

**IN THE COURT OF JUDICIAL MAGISTRATE COURT NO.I,
TAMBARAM**

**PRESENT: Tr.G. SENTHAMILSELVAN. B.A. M.L.
Judicial Magistrate No.I, Tambaram**

Thursday, the 11th day of December, 2025

C.M.P. No.2267 of 2024

in

CSR No.240/2024

S.Mohan Kumar,
S/o.Sundararajan,
No.A211, Casagran Miro,
Aadhanur Road,
Mannivakam,
Chennai -600 048.

...Petitioner / Defacto Complainant

– Vs –

1. State rep. by the Inspector of Police,
Cyber Crime Division–I, Office of the Commissioner,
Tambaram City.

2. The Branch Manager,
Punjab National Bank,
Manikpur, Uttarpradesh (Layer 1)

3. The Branch Manager,
ICICI Bank (Layer 2)

4. The Branch Manager,
Central Bank of India, Alwar, Rajasthan

5. The Branch Manager,
Utarkash Small Finace Bank (Layer 2)

6. The Branch Manager,
Canara Bank, Madhyapradesh (Layer 3)

7. The Branch Manager,
ICICI Bank, Uttarpradesh (Layer 4)

8. The Branch Manager,
Yes Bank, Uttarpradesh (Layer 5)

9. The Branch Manager,
Axis Bank, Madhyapradesh

... Respondents

This petition coming for final hearing before me in the presence of Thiru.D.Renuka, S.Prabhu and I.R.Aishwarya, Advocates for the petitioner and Assistant Public Prosecutor Grade-II for the 1st respondent/complainant, notice served to R1 to R9, but R2, R4, R5, R6, R8 and R9 called absent, Thiru.S.Krishnaa, M.Anthony Moses, A.Alexander and P.Jegadish, Advocates for the 3rd and 7th respondents, upon hearing both sides and perusing the records, this Court delivers the following:

ORDER

1. The petitioner has filed this petition under Section 497 read with Section 503 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking return of her defrauded amount, alleging that she had deposited a total sum of Rs.4,54,800/- into certain bank accounts operated in other States. It is further stated that a portion of the defrauded

funds amounting to Rs.19,93,067/- has been seized by the 1st respondent and put on hold by the concerned banks at the instance of the 1st respondent police.

2. Before proceeding to the merits of the petition, this Court is required to determine whether it has territorial jurisdiction to entertain and decide the present petition.

3. It is seen from the affidavit and records that the accounts to which the money was transferred are maintained at Punjab National Bank, Uttarpradesh, Central Bank of India, Rajasthan and Axis Bank, Madhyapradesh. The petitioner's bank account is maintained with ICICI Bank, Aadhanur Road, Manivakkam Branch.

4. Under Section 177 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 177 of the Code of Criminal Procedure, 1973), every offence shall ordinarily be inquired into and tried by a Court within whose local jurisdiction it was committed. Further, Section 178(c) of BNSS provides that when an act is done in one area and the consequence ensues in another, the offence may be inquired into or tried by a court having jurisdiction over either place.

5. In the instant case, the alleged fraudulent act (the deception and receipt of money) occurred in other States where the beneficiary bank accounts are located. Therefore, the cause of action, as per Sections 177 and 178 BNSS, primarily arises within the territorial limits of the courts at Uttarpradesh and Madhya Pradesh .

6. In the present case, since the respondent banks and the transaction accounts are situated beyond the territorial limits of this Court, and no part of the offence or act complained of is shown to have occurred within the jurisdiction of Tambaram Court, this Court lacks territorial competence to adjudicate the matter. However, the 3rd and 7th respondents filed counter stating no amount is available at present.

7. Accordingly, this petition is dismissed for want of territorial jurisdiction. However, the petitioner is at liberty to file a fresh petition before the competent Judicial Magistrate Court having proper jurisdiction over the places where the fraudulent transactions occurred.

8. It is made clear that this dismissal shall not preclude the petitioner from pursuing appropriate remedies in law before the jurisdictional Court or competent investigating authority for the recovery of her defrauded funds.

In view of the above discussion and settled legal principles,

This petition is hereby dismissed for want of territorial jurisdiction, with liberty to the petitioner to approach the competent court having proper jurisdiction.

Typed by me, corrected and pronounced by me in the open Court on this 11th day of December, 2025.

**JUDICIAL MAGISTRATE NO.I,
TAMBARAM**