

Crl.RC(MD) No.735 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.07.2025

CORAM:

THE HON'BLE DR.JUSTICE R.N.MANJULA

Crl.RC(MD) No.735 of 2025
and Crl.M.P(MD) No.7942 of 2025

1. K.Pitchaimani

2. Ramesh

... Petitioners

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
No. 73, Athikulam Road,
Madurai -14.

... Respondent

Prayer: This Criminal Revision Case filed under Section 397 r/w 442 of BNSS, 2023 to call for the records and set aside the order dt. 07.01.2025 passed by II Additional District Court (CBI Cases), Madurai in Crl.M.P. No. 2371 of 2024 in C.C. No. 9 of 2023 in RC 229 of 2019 A 0015 on the file of Inspector of Police CBI, Anticorruption branch Bo.73, Athikulam Road, Madurai 14.

For Petitioners : Mr.J.Milton Arul Rajendran

For Respondent : Mr.C.Muthusaravanan
Special Public Prosecutor



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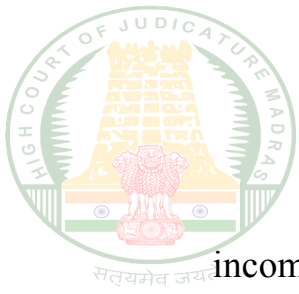
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ORDER

This Criminal Revision has been filed challenging the order of the learned II Additional District Judge (CBI Cases), Madurai, dated 05.09.2024, made in Crl.M.P. No. 2371 of 2024.

2. The petitioners are accused A16 and A41, who have filed a petition under Section 227 of Cr.P.C to discharge them from the charges levelled against them under Sections 120(B), 420, 465, 468, 471 and 409 of IPC. The respondent police has filed a charge sheet against 41 accused persons, including the petitioners on the allegation that they also conspired with the other accused, especially with A1 to A6, had swindled hefty amount of money from the Bank by furnishing false documents in their names.

3.As per the case of prosecution, the petitioners have applied for Housing Loan with Punjab National Bank by showing false address at Trichy. It is alleged that the petitioners are actually the residents of Theni District and that is evidenced from their Aadhar Card. The petitioners



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income also did not match to their loan applied by them and eventually the loan was also sanctioned to them.

4. The loan amount of Rs.46 lakhs was recommended by A3, Thiagarajan and sanctioned by A2, Durga Madhavan on 18.06.2016. The process note was prepared by Chitra Lakshmi. The details of the loan amount sanctioned to the petitioners on various dates has been given on the following table:

Sl. No	Name of Accused & Loan A/c No.	Branch & Date of sanction	Loan amount in Rs.	States of Disbursement
1	K.Pitchaimani (A16) A/c.No. 361800NC000415	PNB, Nandhi Kovil Street, Trichy – 20.06.2016	Rs.45 lakhs	21.06.2016 - Rs.56,498 21.06.2016 - Rs.3,47,000/- 21.06.2016 - Rs.17,01,200/- 14.10.2016 - Rs.17,00,000/- 18.04.2017 – Rs.5,00,000/-
2	M.Ramesh (A41) A/c.No. 437300NC00000480	PNB, Trichy – 30.09.2016	Rs.46 lakhs	06.10.2016 – Rs.34,28,000/- 06.10.2016 - Rs.4,70,000/- 13.10.2016 - Rs.34,28,000/- 13.10.2016 - Rs.34,28,396/- 03.11.2016 – Rs.6,61,928/-

5.The allegation is that even without raising any construction the loan, which has been transferred to the account of these accused have been retransferred to the account of A1 and thus, the public funds were swindled by all the accused.



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6.The learned counsel for the petitioners submitted that the petitioners are not the beneficiaries and they are just the victims to the criminal conspiracy of the other accused. These petitioners have entered into those transactions by believing that the transactions are genuine and later, came to understand that the properties registered to them had already been registered in favour of someone's name and they have been cheated.

7.The learned Special Public Prosecutor appearing for the respondent submitted that the petitioners are fully aware of what is being done on to their accounts and only with their connivance, the amount has been retransferred to the account of A1. He further submitted that the amount has been sanctioned in one lot, which is against the principle of disbursing the building loan in stages.

8.The records also would show that the whole of the building loan has been sanctioned at one stretch, even without verifying whether the building has been actually constructed and whether it has reached each stage for release of the loan at each stage.



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9.In fact, the petitioners are the permanent residents of Theni District, as per their Aadhar Cards. But they have applied loan to Punjab National Bank, Trichy, for which, no explanation is given. Even for some extraneous reasons, the petitioners had opted to apply loan in the Trichy Branch, then they could have shown their original address itself.

10.It is the allegation of the prosecution that the petitioners have managed to furnish some false address in Trichy, in order to show that they are the residents of Trichy, who fall within the predominant service jurisdiction area of Trichy.

11.It is also seen that some of the consent letters given in the name of the petitioners are forged. When the petitioners are aware that the loan amount was being transferred to their account, they would have been aware of the fact that someone has given consent letter in their names.

12.Even for any reasons, the petitioners have been misused by someone and they are just victims. Those facts cannot be known to them even before the petitioners have been subjected to trial.



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13.As of now, there are enough materials to frame charges against these petitioners also for the offence under Sections 120(B), 420, 465, 468, 471 and 409 of IPC and it is not a case, where these petitioners have been roped in the case without any materials. As the Courts are not expected to make any roving enquiry about the merits of the evidence and materials and that exercise can be done only at the time of trial and also considering the serious allegations and the modus operandi alleged to have been adopted by the accused, learned trial Judge thought it fit to dismiss the application.

14.In view of the aforesaid reasons, I do not find any extraneous reason to interfere with the well reasoned order passed by the learned trial Judge.

15.In fine, this Criminal Revision stands dismissed.
Consequently, connected miscellaneous petition is closed.

09.07.2025

NCC :Yes/No
Index :Yes/No
Internet:Yes/No
PNM



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To

1.The II Additional District Judge, (CBI Cases), Madurai.

2.The Inspector of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
No. 73, Athikulam Road,
Madurai -14.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.N.MANJULA, J.

PNM

ORDER IN

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