



W.P.(Crl).No.241 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(Crl).No.241 of 2025

State Bank of India,
Represented by its Regional Manager,
Mr.Inbarasu K.

.. Petitioner

Versus

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 : Petition filed under Article 226 of Constitution of India, to issue a writ of mandamus, to direct the respondent to register the First Information Report (FIR) / Regular Case (RC) on the basis of the complaint dated 08.06.2023, lodged by the petitioner with the respondent.



WEB COPY



W.P.(Crl).No.241 of 2025

For Petitioner

: Mr.Akash
assisted by
Mr.Mithyaesh Natraj

For Respondent

: Mr.K.Srinivasan
Special Public Prosecutor (CBI cases)

ORDER

The writ petition is filed to direct the respondent to register the First Information Report (FIR) / Regular Case (RC) on the basis of the complaint dated 08.06.2023, lodged by the petitioner with the respondent.

2. When the matter came up on last occasion, in order to ascertain the nature of allegations, this court directed the writ petitioner to file Additional documents and affidavit, demonstrating the nature of complaint that is made. Today, the additional affidavit as well as the documents are filed.

3. Mr. Nithyaesh Natraj, the learned counsel appearing on behalf of the petitioner, would submit that this is a case in which the borrower and the builder collude with each other and further with the approved valuer of the bank, boosted the value for the property for which housing loan is obtained, and after



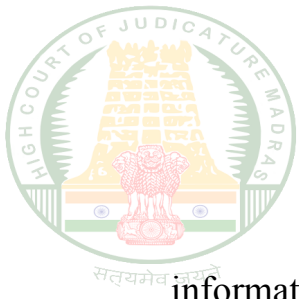
W.P.(Crl).No.241 of 2025

WEB COPY

obtaining the loan, siphoned the same and used it for other purposes while the value of the property is very very low. The transaction of the purchase also proven to be sham, and it was not a genuine transaction of a purchase of the flat. Under these circumstances, the complaint has been made.

4. Upon perusal of the complaint, *prima facie* the ingredients for the offence under Section 420 of the Indian Penal Code is pleaded, besides others. The only ground on which the matter is not taken up automatically by the respondent is that the Government of Tamil Nadu has withdrawn the general consent that was hitherto issued, in favour of the Central Bureau of Investigation to investigate complaints relating to the Central Government organizations, banks, etc.

5. But however, considering the facts and circumstances of the case, when *prima facie*, the offences are made out, this court feels that this is an appropriate case to be entrusted to the respondent for investigation. Accordingly, the Respondent is directed to take up the complaint dated 08.06.2023 and further



W.P.(Crl).No.241 of 2025

WEB COPY

information, if any, that will be submitted by the Petitioner / Bank along with additional materials for a preliminary enquiry and thereafter, depending on the outcome, the regular case can be registered and investigated and final report be filed in the manner known to law. The petitioner / Bank shall re-submit the compliant along with additional documents within a period of two weeks from the date of uploading of web copy of the order without waiting for receipt of certified copy and thereafter, within period of four months, preliminary enquiry if any, to be completed and further proceedings to be taken by the respondent.

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

22.07.2025

Neutral Citation : No
veda

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.

Page 4 of 5



W.P.(Crl).No.241 of 2025

2.The Public Prosecutor,
Madras High Court.

D.BHARATHA CHAKRAVARTHY, J.

veda

W.P.(Crl).241 of 2025

22.07.2025

Page 5 of 5