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Crl.O.P.No.13988 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL OP NO. 13988 of 2025

K.Vijayalakshmi (F/A 45 years)
w/o Krishnakumar

... Petitioner/A2

Vs

The State Rep.by,
The Inspector of Police,
CCB EDF-1, Avadi Police Station
Crime No.4 of 2022

... Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.4 of 2022 on the file of
the respondent Police.

For Petitioner(s): Mr.T.V.G.Kartheeban

For Respondent(s): Mr.J.R.Archana
Government Advocate (crl.side)

For Intervenor : Mr.J.Lingeswaran



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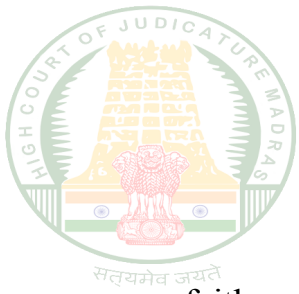
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.04.2025 for the alleged offences punishable under Sections 406, 408, 403, 465, 420, 506(i), 120(B) of IPC in Crime No.4 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/A2 and her husband/A1 approached the de-facto complainant stating that A1 is running a company in the name of VK Associates and providing service of GST & Tax filing for private limited companies in entire state of Tamil Nadu. The de-facto complainant, who is running M/s Sri Marg Human Resources Private Limited engaged A1 and other accused persons for filing GST bills to his company. The husband of the petitioner/A1 used the de-facto complainant's account number, digital signature and password, while he was not in station and transferred a sum of Rs.65,15,000/- to the account of the petitioner from 01.04.2019 to 31.03.2021.

3. It is the further case of the prosecution that in the year 2020, A1 along with A3 to A6 advised the defacto complainant to send money to 20 companies, in order to reduce GST bills. Believing the words and having



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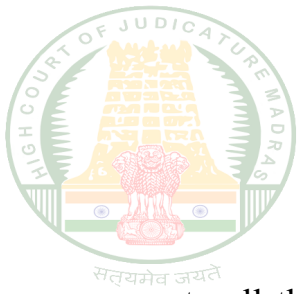
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faith on the accused persons, the de-facto complainant had paid an amount of Rs.10,4,79,626/- . However, the petitioner and her husband have jointly misappropriated the said amount by evading payment of GST tax to the government. Hence the complaint.

4. The learned counsel for the petitioner submitted that the petitioner is wife of A1 and she is innocent and she was arrested on 01.04.2025. He further submitted that the petitioner's name was included only for astrology purpose and she is no way connected with the crime committed by the other accused and hence, he prayed to grant bail to the petitioner, taking into account the incarceration suffered by the petitioner.

5. The learned Government Advocate(Crl.Side) appearing for the respondent reiterated the case of the prosecution and strongly opposed to grant bail to the petitioner.

6. The learned counsel for the intervenor submitted that the petitioner is wife of A1. He further submitted that after lodging complaint against the accused persons, notice under Section 41A of Cr.P.C was issued



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to all the accused persons for preliminary investigation, however, they have not appeared before the respondent police. Hence, if the petitioner is granted bail, the accused persons will easily tamper the witness and hence, he opposed to grant bail to the petitioner.

7. Heard the learned counsel for the petitioner, learned Government Advocate (Crl.Side) appearing for the respondent and the learned counsel for the intervenor.

8. The petitioner /A2 is the wife of A1 and she was arrested on 01.04.2025 and she is still in incarceration. The petitioner along with her husband /A1 and other accused had indulged in misappropriation of funds by evading payment of GST Tax to the government to the tune of Rs.10,64,79,626 with fabricated bills and vouchers. Considering the serious nature of offence, the period of incarceration suffered by the petitioner, cannot be taken into account for granting bail to the petitioner. Therefore, this court is not inclined to grant bail to the petitioner.



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9. Accordingly, this petition is dismissed.

21.05.2025

mst

Note:-

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.**



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N.SENTHILKUMAR, J.

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