



CRL OP(MD)No.3135 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD).3135 of 2025

Sudha

... Petitioner / Accused No.2

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
CCB,
Madurai City.
(Crime No.5 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.5 of 2025 on the file of the respondent-police.

For Petitioner : Mr.D.Rameshkumar,
Advocate.

For Respondent : Mr.S.S.Manoj,
Government Advocate (Criminal Side)

For Intervener : M/s.J.Saranya,
for Mr.N.Sathish Babu, Advocate

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 17.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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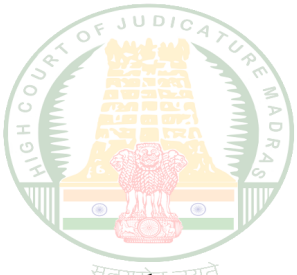
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2. The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 61(2) and 316(4) of BNS, 2023, in Crime No.5 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the defacto complainant runs a construction company under the name and style of "ASHELTER Designer Studio," where A1 is employed as an Accountant, and the Petitioner (A2) works as an Engineer. During an audit, the defacto complainant noticed certain discrepancies in the company's accounts. In the course of the enquiry, A1 is said to have admitted to misappropriating funds from the company's accounts. Based on her confession, the Petitioner has been implicated in this case. Hence, the case.

4. Mr.D.Rameshkumar, the learned counsel for the petitioner, submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He, however, submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.

5. Per contra, Mr.S.S.Manoj, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the accused persons swindled and misappropriated a sum of Rs.40 lakhs from the company. He further contends that if pre-arrest bail is granted to the petitioner, she may abscond and tamper with the



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evidence and hence, custodial interrogation of the petitioner is necessary in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is stated that the accused persons swindled and misappropriated a sum of Rs.40 lakhs from the company. Investigation in this case is still pending. Therefore, this Court is of the opinion that if an order of pre-arrest bail is granted to the petitioner, she may abscond and tamper with the evidence and therefore, custodial interrogation of the petitioner is absolutely necessary to unearth the truth. In view of the above, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, this Criminal Original Petition is dismissed.

sd/-
04.03.2025

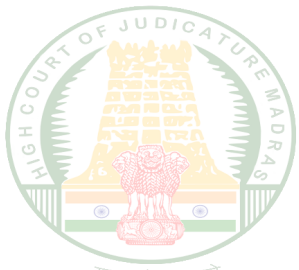
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/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1.The Inspector of Police,
CCB,
Madurai City.



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2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SL(20.03.2025)/ 4P/ 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.