

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40077 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to call for the records in FIR No.182 of 2016 and to quash the same.

The allegations made in the present complaint lodged by the 4th respondent against the petitioner are that the petitioner opened a Savings Bank Account bearing No.62039254382 on 01.09.2007 in Mancherial Main Branch and maintaining the account till date and some amounts were erroneously credited to the petitioner's account through online from the 4th respondent's branch and those credits were not pertaining to the petitioner's account and instead of informing the same, the petitioner had withdrawn the amount by using ATM and stated that the 4th respondent had recovered the entire amounts from the account of the petitioner by putting hold and further stated that one Gali Suresh Babu, who is made as A-2, officer of SBH, when working at the 4th respondent's branch made few transactions by using his login I.D. and afforded credits to the petitioner's account and as per the Head Officer instructions, the 4th respondent had filed the present complaint to take necessary action. Based on the said complaint, the 3rd respondent registered the same as FIR No.182 of 2016 against the petitioner for the offences punishable under Sections 403, 409 & 420 IPC.

Learned counsel for the petitioner submitted that even though she opened an account with the 4th respondent in the year 2007, she was not given any debit card to use the same and that the amount which was alleged to be withdrawn was withdrawn by some of the officials in the said bank and apart from that, the amount which is alleged to be withdrawn by the petitioner is already deposited with the bank.

Considering the said facts and circumstances and that the petitioner being a lady, the 3rd respondent is directed to complete the investigation in FIR No.182 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 21st November, 2016

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