



W.P.Crl.No.242 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

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State Bank of India  
Represented by its Regional Manager, Mr.Inbarasu  
State Bank of India, Regional Business Office,  
Chennai Central,  
6th Floor, No.86, Rajaji Salai,  
Chennai - 600 001. ... 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 (Crl.) filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent to register a First Information Report (FIR) / Regular Case (RC) on the basis of the complaint dated 14.03.2024 lodged by the petitioner with the respondent.

For Petitioner : Mr.Akash for  
Mr.Nithyaesh Natraj



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For Respondents : Mr.K.Srinivasan  
Special Public Prosecutor  
(CBI Cases)

**ORDER**

This Writ Petition (Crl) is filed with a prayer to direct the respondent to register the First Information Report on the basis of the complaint dated 14.03.2024 lodged by the petitioner with the respondent.

2.On perusal of the said complaint, it can be seen that it is the allegation of the petitioner Bank that the loan is obtained by producing a legalheirship certificate. Upon verification with the jurisdictional Tahsildar namely Tahsildar, Headquarters, Mylapore, it is now ascertained that the legalheirship certificate produced along with the title deeds for the purpose of obtaining the loan appears to be forged and does not reflect the actual status. Therefore, complaint *prima-facie* discloses the offences being committed by the borrowers under Section 420, 468 and 471 of the I.P.C.

3.Considering the fact that the borrowers have borrowed and have not repaid as on date a sum of Rs.3,52,33,868/- being outstanding amount, I am of the view that the respondent shall take up the complaint for preliminary enquiry and if any cognizable offences are made out the respondent can



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register the case and investigate into the same.

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4.The learned Special Public Prosecutor (CBI cases) appearing on behalf of the respondent submit that as per the latest circular of the Reserve Bank of India dated 15.07.2024, CBI is to take up matters where the loan amount exceeds Rs.6 crores. The second concern expressed by the learned Special Public Prosecutor that the general consent has been withdrawn by the State of Tamil Nadu has also been dealt with by this Court in the earlier Writ Petition in W.P.No.14870 of 2025 dated 10.06.2025 and as such cannot be a factor which would be an impediment to refer the matter for investigation.

5.Be that as it may, depending on the facts and circumstances of the case, this Court is empowered to entrust the investigation to the respondent organisation. The case is one of allegations relating to cheating of the State Bank of India and *Prima-facie* when clear cut allegations are made fabricating public documents such as legalheirship certificate, I am of the view that investigation shall be entrusted to the first respondent. In view thereof, the Writ Petition (Crl) is ordered on the following terms:-

i)the first respondent shall take up the complaint dated 14.03.2024 for



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preliminary investigation and shall complete the preliminary investigation within a period of two months from the date of receipt of the complaint from the petitioner and if any cognizable offences are made out, register a regular case and investigate into the same and file final report in accordance with law.

6.It is needless to mention that since the complaint is stated to be returned, the petitioner Bank shall resubmit the complaint along with all the supporting documents within one week from the date of receipt of copy of the order and also co-operate with the preliminary enquiry. No costs.

07.07.2025

Neutral Citation: Yes/No  
ep

To

1. 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.  
2. The Public Prosecutor  
Madras High Court.



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**D.BHARATHA CHAKRAVARTHY, J.**

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