



**Central Bureau of Investigation (C.B.I.), Pune.
Anti-Corruption Branch, Pune**

Vs.

Gowthaman Ganesan

ORDER BELOW EXH.4

1] The applicant/accused **Gowthaman Ganesan** appeared before this Court today in pursuance of the service of summons issued against him.

2] The applicant/accused moved an application under section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular Bail in connection with Crime No.RC1222025A0008 registered with CBI-ACB Pune for the offences punishable under Sections 409 of the Indian Penal Code (IPC) and under section 13(2) read with section 13(1)(c) of the Prevention of Corruption Act, 1988 (P. C. Act).

3] Perused application and say filed by Ld. P P for CBI Also perused charge-sheet and record. Heard both sides.

4] It is contended that the present case is registered against applicant/accused for the offences punishable under section 13(2) read with section 13(1)(c) of the PC Act and Section 409 of IPC, which are non bailable. It is contended that the applicant/accused has received the summons of this Court for appearance, and accordingly he is appearing and surrendering himself before this Court today. It is contended that the original

complainant Mr. Shivaji Talekar, who was customer/borrower of the Kem Branch Solapur, which was headed by the applicant/accused as Branch Manager at the relevant time of alleged incidence dated 02/04/2011. It is contended that prima facie there is an inordinate and unexplained huge delay of 14 years, on the part of the said complainant Mr. Shivaji Talekar in lodging of the complaint. It is contended that complainant Mr. Shivaji Talekar has falsely implicated the applicant/accused in the present case. It is contended that the Inspection and Audit Department (Head Office Staff Accountability Committee) of employer Bank of Maharashtra of applicant/accused has also exonerated the applicant/accused from the complaint and allegations of fraud and misappropriation of Rs. 5 Lakhs made by Mr. Shivaji Talekar and Mrs. Nisha S. Talekar, after due inquiry.

5] It is contended that the investigation against the applicant/accused is completed and the prosecution has filed the charge sheet before this Court and now the present matter is for answering to a charge against the applicant/accused. It is contended that the applicant/accused is respectable person in the society and law abiding Citizen and having absolutely no criminal record. The applicant/accused got Honorably retired from the post of Chief Manager from Bank of Maharashtra in the year June 2021 from his last posting Branch at Turbhe Navi Mumbai. It is contended that the applicant/accused will remain personally present on every date before this Court in the present proceedings and also to abide by the conditions which may be imposed by this Court for releasing him on bail till the final conclusion of the trial in the present matter. It is contended that the

custodial remand of the applicant/accused is not necessary in the given circumstances as stated above.

6] It is contended that the applicant/accused has initially filed an application for his transit bail before Hon'ble Madras High Court having number Cri.O.P 26872/2025, which is pending and no order is passed on the said application. It is contended that he has submitted an application for withdrawal of the same through his Advocate and it is likely to be listed before Hon'ble Madras High Court shortly for consequential order. The applicant/accused will not hamper or tamper with the evidence and ready to abide by all terms and conditions imposed by this Court. Therefore, it is prayed to release the applicant/accused on bail.

7] *Per contra*, Ld. PP. Mr. A. D. Arikar contended that in the present case applicant/accused misappropriated an amount of Rs.5 Lakh which were handed over to him by the complainant for depositing the same in the NBH loan amount of wife of complainant and thereby committed alleged offence. It is contended that there is sufficient evidence that the applicant/accused committed alleged offence. If the applicant/accused is released on bail, there is every possibility that he may evade the process of this Court and tamper with/influence the prosecution evidences and cause unnecessary delay in the commencement of trial against the applicant/accused, therefore considering the seriousness and gravity of the offence, it is prayed to reject the application.

8] On perusal of charge-sheet, it appears that the present offence is registered against the applicant/accused on the basis of complaint dated

10/03/2025 of Mr. Shivaji Uttareshwar Talekar. It is alleged that applicant/accused being Ex Branch Manager, Bank of Maharashtra, Kem Branch, Solapur had obtained valuable things in the form of several air tickets booked in his name from the complainant without consideration, with whom he had an official dealing. Further the applicant/accused misappropriated an amount of Rs.5 Lakh given to him by the complainant to be deposited in the loan account of Smt. Nisha S. Talekar, wife of complainant Mr. Shivaji Talekar.

9] On the basis of report offences punishable under Sections 409 of the IPC and under Section 13(2) read with section 13(1)(c) of the P.C. Act were registered against applicant/accused vide FIR No. RC1222025A0008 on 21/07/2025. It further appears that the CBI conducted investigation and filed charge-sheet against applicant/accused for the aforesaid offences. Thereafter, the CBI filed sanction for the prosecution against the present applicant/accused. It further appears that after perusal of charge-sheet and record, the summons was issued against the applicant/accused for the above mentioned offences.

10] It is pertinent to mention here that though there is *prima facie* case against the applicant/accused in respect of commission of the alleged offences, however, the same is not sufficient to deny the bail to applicant/accused and to send him behind bars, in such circumstances, where he was not arrested during entire investigation till filing of charge-sheet. It is also pertinent to mention that the alleged incident is of dated 02/04/2011 and prior to that, but the FIR came to be registered in the year 2025 after long span. At this stage, this Court has to see whether the applicant/accused

will be available for trial or not and the same can be taken care of by imposing certain condition upon the applicant/accused while releasing him on bail. The applicant/accused was public servant and was retired from service. He appeared before this Court immediately after receipt of summon, which shows his bonafide, so there is less chance of his fleeing away. In such situation, considering the facts and circumstance of the case, I am inclined to exercise the discretion in favour of applicant/accused to release him on bail on certain conditions to safeguard the interest of prosecution. Hence, I proceed to pass following order:

- i) Application **(Exh.4)** for bail is hereby allowed.
- ii) Applicant/accused Gowthaman Ganesan be released on executing Personal Recognizance Bond of Rs.50,000/- with one solvent surety in the like amount, in connection with crime No. RC1222025A0008 registered with CBI-ACB, Pune for the offences punishable under section 409 of the IPC and under Sections 13(2) read with section 13(1)(c) of the P. C. Act, on the following conditions:-
 - a) The applicant/accused shall not leave India without prior permission of this Court.
 - b) The applicant/accused shall not contact informant or witnesses by any mode or manner till the conclusion of trial.
 - c) The applicant/accused shall attend date of proceeding during trial, regularly, unless exempted in special circumstances.

- d) The applicant/accused shall not commit an offence similar to the offence of which he is accused, or any other offence.
 - e) The applicant/accused shall file proof of his permanent residential address and address proof of his two relatives (excluding person residing with him) at the time of furnishing surety.
 - f) The applicant/accused shall also furnish his Email address and current mobile number on record of this case.
 - g) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any officer or tamper with the evidence.
- iii) Failure of any of the above conditions, prosecution will be entitled to move an application for cancellation of bail of applicant/accused.

Pune
Date : 07/03/2026.

(R. R. Mendhe)
Special Judge, CBI-ACB,
Pune.

C E R T I F I C A T E

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court:- Shri. R. R. Mendhe
Special Judge CBI-ACB, Pune

Name of the Steno:- I. E. Deshmukh.
Stenographer Grade-I

Date of Order :- 07.03.2026.

Order signed by
presiding officer :- 07.03.2026.

Order uploaded on :- 07.03.2026.