

Crl.O.P(MD).No.11247 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 13.08.2025

Pronounced on : 09.09.2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.O.P(MD).No.11247 of 2025

and

Crl.M.P(MD)No.9153 of 2025

M.G.Sajitha Gladis

W/o.Jane Johnson

... Petitioner/Sole Accused

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanniyakumari District.
(Crime No.13 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of her arrest in connection with the case in Crime No.13 of 2025 on the file of the respondent police.

For Petitioner	: Mr.Sivabalan Advocate
For Respondent	: Mr.S.Prakash Government Advocate (Crl.side)
For Intervenor	: Mr.P.Ganapathy Subramanian Advocate



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ORDER

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The petitioner seek anticipatory bail upon the apprehension of arrest at the hands of the respondent police for the alleged offences U/s.314 and 318 of BNS, 2023 in Crime No.13 of 2025 on the file of the respondent police.

2. The case of the prosecution is that the defacto complainant is running a hospital for the past 18 years. The petitioner was working as Pharmacist from 15.01.2011. The defacto complainant used to purchase medicine on credit basis, he found that there was a huge difference in spite of repayments made, so an audit was conducted. On audit, it came to know that the petitioner, using password of the computer, misappropriated the amount worth Rs.81,18,844.58/-. Hence, the defacto complainant lodged a complaint.

3. The learned counsel for the petitioner has submitted that the petitioner is innocent and she has not committed any offence as alleged in the FIR. The petitioner completed D.Pharm and was working as Pharmacist from 16.05.2011 to 20.11.2024 in Rathna Hospital, which is run by the defacto complainant. Her duty is to check the stocks in the hospital godown, to collect the details of demands of medicines given by the medical store and to give



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payments to the medicine companies. The petitioner gave a resignation letter on 20.07.2024, but the defacto complainant has not permit her to resign, later she left the work on 14.10.2024. Having grudge over this, the petitioner has been falsely implicated in this case by the defacto complainant. The petitioner received the summons from the respondent police and appeared before the Investigating Officer on 20.05.2025 and on interrogation by the police, she gave a statement on 20.05.2025. The petitioner has also produced a copy of documents by way of additional typed set stating that she was not given the admin option in the office and she used to create new employee IDs for newly joined staff. The alleged occurrence is stated to have been taken place from 2021, but the case was registered on 26.05.2025. The petitioner will not abscond or will not evade from the process of law. She is ready to abide any condition imposed by this Court and hence, she may be granted anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police objected the petition and has also filed a status report.

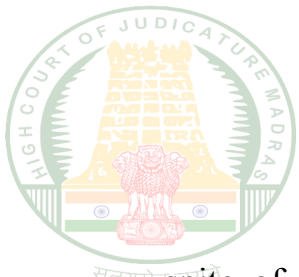


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5. He further submitted that the petitioner worked as Pharmacist in the defacto complainant's hospital for 13 years and she well known about all the transactions. During the years 01.01.2021 to 31.07.2024, there was a huge difference in tallying accounts, so auditing was conducted by the Associates of Chartered Accountant Selvaraj. Audit report revealed that there were medical supplies to the tune of Rs.81,18,844.58/- without knowledge of the defacto complainant. As the petitioner involved in the alleged offence, in order to escape from criminal liability, the petitioner gave a resignation on 20.07.2024. The investigation is still pending at preliminary stage. The petitioner's further interrogation is necessary and real facts would be unearthed only on her arrest and custodial interrogation. If the petitioner is granted anticipatory bail, the accused would tamper with the evidences and would also not cooperate with the investigation and recovery of property. Hence, he prays dismissal of this petition.

6. The learned counsel for the intervenor submitted that the intervenor has been running hospital for the past 18 years. The petitioner was appointed as pharmacist in his hospital. He felt suspicious that there was a huge debt in

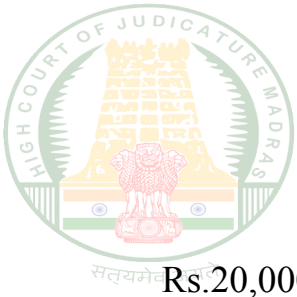


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spite of repayments, so he requested for auditing by Chartered Accountants Selvaraj Associates. Audit found discrepancies in stock records leading to loss of Rs.81,18,844.58/-. He submitted a copy of the audit report is filed for reference. The bank statement of the petitioner shows about the transactions of amounts in lakhs, whereas she and her husband were earning Rs.20,000/- to Rs.25,000/- p.m. The petitioner abruptly stopped attending duty from 15.10.2024 by giving registration cancellation certificate, but she still works at Kims Hospital, Nagercoil. Hence, the petition for anticipatory bail may be dismissed.

7. Heard and perused the available records. It is seen from the records that the petitioner admits that she was working as Pharmacist in Rathna Hospital from 16.05.2011 and that she has to give payments to the medicine companies after getting hospital cheques signed by the MD. It is alleged that since there were discrepancies in stocks of medicines, the petitioner gave a resignation letter and also gave cancellation of her registration certificate. But, the learned counsel for the intervenor states that the petitioner is now working at Kims hospital and the petitioner's bank accounts show the transactions of lakhs of rupees, whereas she and her husband were earning



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Rs.20,000/- to Rs.25,000/- p.m. This was not specifically denied by the petitioner. The prosecution filed a copy of audit report submitted by P.Selvaraj Associates Chartered Accountants, which reveals that through the petitioner's user ID SAJI, an amount of Rs.63,79,218.00/- was transacted. The petitioner has also not disowned the user ID SAJI. So, there is prima facie evidence against the petitioner.

8. On perusal of FIR and according to the intervenor, it is alleged that in spite of repayment of debts, the accounts showed huge debt and so auditing was asked to be conducted by Chartered Accountants, which focused on analysis of inventory software logs, through user ID 'SAJI' alleged to be the user ID of petitioner, huge sum has been transacted. Therefore, the case on hand needs a thorough investigation. The investigation is now at preliminary stage and the interrogation of the petitioner is very much necessary. Therefore, considering the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.



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9. In the result, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petition is closed.

09.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
VSD

To

- 1.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanniyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

VSD

Pre - Delivery Order made in
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and
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