THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3454 of 2015

ORDER:

The petitioner, who is the accused in Cr.No.266 of 2014 of Marredpally Police Station, filed the present application under Section 438 of the Code of the Criminal Procedure (Cr.P.C.), seeking release in the event of his arrest in connection with the above crime registered for the offences punishable under Sections 420, 408 IPC.

The case of the prosecution is as under:

The informant employed the petitioner as supervisor in their firm and was working with them for the last two years. On 25-08-2014, the informant gave a cheque for Rs.7,00,000/- bearing cheque No.618667 to the accused and asked him to transfer through RTGS into the account bearing No.52020559865 belonging to one Ravi Gopalakrishnan. But the petitioner is alleged to have transferred the same into his account in ICICI bank. Since from that day onwards, the petitioner did not report to the work and in the evening, he alleged to have sent message stating that he is fed-up with life and will commit suicide. When Mr.Ravi Gopalkrishnan informed about non-receipt of the amount, the informant is alleged to have enquired about the same and revealed that money was transferred to the account of the petitioner. Basing on these allegations, the present report came to be filed.

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the State.

Learned counsel for the petitioner submits due to some family disputes, the present case came to be registered. He further submits that the petitioner is innocent of the offence and that he is willing to cooperate with the investigation.

Learned Public Prosecutor strongly opposed the application contending that it is a clear case where the informant was cheated by the petitioner.

A perusal of the averments in the report discloses that an amount of Rs.7.00 lakhs, which has to be transferred to the account of Ravi Gopalkrishnan was transferred to his account by the petitioner through RTGS and thereafter, he did not attend his duties. The learned counsel submits that due to family disputes the present case has been lodged, but no material is placed to show existence of disputes between them.

The conduct of the petitioner evading to attend to his duties after having transferred the amount to his account itself speaks volumes about his intention to cheat the informant.

Having regard to the said circumstances, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

22-04-2015

Nvl