IN THE COURT OF THE JUDICIAL MAGISTRATE NO.III, TIRUPPUR

PRESENT : Tmt.G.Dhanalakshmi,B.Sc.,L.L.B.,

JUDICIAL MAGISTRATE NO.III,TIRUPPUR

On the 13th day of August 2026

Crl.M.P. No.2580/2026

(CNR No.TNTI1A-007005-2026)

Mohankumar Mahto, (26/2026)
S/o. Rambilash Mahto. ... Petitioner/Defacto Complainant

/ vs /

State rep by Inspector of Police,
City Cyber Crime Police Station,(CCD-II)
Tiruppur(CSR.No.0570/2026) ...Respondent

This petition coming on 13.08.2026 for final hearing before this court in the presence of learned Advocate Thiru.S.Joel, for the petitioner and learned APP Gr. II represented for state, upon perusing the petition submitted having stood over for the consideration till this day this court delivers the following

ORDER

This petition is filed by the petitioner U/s. 497 r/w 503 of BNSS for defreezing the account which is freezed by the respondent police during the course of investigation in CSR. 0570/2026 and transfer the same to the account of the petitioner.

2. The Brief contents of the petition :

The petitioner is the defacto complainant in this case. The petitioner has been fraudulently deceived by APK Scam. He was cheated by a sum of Rs.1,03,400/- After aware of the cheating, the petitioner was filed complaint to the Tiruppur City Cyber Crime Police Station,Tiruppur and the same was registered by the respondent police in CSR .No.0570/2026. Hence this petition has been filed seeking a direction to the respondent to disburse cheated amount in the freezed account of the accused person to the petitioner's account.

3. Brief of counter filed by the respondent :

The respondent police stated that the victim was deceived by APK Scam. The petitioner was deceived into making transactions leading to a loss, Rs.1,03,400/- The suspected accounts mentioned in the reply are interconnected and are being operated by the suspects involved in this case and the total amount a sum of Rs.51,136.86/- was freezed. After an enquiry, the court may pass an order to the respective banks to reimburse the disputed amount to the following bank accounts belonging to the victim.

POINT FOR CONSIDERATION

4. Whether this petition is allowed or not.

5. Heard, Records perused. It is clear that the petitioner is the defacto complainant and the petitioner is the victim. The prosecution in the reply did not oppose to claim made by the petitioner herein. As per the details submitted by the respondent police they have currently freezed a sum of Rs.51,136.86/- in the claimed bank account.

6. The petitioner sent money to various bank accounts mentioned by the accused and the fraudulent money has been transfered to three bank accounts. So, the bank accounts involved in this case is liable to the fraudulent amount. Notice has been sent to the freezed account holder and the same was returned and called absent. Till now there is no claim from the freezed account holders. Hence, the petitioner is entitled to claim the fraudulently lost amount from the bank accounts involved in this crime or from the bank accounts involved in this crime.

7. In this case the petitioner has lost a total sum of Rs.1,03,400/- The defrauded money has been sent to various bank accounts. One bank account currently have a total sum of Rs.51,136.86/- Now above said accounts have freezed by the respondent police. The petitioner is entitled to claim the fraudulently lost amount of Rs.25,000/- from the above mentioned suspected bank account. It can be held that the petitioner has made out reasonable grounds to allow this petition. Hence this petition is allowed with following conditions.

(i) That the respondent police is directed to issue proper intimation to the concerned bank and to defreeze the account and transfer the claim amount a sum of Rs.25,000/- from Bank of India A/c No.509710110002540 IFSC Code: BKID0000005 to the petitioner namely Mohankumar Mahto, S/o Rambilash Mahto, State Bank of India, A/c No.20375289529 IFSC Code: SBIN0014305, Tiruppur.

(ii) The concerned bank officer/ Nodal officer is hereby directed to remit the total sum of Rs.25,000/- or available amount to the petitioner's bank account within 7 days from receiving the order copy by way of email sent by the concerned respondent police or by this court.

(iii) The concerned bank officers are hereby directed to sent to this court the original receipts / e–receipts showing that the frozen money has been transfered to the petitioner's bank account within 15 days from the remittance.

(iv) The petitioner is directed to executed a bond like sum of Rs.25,000/- along with two sureties like sum.

(v) The petitioner is directed to executed the indemnifying the said amount against 3rd party claim and shall deposit the said amount as and when directed by this court.

This order dictated by me to the steno-typist and typed by her directly in the computer and corrected and pronounced by me in the open court this 13th day of August 2026.

DHANALAKSHMI G

Digitally signed by DHANALAKSHMI G
Date: 2026.08.13 12:33:26 +0530

Judicial Magistrate No.III,
Tiruppur.