

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTY

Crl.P.No.14897 of 2016

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the FIR in Cr.No.461 of 2016 of II Town Police Station, Eluru, West Godavari District, registered for the offence punishable under Section 408 IPC, against petitioners/A1 to A3.

2. It is alleged in the complaint that the petitioners/A1 to A3, who were engaged as courier boys for delivery of goods booked through online, had misappropriated an amount of Rs.31,14,043/- without depositing in the account of the company.

3. The only contention of petitioners before this Court is that as they worked only as courier boys, the question of entrustment of such huge amount does not arise. This is a question of fact which has to be decided during trial and the allegation made in the FIR would constitute an offence if proved, *prima facie*. Therefore, I find no ground to quash the proceedings at this stage while exercising jurisdiction under Section 482 Cr.P.C.

4. Hence, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this criminal petition shall stand dismissed.

M. SATYANARAYANA MURTY, J

20th October, 2016

sj