DEPOSITION OF WITNESS

(Chapter XXIII code of Criminal Procedure)

<u>In the Court of XI Additional Special Judge for CBI Cases</u>

<u>(CBI Cases Relating to Banks and Financial Institutions)</u>

<u>Chennai - 600 001.</u>

Calendar Case	:	C.C. No. 27/2015
Deposition of witness for	:	PW 15
Name	:	Mrs. K.Meera Bai
Father's / Husband's Name	:	
Address for Communication	:	
Village	:	
Taluk	:	
Calling	:	
Religion & Caste	:	
Age	:	years Mobile:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on this the 28th day of March, 2019.

<u>Chief Examination:</u>

Presently I am working as Chief Manager, Oriental Bank of Commerce, Teynampet, Retail Asset Group branch, Chennai. Previously from June 2014 to February 2018, I was working as Branch Manager, Oriental Bank of Commerce, Kilpauk branch, Chennai.

While I was working in Kilpauk branch, one M/s.Jay Arr Enterprises were having cash credit account with Kilpauk branch. The account was operated by Mr.Gnanaranjan Pradhan (A3) who was the proprietor of the said firm. The account opening form along with the KYC documents of M/s.Jay Arr Enterprises bearing a/c no.10654015002061 dated 26.8.2013 is now marked as **Ex.P.123 (13 sheets)**. (D138)

Ex.P.123 also bears the photograph of A3 Gnanaranjan Pradhan and copy of his PAN card.

Now I am shown the certified copy of statement of account of M/s.Jay Arr Enterprises with Kilpauk branch for the period from 26.8.2013 to 27.8.2014 certified by me is now marked as **Ex.P.124 (5 sheets)**. (D141). (A2, A3, A4 counsel objected and recorded due to not certified by the Bankers Books Evidence Act in all sheets). Ex.P.124 was certified by me as an enclosure to the statement under the Bankers Books Evidence Act. It also signed by the System Manager A.Arivarasu along with me. As per Ex.P.124 sheet no.2 and sheet no.3, 7 credits of different amounts for the dates between 16.12.2013 and 21.2.2014 which has been received by us by way of NEFT and RTGS from M/s.MD Bricks and M/s.MD Trade Corporation from Central Bank of India.

On the receipt of the credits the amounts were withdrawn by the account holder by way of cheques, RTGS, cash withdrawal etc. In Ex.P.124, there were debit entries for transfer of funds to the account of K.Mahendran, MD Bricks and MD Trade Corporation by way of cheques and RTGS.

Now I am shown the loan application submitted by Gnanaranjan Pradhan to Oriental Bank of Commerce, Kilpauk branch in the account of M/s.Jay Arr Enterprises for availing cash credit facility of Rs.1.18 crores. The application form bearing the photograph and signature of A3 Gnanaranjan Pradhan is now marked as **Ex.P.125 (11 sheets)**. (D139).

The sanction communication dated 26.8.2013 issued by Oriental Bank of Commerce to M/s.Jay Arr Enterprises for sanctioning the cash credit limit of Rs.1.18 crores acknowledged by its proprietor Gnanaranjan Pradhan is now marked as **Ex.P.126 (8 sheets)**. (D140)

Now I am shown the cheque bearing no.903634 dated 4.2.2014 drawn on Oriental Bank of Commerce, Kilpauk branch by A3 Gnanaranjan Pradhan as Proprietor of M/s.Jay Arr Enterprises for Rs.5 lakhs for sending RTGS to K.Mahendran (A1) along with the RTGS request to Standard Chartered Bank, Mylapore branch is now marked as **Ex.P.127 (2 sheets)**. (D143)

Now I am shown the cheque bearing no.903630 dated 2.1.2014 drawn on Oriental Bank of Commerce, Kilpauk branch by A3 Gnanaranjan Pradhan as Proprietor of M/s.Jay Arr Enterprises for Rs.10,50,000/- for sending RTGS to Gee Pee Chemicals of United Bank of India, Virugambakkam branch along with the RTGS request is now marked as **Ex.P.128 (2 sheets)**. (D144). I have been examined by CBI.

Cross examination by A1, A3, A5, A6 – No cross

Cross examination by A2, A4

I know the significance of certification given under Bankers Books Evidence Act. Ex.P.124 printout was taken on 27.8.2014. The period of statements is from 26.8.2013 to 27.8.2014. In Ex.P.124 at page 5 is a certification given under the Bankers Books Evidence Act is dated 3.9.2014. It is correct to say that the certification was given not on the date of 27.8.2014. The certification found in page 5 of Ex.P.124 refers to statement of account for the period 1.1.2013 to 26.8.2014.

As per Ex.P.124 the loan application was submitted only on 26.8.2013. Sanction was given on 26.8.2013. Ex.P.125 is the application submitted for obtaining facilities under cash credit. Ex.P.124 is an account pertaining to cash credit.

Question: There is no statement pertaining to the period 1.1.2013 to 25.8.2013 in Ex.P.124?

Answer: Yes.

Question: Do you agree that the period of statement mentioned in the letter dated 3.9.2014 and the statement of account found in Ex.P.124 are different?

Answer: No. The period of statement of account mentioned in Ex.P.124 is inclusive of the period from 26.8.2013 to 27.8.2014.

Question: I put it to you that both the period of statements found in Ex.P.124 and period of statement found in page 5 are different? What do you say?

Answer: I deny. Eventhough from date is 1.1.2013 in the certificate the end date in Ex.P.124 is given only till 26.8.2014.

I have not given the certification on the date of printout taken. I deny the suggestion that the certificate found in Ex.P.124 was given at the pressure of CBI without application of mind the purpose of certification.

Re-examination - NIL

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(CBI Cases Relating to Banks and Financial Institutions)

Chennai - 600 001.

Calendar Case	:	C.C. No.27/2015
Deposition of witness for	:	PW 16
Name	:	Mr.B.V.Nagaraju
Father's / Husband's Name	:	
Address for Communication	:	
Village	:	
Taluk	:	
Calling	:	
Religion & Caste	:	
Age	:	years Mobile:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on this the 28th day of March, 2019.

Chief Examination:

Presently I retired as Assistant General Manager, Vijaya Bank and I retired in the year 2018 as Assistant General Manager. During 2014-2015, I worked as AGM, Vijaya Bank, Indira Nagar branch, Bangalore. At that time one M/s.Pulse (Hallmarks Cards and Gifts) belongs to K.S.Girish as proprietor were having a current account bearing no.103100301000869 with Indira Nagar branch. Ex.P.117 is the account opening form along with the KYC documents. Ex.P.118 is the certified copy of statement of account of current a/c no 103100301000869 of the said firm with our Indira Nagar branch for the period from 1.12.2013 to 18.9.2014 certified by me under the Bankers Books Evidence Act.

As per Ex.P.118, there were 3 credits on 27.1.2014, 7.2.2014 and 17.2.2014 of 3 different amounts in total Rs.12 lakhs received by us through RTGS from the account of M/s.MD Trade Corporation. I have been examined by CBI.

Cross examination by A1, A3, A5, A6 – No cross

Cross examination by A2, A4

I agree that there is no period mentioned in my certification found in Ex.P.118 that it pertains to the period 1.12.2013 to 18.9.2014. I agree that in page 11 the lease agreement is a colour xerox taken and it is not the original. It is correct to say that I don't know the purpose of transactions mentioned in Ex.P.118 statement of account.

Re-examination - NIL