IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.M.P.No.2082 of 2026
in Crl.A.No.141 of 2026

S.Muralidharan ... Petitioner

Vs.

The State rep. By
The Inspector of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Sastri Bhavan, Chennai.
(RC MA1 2011 A 0046) ... Respondent

PRAYER: Criminal Original Petition is filed under Section 430 of BNSS, to suspend the order of sentence imposed as against the petitioner in judgment dated 09.01.2026 made in C.C.No.18 of 2013 passed by the learned XXIV Additional city Civil and Sessions Judge, Chennai and to grant bail to the petitioner pending disposal of the main appeal.

For Petitioner	:	Mr.S.Sathish Rajan
For Respondent	:	Mr.N.Baaskaran Special Public Prosecutor (CBI)

ORDER

The petitioner/A1 in C.C.No.18 of 2013 convicted by the Trial Court by judgment dated 09.01.2026 filed this appeal and suspension of sentence petition.

2.The Trial Court convicted the petitioner for the offence under Sections 120(b) r/w. 409, 420, 468, 471 IPC and Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act and sentenced to undergo three years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo three months simple imprisonment, for the offence under Section 409 IPC sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default, to undergo three months simple imprisonment, for the offence under Section 420 IPC sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment and for the offence under Section 13(2) r/w. 13(1)(d) of Prevention of Corruption Act to undergo two years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default, to undergo three months simple imprisonment. All the sentenced to run concurrently.

3.The case of the prosecution is that the petitioner was working as Senior Manager, Syndicate Housing Finance, Mylapore Branch during the period May 2002 and May 2006. A2 and other accused who are intended to purchase properties created forged and fabricated income tax returns to the petitioner and in pursuance of the conspiracy, the petitioner sanctioned the loan and released the payment. Without verifying all these facts the petitioner sanctioned the loan and released the payment. By virtue of the above act, the Bank incurred heavy loss.

4.The contention of the learned counsel for the petitioner is that the petitioner as Loan Officer of the Bank followed all the procedures and guidelines and thereafter only sanctioned the loan. The petitioner received and verified the documents submitted by the loanees and forwarded for legal scrutiny. The admitted position is that none of the Bank Officers are given any training to detect forged documents unless it is seen on the face of the documents. The petitioner obtained the opinion of Panel Advocate, who scrutinized the documents gave approval and legal opinion on the documents submitted, further the Panel Advocate in his evidence confirm that there is no malafide intention on the part of the accused in sanctioning the loan. Further none of the witnesses stated any diversion of funds by the petitioner and petitioner derived any pecuniary advantage. The petitioner duly followed all procedures as per banking norms and thereafter sanctioned the loan. The properties obtained in security for the loan are very much available and now the value of the properties appreciated many folds, more than the loan dues.

5.The learned Special Public Prosecutor (CBI) submitted that in this case the petitioner is the Loan Officer. The Bank Officials examined as witness have clearly stated that there is criteria and eligibility for Synd Nivas Housing Loan and circular giving guidelines had been issued. The Chief Manager (Vigilance), Syndicate Bank conducted internal investigation with regard to the loan sanctioned by the petitioner and report filed confirming petitioner is the Officer who sanctioned the loan without following the procedure. The income tax returns filed by the loanees proved to be forged. The seal and signature of Chartered Accountant also found to be forged. PW6 is the witness from the Chartered Accountant Association who confirmed there was no such Chartered Accountant registered in their

Association whose name found in the income tax returns. Further, one of the Chartered Accountant appeared and had given evidence that he had not signed any income tax returns produced by the accused. The specimen signature of the witnesses and signature available in the documents were collected and sent to forensic expert. PW11/Forensic Expert had given a report confirming the forgery committed in this case. Loans have now become NPA and the Bank incurred heavy loss. He further submitted that against the petitioners there are five cases apart from this case, wherein the loanees are different but the modus is similar and the petitioner convicted in all cases C.C.Nos.17, 20, 21, 22 and 24 of 2013 and all sentences to run concurrently.

6.Considering the submissions made and on perusal of the materials, it is seen that the primary contention of the petitioner is that the petitioner is only a Loan Officer. The petitioner collected documents from the loanees and prima facie found the loan application with supporting documents to be genuine and thereafter forwarded the same for legal scrutiny. The Panel Advocate verified the documents and gave opinion, thereafter only he sanctioned the loan. The loans are secured with properties which now got appreciated. The primary contention seems to be that income tax returns and some documents annexed to the loan application later found to be forged. The petitioner approved the loan based on the recommendation and after obtaining legal opinion. The non-payment of the loan account and the loan account declared as NPA is due to non-payment of bank dues by the loanees. The Trial Court already granted suspension of sentence to the petitioner. In view of the above, this Court is inclined to grant suspension of sentence till the disposal of the present criminal appeal.

7.Accordingly, the Substantive Sentence of Imprisonment imposed on the petitioner/A1 is suspended till the disposal of the appeal with the followingconditions:

1)The petitioner/A1 is ordered to be enlarged on bail, on condition that he shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties for a likesum in all cases C.C.Nos.17, 18, 20, 21, 22 and 24 of 2013, each for a like sum to the satisfaction of the trial Court;

2)The petitioner shall appear before the Trial Court on the first working day of once in six months at 10.30 a.m. until the disposal of the criminal appeal.

3) If the petitioner is not able to appear before the Trial Court on that day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.

8.In the result, this Criminal Miscellaneous Petition is ordered.

06.02.2026

cse

To

1.The Inspector of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Sastri Bhavan, Chennai.

2.The XXIV Additional city Civil and Sessions Court
(CBI Cases relating to Banks and Financial
Institution Scams)
Chennai.

3.The Special Public Prosecutor (CBI),
High Court, Madras.

M.NIRMAL KUMAR, J.

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