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Crl.O.P.No. 31151 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who was arrested and remanded to judicial custody on 09.10.2022 for the alleged offence under Sections 409, 465, 468, 471, 477A, 420 of I.P.C. in Crime No.203 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is the Chief Financial Officer of Tamil Nadu Tourism Development Corporation, Chennai and filed a complaint stating that while going through the accounting transaction, some suspicious transactions noticed in the ledger account of Indian Bank and on further scrutiny, funds were found misappropriated through bank by forging the signature of deceased Manager and transferred to the account of petitioner herein. The petitioner is the one of authorised person for handling the bank account. It is alleged that the petitioner had forged the signature of dead person by name Simon K.Chako and transferred the amounts to his bank account, there by a sum of

Page 1 of 5



Crl.O.P.No. 31151 of 2022

Rs.5.2 crores was misappropriated and a worth about of Rs. 75 lakhs, the property of petitioner was seized by the investigating agency. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is working as Accountant in Tamil Nadu Tourism Development Corporation Ltd. He would submit that there is no specific overtact attributed against the petitioner and the amount was only transferred for the maintenance of Corporation. He would submit that he was authorised to transfer any amount for maintenance and every year, the accounts were audited. He would submit that if there was any misappropriation, it would have found during the financial year itself. He would submit that he has not at all committed any offence as alleged by the respondent police and he is no way connected with the occurrence. He would further submit that he has been falsely implicated in this case. He would submit that the investigation is almost completed and that the petitioner has been suffering incarceration from 09.10.2022. Hence, he prayed to grant bail to the petitioner.



Crl.O.P.No. 31151 of 2022

WEB COPY

4. The learned counsel appearing for Intervenor would submit that the complaint was lodged by the Chief Financial Officer of TTDC. He would submit that the petitioner is working as Accountant in TTDC and two of the authorised signatories can sign in the cheque and the petitioner is one of the authorised signatory. He would submit that one of the signatory was died in the year 2020 itself, however, he has not informed about the death of other signatory and forged the signature of death person and transferred more than Rs.10 crores to his account. Hence, he prayed to dismiss this petition.

5. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 2 accused in this case and the petitioner is arrayed as A1. He would submit that the petitioner, who is one of authorised person, fabricated the signature of other authorised person, and as per F.I.R., he swindled nearly about Rs.10 crores belong to TTDC. He would also submit that if he is released on bail, he would tamper the witnesses and hamper the investigation and the investigation is



Crl.O.P.No. 31151 of 2022

not yet completed. Hence, he vehemently opposed to grant bail to the petitioner.

6. On seeing the facts, the petitioner is one of authorised signatory and he fabricated the signature of another authorised signatory, who died in the year 2020 itself and without informing the same, he signed as an authorised person and as per F.I.R., the fund of TTDC, nearly a sum of Rs.9 crores was swindled by him. Considering the facts and circumstances of the case and the submissions made by both counsel and also on seeing the conduct of petitioner and considering gravity of offence committed by the petitioner by misappropriating the amount of TTDC, a detailed investigation is required in this case, and also considering the fact that there is possibility of tampering the witnesses and hampering the investigation, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

16.12.2022

rpp

Page 4 of 5



WEB COPY



Crl.O.P.No. 31151 of 2022

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 31151 of 2022

16.12.2022