

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9095 of 2015

Between:

Bonala Balaiah @ Balu

..... PETITIONER/ACCUSED

AND

The State of Telangana,

Rep.by its Public Prosecutor,

High Court at Hyderabad and 2 others

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9095 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in Cr.No.76 of 2014 on the file of the Central Crime Station, Hyderabad, registered for the offences punishable under sections 406, 408, 420, 468 and 471 r/w. Section 34 of IPC.

Heard the learned counsel for the petitioner/Accused and the learned Additional Public Prosecutor, representing the State.

The allegations in brief are that respondents/*de facto* complainants are running Maa Hospitals in Hyderabad and the petitioner/accused was working as Accountant in the said Hospital. It is alleged that during the period between 29.07.2013 to 10.02.2014 the petitioner by forging the signature of B.Sunitha, one of the Directors of the Hospital, and through net banking, transferred total amount of Rs.1,04,71,556/- from the Account of Maa Hospitals Private limited and from the personal account of B.Sunitha to the account of Maa Computers Technologies of Axis Bank, thereby committed breach of trust and fraud.

The contention of the learned counsel for the petitioner/accused is that the petitioners/accused has not committed the offence as alleged and amount has already been recovered from him.

Upon perusing the complaint, it is noticed that the petitioner/accused is alleged to have committed serious offence of forging the signatures of one of the Directors of the Maa Hospitals and transferred larger amount to another account through net banking. I feel that it is not a fit case where the criminal proceedings can be quashed. There are no valid grounds to quash the First Information Report.

Accordingly, the Criminal Petition is dismissed.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 12.10.2015

Dsr