IN THE COURT OF THE JUDICIAL MAGISTRATE No-II AT ARIYALUR
Present: Selvi. B. Jayaprada, B.B.A., L.L.B(Hons)
Judicial Magistrate(Additional Mahila Court), Ariyalur.
Judicial Magistrate No.II, Ariyalur (FAC)

Monday, the 03rd day of August 2026
Crl.M.P.No.1292/2026 in CSR No.454/2026
(On the file of the Cyber Crime P.S., Ariyalur)
CNR No. TNAL040029672026

Karthikeyan, Age 52,
S/o. Govindaraj,
Old D.No.2/99, New D.No.3/99-2,
East Street, Thirumazhapadi Village,
Ariyalur Taluk,
Ariyalur District - Petitioner/Defacto complainant

Vs.

1. State of Tamil Nadu represented by:
Sub Inspector of Police,
Cyber Crime Police Station,
Ariyalur District.
CSR No.454/2026 - 1st Respondent/Complainant.

2. The Branch Manager,
Canara Bank
86, Spencer Building,
IV Floor, M.G.Road,
Transaction Banking Wing Branch,
Bangalore District
Karnataka 560001
IFSC Code : CNRB0000033
- 2nd Respondent

This application came up before me in the presence of Learned Counsel for the Petitioner Thiru. K. Dharmaraj, B.A., B.L., and Learned Assistant Public Prosecutor-Grade II appearing for State and upon perusing the material records and hearing for both sides and having stood over for consideration till date, this court delivers the following,

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Order

The present Petition has been filed under sec.497 and 503 of BNSS praying for an order to release the amount from the frozen bank accounts to the Petitioner as interim custody.

1. Brief averments of the Petition :-

1.1. The Petitioner/Defacto complainant has filed a complaint before 1st Respondent Police and the same has been registered in CSR No.454/2026. On 15.07.2026, one suspected person contacted the petitioner from the number 9540020233 and claimed to be calling from the School Education Department stating that a scholarship amount had been approved for the petitioner's son K. Harish. Further, the suspected person said that a QR Code would be sent to Petitioner's mobile, so he asked petitioner to provide the phone number of someone nearby. Therefore the Petitioner sent his friend's mobile number 9540503276. Then the Suspected person made a whatsapp call to that number. As instructed by suspected person, when the QR code received on Petitioner's phone, Petitioner scanned that QR code and the suspected person told the Petitioner that it was an OTP and asked the Petitioner to enter 50120. Accordingly, Petitioner entered it. At that moment, petitioner realized that Rs.50,120/- had been deducted from the Petitioner's bank account. Immediately Petitioner lodged a compliant before the 1st Respondent Police.

1.2. The 1st Respondent police registered a CSR No.454/2026 and investigated and now the 1st Respondent police has frozen the accused account (Ac.No.110314013319, IFSC Code: CNRB0000033). The amounts available in the frozen account are liable to be returned to him. It is well established and there are abundant proof that the amounts belong to him and liable to be returned to the Petitioner. If the petition is allowed, no prejudice would be caused to anybody. The Petitioner himself to abide by the conditions to be imposed by this Hon'ble Court. Hence the Petitioner prays for allowing the petition.

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2. Reply of the Prosecution

Upon the receipt of complaint given by the Petitioner/Defacto complainant, the 1st Respondent Police registered the CSR No.454/2026 and the investigation is pending. During the investigation it is found that the amount from the Petitioner's below mentioned account were transferred to the following account as per the table mentioned below. This court has ordered the Inspector of Police, Cyber crime to collect the account details from the concerned banks and the transaction details between suspected account and the Petitioner account and submit a compliance report before this court. Thereby the Cyber crime Police on 30.07.2026 has submitted a compliance report along with transaction details of suspected accounts. And that all the accounts stated below has been frozen. And the 1st Respondent/cyber crime police has strongly object to release the eligible amount to the Petitioner as interim custody.

Sl. No.	Petitioner Account Details	Transfer amount and date of transaction	Suspect Account No. & Bank Details	Frozen amount Rs.
1	UCO Bank Ac. No.24100110050996 IFSC No.UCBA0002410	Rs.50,120/- (15.07.2026)	Canara Bank Ac.No. 110314013319 IFSC : CNRB0000033	Rs.55,900/-

3. Discussion and Decision.

3.1. Perused the entire records and heard both sides. The 1st Respondent has objection to order for transfer the frozen amount in suspected account to the account number of the Petitioner. From the materials and the account statement submitted by the Petitioner, it clearly reveals that the sum of Rs.50,120/- transferred from the Petitioner account to the suspected accounts. After receipt of complaint the 1st Respondent has frozen the suspected account. The Learned counsel for the Petitioner stated that the petitioner have been informed by the 1st Respondent police that the amount of Rs.55,900/- was frozen to whom the Petitioner has deposited the amount.

3.2. On perusal of the transaction report filed by the 1st Respondent and the account statement submitted by the Petitioner this court is of view that the petitioner has prima facie established that the Petitioner was cheated by suspected person and the petitioner submitted that amount frozen by the 1st Respondent is very essential to run their family to meet out their day-to-day expenses.

3.3. In view of the reply and compliance report submitted by the Respondent Police it is categorically stated as follows:

1	2	3	4	5	6
Sl. No.	**Petitioner's Account Details**	**Debited amount from petitioner account**	**Credited to Suspect Account No. & Bank Details**	**Frozen amount by Inspector of Police, Cyber crime Rs.**	**Amount to be recovered Rs.**
1	24100110050996, UCBA0002410	Rs.50,120/-	110314013319, CNRB0000033	Rs.55,900/-	Rs.50,120/- (R2)
					Rs.50,120/-

Therefore from the table it is clear that the amount was transferred from column No.2 to column No.4 as per the table mentioned above.

3.4. Therefore this court considering the facts and circumstances and in the interest of justice this court order re-transfer of amount mentioned in column No.6 to be debited from the account in column No.4 and credited to the Petitioner's account (Ac. No.24100110050996) (IFSC : UCBA0002410) from which the amount stated in column No.3 that was fraudulently transferred. In case if the amount stated in column No.6 is lesser than the amount frozen from the accused Bank stated in column No.4. The lesser amount what ever amount is available shall be transferred to Petitioner's Account (Ac. No.24100110050996) (IFSC : UCBA0002410) without prejudice to petitioner's right to recovery of deficit amount in future. Hence this order is passed without prejudice to the Petitioner's recovery in future.

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3.5. This court is inclined to order interim custody of said amount on the following conditions:

The 1st Respondent Police is hereby directed to Co-ordinate with the nodal officer/Bank Manager of the concern Bank for transferring the Amount to the Petitioner Account (Ac. No.24100110050996) (IFSC : UCBA0002410).

1. The Petitioner shall execute a personal bond for Rs.51,000/- and shall also furnish one surety for the like sum Rs.51,000/- to the satisfaction of the court within a week from the date of this order.
2. Petitioner shall file an undertaking affidavit to redeposit the amount which he collects from the bank through this court order, if the court further re-orders.

In the result, the Petition is allowed subject to the above conditions.

Directly dictated to Steno typist and typed by her, corrected and pronounced by me in open court on this 03rd day of August 2026.

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Judicial Magistrate No.II(FAC),
Ariyalur.