, creating a false account and siphoning



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off the money, from the account of *Shakuntala Venketappa*, for which the Bangaluru Police have already registered a case and are investigating the matter. Therefore, a second case need not be ordered to be registered by the 1st respondent herein. If it is the concern of the petitioner bank that the Bank Officials might have also been involved in the alleged offence and several other facts are also to be unearthed and that it would be more appropriate for the Central Bureau of Investigation to investigate this case, the appropriate prayer that is to be made is only to transfer the investigation, which should be made before an appropriate forum.

9. Therefore, keeping the liberty of the petitioner bank open, in respect of the said relief to be prayed for before an appropriate forum, the prayer in the present Writ Petition cannot be countenanced and as such the Writ Petition is disposed of. No costs.

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Neutral Citation : Yes/No
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