IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.MP.No.5273 of 2026
in
Crl.A.No.313 of 2026

K.Lakshmi ...Petitioner

Vs.

The Inspector of Police,
CBI/ACB/Chennai. ...Respondent

Criminal miscellaneous petition filed under Section 430 of BNSS, seeking to suspend the sentence of imprisonment imposed on the appellant/accused by the order and judgment dated 09.01.2026 passed by the learned XXIV Additional City Civil and Sessions Judge (CBI cases relating to Banks and Financial Institution Scams), Chennai in C.C.No.17 of 2013 pending the final disposal of the criminal appeal.

For Petitioner : Mr.K.Gopinath

For Respondent : Mr.N.Baaskaran, Special Public Prosecutor

ORDER

This criminal miscellaneous petition has been filed by the petitioner seeking suspension of sentence imposed by the learned XXIV

Additional City Civil and Sessions Judge (CBI cases relating to Banks and Financial Institution Scams), Chennai, in C.C.No.17 of 2013, vide judgment dated 09.01.2026.

2. The conviction and sentence imposed against the petitioner/ appellant, vide impugned judgment are as follows:-

Under Section	***Sentence***
120B r/w. 409, 420, 468 and 471 of IPC and Sections 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act	one year rigorous imprisonment and a fine of Rs.5,000/-, in default, to undergo three months simple imprisonment.
420 of IPC	one year rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
468 of IPC	one year rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
471 r/w. 468 of IPC	one year rigorous imprisonment and a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.

3. Learned counsel for the petitioner/appellant submitted that the petitioner is an innocent person and she has been falsely implicated in this

case. He further submitted that this Court, vide orders all dated 06.02.2026 made in Crl.M.P.Nos.1556, 2007, 1772 & 2082 of 2026 in Crl.A.Nos.97, 138, 118 & 141 of 2026 respectively and vide order dated 02.03.2026 made in Crl.M.P.No.3886 of 2026 in Crl.A.No.240 of 2026, had suspended the sentence imposed on the co-accused persons. Furthermore, the learned counsel for the petitioner submitted that the petitioner had paid the entire fine amount imposed by the trial Court and that the trial court had initially suspended the sentence imposed on the petitioner for a period of one month and the same was subsequently extended. He also submitted that there are arguable points in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioner/appellant has a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioner/appellant may be suspended.

4. Per contra, the learned Special Public Prosecutor appearing for the respondent submitted that in this case, A1 is the Loan officer and the Bank officials who were examined as witnesses have clearly stated that specific criteria and eligibility requirements exist for the Synd Nivas Housing Loan and guidelines have also been issued via a circular.

Further, the Chief Manager (Vigilance), Syndicate Bank conducted an internal investigation into the loan sanctioned by Al and the subsequent report confirmed that A1 sanctioned the loan without following prescribed procedures. He further submitted that investigation revealed that the income tax returns filed by the accused loanees were forged and the seal and signature of Chartered Accountant were also found to be fraudulent. PW6, a witness from the Chartered Accountant Association, confirmed that no such Chartered Accountant is registered with their Association under the name found in the income tax returns. Further, one of the Chartered Accountants appeared as a witness and testified that he had not signed any income tax returns produced by the accused persons. He also submitted that the specimen signatures from the witnesses and signatures found in the documents were collected and sent to a forensic expert and P.W.11/Forensic Expert had submitted a report confirming the forgery committed in this case and consequently, the loans have since become NPAs and the Bank incurred heavy loss. Hence, he prayed for dismissal of this petition.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant the relief of suspension of sentence to the petitioner, till the disposal of the criminal appeal, on the following conditions:-

(i) The petitioner/appellant shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the XXIV Additional City Civil and Sessions Court for CBI Cases, Chennai;

(ii) The petitioner/appellant shall appear before the trial Court on the first working day of every month at 10.30 a.m., until the disposal of the criminal appeal.

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

7. This criminal miscellaneous petition stands ordered accordingly.

23.03.2026
(2/2)

skt

A.D.JAGADISH CHANDIRA, J.

skt

To:

1. The XXIV Additional City Civil and Sessions Judge,
   (CBI cases relating to Banks and Financial Institution Scams),
   Chennai.

2. The Inspector of Police,
   CBI/ACB/Chennai.

3. The Public Prosecutor,
   Madras High Court.

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