IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Second day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.2243 of 2022

C.SATHYA [ PETITIONER / ACCUSED ]

Vs

STATE BY [ RESPONDENT ]
THE INSPECTOR OF POLICE,
CENTARAL CRIME BRANCH-II,
VEPPERY, CHENNAI,
CRIME NO. 60/2021.

For Petitioner : M/S.FELIX PARTHIBANE Advocate

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

For Intervener : M/S.C.S.K.SATHISH Advocate

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 07.12.2021 for the offences under Sections 408, 467, 468, 420, 477A IPC in Crime No.60 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner while working as an Accountant in the defacto complainant's company had illegally diverted the amount to her personal account to the tune of Rs.1,21,28,726/- under the guise of paying GST Tax as well as Sales Tax to the bank authorites. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case and based on the false complaint and she has been suffering incarceration for more than 55 days from 07.12.2021. Hence, he pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise strong objection stating that the petitioner who was working as an Accountant in the defacto complainant's company has transferred the money with regard to GST, Sales Tax and TDS amount of the employees to her account and swindled the amount to the tune of Rs.1,21,28,726/- and the investigation has not been completed.

5. The learned Counsel for the Intervenor raised strong objections stating that the petitioner who was working as an Accountant of the defacto complainant's company used to manage the money transactions of the company. As per Audit report, she has colluded with A2 who is the Statutory auditor and swindled a sum of Rs.1,21,28,726/- under the guise of paying GST Tax.

6. It is seen that the petitioner is actively involved in the offence and the amount involved is more than Rs.1 Crore and the investigation has not been completed and if she is released on bail, there is every possibility of the petitioner getting abscond and tampering the evidence. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
02/02/2022

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,
CENTARAL CRIME BRANCH-II,
VEPPERY, CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL (FOR WOMEN).

3   THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.C.S.K.SATHISH Advocate on payment of necessary charges SR.NO.1808

CRL OP.2243/2022

Date :02/02/2022

INBA~11/02/2022