



W.P.No.14870 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10.06.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.14870 of 2025

State Bank of India
Represented by its Regional Manager
Mr.Monikandan Ramakrishnan
State Bank of India, Regional Business Office
Chennai South Zone
#27/8, Kamarajar Street, West Tambaram
Chennai – 600 045.

.. **Petitioner**

Vs.

Central Bureau of Investigation
Represented by
Joint Director & Head of Zone
Banking Securities and Fraud Zone
V Floor, CBI Head Quarters
No.5B-CGO Complex – Lodhi Road
New Delhi – 110 003.

.. **Respondent**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent to register a First Information Report (FIR) / Regular Case (RC) on the basis of the complaint dated 08.11.2023 lodged by the petitioner with the respondent and pass such other or further orders.



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For the Petitioner : Mr.Nithyaesh Natraj

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

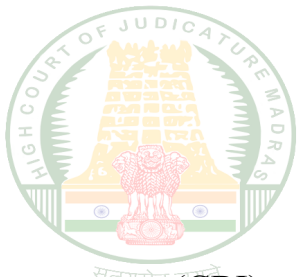
ORDER

This Writ Petition is filed for a direction to register the First Information Report / Regular Case on the basis of the complaint of the petitioner dated 08.11.2023.

2. The petitioner/State Bank of India through its Regional Manager had lodged a complaint with the respondent on 08.11.2023. The gravamen of the allegations are that the persons mentioned in the complaint by submitting forged records had taken the loan to the tune of Rs. 4,07,51,178/- towards housing loan and thereby cheated the petitioner - Bank. The further details with reference to the offences are also mentioned in the complaint.

3. Heard *Mr.Nithyaesh Natraj*, the learned counsel appearing on behalf of the petitioner – Bank and *Mr.K.Srinivasan*, the learned Special Public Prosecutor

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(CBI) appearing on behalf of the respondent.

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4. The learned Special Public Prosecutor (CBI) would take this Court through the communication issued by the respondent on 20.02.2024. It can be seen from the said communication that three queries have been raised on the complaint. First, there is no specific mention as to the false documents or forged documents used by the borrowers to avail the loan. The second query is whether any staff accountability had been carried out by the Bank or not. The third query is with reference to the compliance of the Judgment of the Hon'ble Supreme Court of India in *State Bank of India & Others Vs. Rajesh Agarwal & Others* (Civil Appeal No.7300-7307 of 2022 dated 27.03.2023).

5. Upon such queries being raised, due reply has been submitted by the petitioner on 18.04.2024. From the reply, it can be seen that the petitioner bank has specifically stated that the Income Tax Returns submitted by the individual seems to be fabricated. To the second query, it has been stated that one Shri A.Kumar, Chief Manager, has conducted the staff accountability audit. The third query has also been replied to.

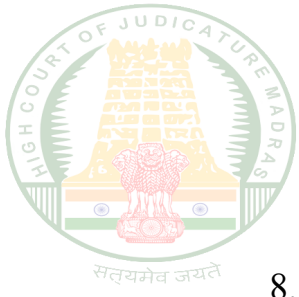


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6. As a matter of fact, as far as the query relating to the Judgment of the Supreme Court in ***Rajesh Agarwal's case*** (cited supra) is concerned, it can be seen that in paragraph No.82 of the said Judgment, it is made clear that with reference to the registration of First Information Report, there is no necessity for compliance of principles of natural justice. This position has since been clarified subsequently by the Hon'ble Supreme Court of India in the Judgment in ***Central Bureau of Investigation Vs. Surendra Patwa and Others***, 2025 INSC 572, wherein it was held that, on the score the complaint need not be kept pending. The other factual details which were sought by the respondent are also furnished.

7. In view thereof, considering the seriousness of the issue, I deem it fit to entrust the investigation to the respondent, and the respondent shall register a case and investigate into the same and file a final report, in accordance with law as expeditiously as possible, in any event within a period of one year from the date of receipt of the order. The respondent shall act on production of the website uploaded copy of this order, without waiting for the certified copy.



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8. With the above direction, this Writ Petition stands disposed of. No costs.

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Neutral Citation : Yes/No
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To
The Joint Director & Head of Zone
Central Bureau of Investigation
Banking Securities and Fraud Zone
V Floor, CBI Head Quarters
No.5B-CGO Complex – Lodhi Road
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D.BHARATHA CHAKRAVARTHY, J.

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