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Crl.OP.No.31419 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31419 of 2025

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... Petitioner

Vs.

The State of Tamilnadu
Rep.by the Inspector of Police,
CCB-I, Chennai.
(Cr.No.238 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Cr.No.238 of 2024 on the file Inspector of Police, CCB-I,
Chennai.

For Petitioner : Mr.R.Ajitha

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
28.10.2025, for the alleged offence punishable under Sections 409, 420,
465, 467, 468, 471, 477A, 109 and 120B of IPC, 1860 in Crime No.238 of
2024, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner joining hands with other accused, siphoned off Rs. 1.17 crores from the partnership firm account. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a MBA Graduate, joined the defacto complainant's company as an Senior Staff Admin and she was given employment by the husband of the defacto complainant and her work in the company is only to co-ordinate the tenders and other project works. The petitioner has noting to do with the accounts or bank transaction of the company. The petitioner was asked to resign the job on 28.08.2024 and therefore she has no connection with the said company. While so, after 14 months, she was implicated in this case and arrested. Hence, he prayed for grant of bail to the petitioner.

4. The learned counsel for the intervener submitted that it is a clear case of breach of trust and misappropriation. Taking advantage of her employment, this petitioner has siphoned off Rs.25,00,000/- by adopting various methods, and so far, no amount is recovered. And if the petitioner is granted bail, there is a likelihood of tampering with the investigation. Hence, he opposed for grant bail to the petitioner.



5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that there are totally three accused in this case, and all of them were arrested and are in custody. This petitioner/A3 and the other accused are Managing Partner Firm and another staff of the partnership firm. So far, no amount is recovered, and the investigation is pending. Hence, he opposed for grant bail to the petitioner.

6. I have considered the submissions made on both sides and perused the records. Admittedly, the issue involved in this case is the misappropriation of funds of partnership firm. A1 has already resorted, filing a civil suit for rendition of accounts of the partnership firm. Once the process of rendition of accounts is started, it will give a clear picture as to who is involved in misappropriation of funds. Accused No.1 already released on bail by the court by order dated 17.11.2025, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Metropolitan Magistrate for Exclusive Trial of CCB & CBCID**



cases, Chennai and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

18.11.2025

Vv

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 the official website of this Court will be watermarked and will also have a QR code.



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To

1. The Metropolitan Magistrate
for Exclusive Trial of CCB & CBCID cases,
Chennai
2. The Inspector of Police,
CCB-I, Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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