

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 MONDAY, THE TWENTIETH DAY OF DECEMBER
 TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 9703 OF 2021

Between:

Smt. Mopuri Rajeshwari @ Mopur Rajeswari W/o. Shri Venkata Rami Reddy.

Petitioner/Accused No.6

AND

1. Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai - 500 090, Represented by Special Public Prosecutor, High Court For the State of Telangana at Hyderabad.

Respondent No.1

2. Central Bank of India, Represented by its Chief Manager, Regional Office, Bank Street, Koti, Hyderabad, Telangana State - 500 095.

Respondent No.2/Defacto Complainant

WHEREAS the Petitioner above named through her Advocate Sri Sricharan Telaprolu presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the CrI.P, the High Court may be pleased to call for the records and quash the proceedings against the Petitioner/Accused No.6 in FIR No. RC0692019E0005 of 2019, dt.04/11/2019 on the file of Police Station, Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Sricharan Telaprolu Advocate for the Petitioner, Sri K.Surender, Special Public Prosecutor who takes notice on behalf of Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted;

You viz;

The Chief Manager, Central Bank of India, Regional Office, Bank Street, Koti, Hyderabad, Telangana State - 500 095.

are directed to show cause on or before 14.02.2022 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to grant stay of all further proceedings against the Petitioner/Accused No.6 in FIR No. RC0692019E0005 of 2019, dt.04/11/2019 on the file of Police Station, Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai, pending disposal of CRLP No. 9703 of 2021, on the file of the High Court.

The Court made the following:

ORDER

Issue notice to Respondent No.2.

Personal notice is permitted.

List the matter on 14.2.2022.

Sri K.Surender, learned Special Public Prosecutor takes notice on behalf of Respondent No,1 and seeks time to file counter.

A perusal of the record would reveal that Crime No.RC0692019E0005 of 2019 was registered on 4.11.2019 for the offences under Sections 120-B read with 420, 419, 467, 468 and 471 of IPC and the Investigation Officer has not completed the investigation so far. The only allegation against the petitioner is that she stood as guarantor to the loan transaction.

Sri K.Surender, on instructions, submits that in the present crime, the bank officials sought permission from Central Vigilance Commission and the matter is under investigation. He states that custodial interrogation of the petitioner is not required.

Mr.Sricharan Telaprolu, learned counsel for petitioner would submit that the contents of the said complaint lacks ingredients of offence alleged against the petitioner herein and the loan has already been cleared. In support of his contention, learned counsel has relied upon No Dues Certificate dated 3.4.2021 issued by the Bank.

Thus, there are several aspects to be investigated by the Investigating Officer during the course of investigation.

Therefore, the Investigating Officer in Crime No.RC0692019E0005 of 2019 on the file of Police Station, Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai is directed not to arrest the petitioner herein. However, it is made clear that the investigation may go on and the petitioner shall cooperate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

//TRUE COPY//

SD/- M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XXI Additional Chief Metropolitan Magistrate, Nampally Hyderabad
2. The Station House Officer, Police Station, Central Bureau of Investigation, Economic Offences Branch, Rajaji Bhavan, Besant Nagar, Chennai
3. The Chief Manager, Central Bank of India, Regional Office, Bank Street, Koti, Hyderabad, Telangana State - 500 095. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri Sricharan Telaprolu Advocate [OPUC]
5. One CC to Sri K Surender (SPL P P FOR CBI) High Court at Hyderabad [OUT]
6. One spare copy

HIGH COURT

KLJ

DATED:20/12/2021

LIST ON 14.02.2022

NOTICE BEFORE ADMISSION

CRLP.No.9703 of 2021

DIRECTION

