IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24013 of 2021

KALEESWARI [PETITIONER / ACCUSED]

Vs

THE STATE BY [RESPONDENT]
THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
BANK FRAUD INVESTIGATION WING TEAM -XI,
CHENNAI.
(CRIME NO.190 OF 2020)

For Petitioner : M/S.R.C.PAUL KANAGARAJ Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 18.11.2021 for the offences under **Sections 120(B), 420, 465, 467, 468, 471 of IPC**, in Crime No.190 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Branch Manager of Catholic Syrian Bank. One Harichandran/the husband of the petitioner had availed cash credit of Rs.8 crores by giving fully paid stock and book debts as primary security by way of hypothecation and two properties were provided as collateral security and in support of the cash credit limit, he had submitted the income tax copies for the year 2011 to 2014. Further, at the time of field visit, he had intentionally misrepresented and showed other property belonging to some other person instead of their property located at Sadayankuppam Village and that he had transferred the said cash credit amount of Rs.8 Crores to the account of Nandhini Traders,

Ezhil Agencies, Kaleeshwari Transport and thereafter, it was withdrawn by the accused persons. The account of the petitioner became NPA (Non performing Asset) on 31.12.2015. Immediately, the defacto complainant's bank filed a suit before DRT Chennai on 02.05.2016 for recovery which was decreed on 27.03.2018. Later on verification, it was found that the income tax return papers submitted for the year 2012-2014 are fake. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the business done by her husband and she has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for 20 days from 18.11.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned government Advocate (Crl. Side) would raise strong objection stating that a sum of Rs.8 crores has been obtained by the said Harichandran who is the husband of the petitioner as bank loan by showing others property as if it was their property and thereby, the Bank has lodged the complaint and that the amount has been disbursed to the account of both the petitioner and her husband and a detailed enquiry is required in this case.

5.On seeing the nature of allegation and the submission of the learned Government Advocate (Crl. Side) that the case requires a detailed investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
10/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH,
BANK FRAUD INVESTIGATION WING TEAM -XI,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUZHAL, CHENNAI.

CC to M/S.R.C.PAUL KANAGARAJ Advocate on payment of necessary charges

CRL OP.24013/2021

Date :10/12/2021

TA-20/12/2021