



W.P(MD).No.5269 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

W.P(MD).No.5269 of 2024

IDBI Bank Limited,
Rep.by its Authorized Officer,
Mr.Prabu Sundararaj, Having Branch at
Palson Building, South 4th Street,
Pudhukkottai – 622 001.
Tamil Nadue State

.. Petitioner

Vs.

- 1.The Superintendent of Police,
District Police,
Pudukkottai District.
- 2.The Additional Director General of Police,
Economic Offences – Wing Unit – II,
Chennai.
- 3.The Superintendent of Police,
Central Bureau of Investigation (CBI),
Bank Complaint Cell 5th Floor,
CBI Head Quarters,
5B, CGO Complex, Lodhi Road,
New Delhi – 110 003.



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4.The Inspector of Police
Economic Offence Wing,
Pudukkottai.

5.KSK Industries Pvt. Ltd.,

Registered Address:

1/1, Thiyagarajan Street,
Krishnamoorthy Nagar,
Kodungaiyur,
Tamil Nadu – 600 118.

Factory Address:

27/4B1 and 27/5,
Virachilai Village,
Thirumayam Taluk,
Pudukkottai – 622 412.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, directing the 1st respondent to
take proper action on the complaint of the Petitioner dated 12.05.2022.

For Petitioner	:	Mr.Nagendran.V
For R3	:	Mr.N.Mohideen Basha Special Public Prosecutor for CBI
For RR1, 2 & 4	:	Mr.T.Senthil Kumar Additional Public Prosecutor

ORDER

The learned Special Public Prosecutor for CBI submits that, in the
event they are supposed to conduct enquiry if the fraud is Rs.
6,00,00,000/- and above.



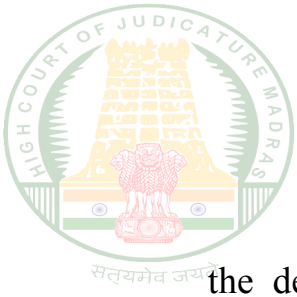
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2. According to the learned Special Public Prosecutor, the Reserve Bank of India has issued a specific direction that the CBI can interfere into the banking frauds to the tune of Rs.6,00,00,000/- or above, because the nature of fraud committed in the petitioner's bank is less than Rs. 6,00,00,000/-, therefore, they have rejected it.

3. The learned counsel further submits that since the petitioner has now projected that the entire 49 loan accounts are arising out of single company, now they are prepared to conduct the investigation. The learned counsel further submits that on the assurance given by the 5th respondent, which is a private limited company, the bank has sanctioned a short term loan to 49 borrowers to the tune of Rs.965.37/- Lakhs for storage of "Toor Dal". He also submits that in that event they are prepared to conduct the investigation, if the petitioner furnish the details before the CBI.

4. The learned Special Public Prosecutor for CBI by referring to the complaint of this petitioner-bank states that the complaint was bereft of the details and therefore, they could not identify all the 49 borrowers/loan accounts for the same transaction and therefore, they have not acted on the complaint. Even now the bank has not furnished



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the details about the assurance given by the 5th respondent. He also submits in that event they are prepared for the investigation, provided, the required details are furnished to CBI.

5. This Court has considered the rival submissions advanced by the learned counsel for the petitioner and the counsel for the respondents and perused all the materials available on record.

6. This petition is disposed with the direction to this petitioner-bank to furnish all the details as required by the Respondent CBI within a period of four (4) weeks from the date of receipt of copy of this order. The respondent CBI shall also find out the manner in which the complaint was lodged and if any particulars have been intentionally suppressed take action against the concerned officers who have concealed the materials before the CBI intentionally. No costs.

24.02.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
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B.PUGALENDHI, J.

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