

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, ALAPPUZHA

Present:- Smt.Priyanka.S, Chief Judicial Magistrate

Dated, this the 7th day of April, 2026.**C.M.P. No. 3466/2024**

in

Cyber Crime Police Station, Alappuzha Crime No.3/2024

- Petitioner : Rajasekharan Pillai, S/o. Sivaraman Nair
aged-60 years, Vechoor Veedu,
Kurattikkadu, East of Mannar Panchayat-
Office, Alappuzha, Kerala, India.
(by Adv.Jince T. Thomas)
- Cr. Petitioner/Complainant : State-represented by the Inspector
of Police, Cyber Crime Police Station,
Alappuzha in Crime 3/2024.
(By the Deputy Director of Prosecution,
Alappuzha)

ORDER

Above crime was registered by Inspector, Cyber Crime Police Station, Alappuzha against the accused u/s.419, 406, 403 & 420 IPC and 66(D) of Information Technology Act 2000.

2. This is a petition filed u/s 503 of BNSS. The claim made in the affidavit in support of the petition is for releasing an amount of Rs.10,00,000/- which was swindled from the petitioner and seized by Cyber Crime Police Station, Alappuzha in the above crime.

3. On filing the above application, report was called for from the SHO, Cyber Crime Police Station, Alappuzha who has admitted the seizure of the amounts further stating that the amounts were siphoned off from the

account of the petitioner by means of deception played upon him and transferred to the accounts shown in the petition through various transactions. It was further stated that the amounts involved belong to the petitioner and the same can be released in favour of him.

4. On going through the entire materials in the case and based on the report of the SHO, Cyber Crime Police Station, Alappuzha it prima facie appears that the amount involved in the petition belongs to the petitioner which was obtained by the accused by means of fraud, as a result of which the above case was registered. As per the report, it is seen that the amount claimed in the below schedule was seized by the Investigating Officer and the receipt of undertaking were sent to the respective bank via email. Notices were also already issued to the account holder in terms of section 94 of BNSS and at present there is no rival claimant. There is no meaning in keeping the amount in the custody of the bank which was seized by the police. Hence, necessary directions can be given for releasing of the amount on interim custody in favour of the petitioner.

In the result, petition is allowed on the following conditions.

1. The petitioner shall execute a self bond for Rs.10,00,000/-.
2. On execution of such bond, the petitioner shall be at liberty to approach the Managers of the below mentioned banks for withdrawal of the amounts from the accounts shown below or transfer the same to the account of the petitioner (A/c.No.11314100012337) maintained with Federal Bank, Mannar Branch.
- 3.

Sl. No.	Account No. in which defrauded amount is located.	Name of Bank where defrauded amount is located.	Amount
1.	309019617356	Retnakar Bank, Kaippuzha	Rs.10,00,000/-

		Branch.	
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4. On making an application by the petitioner via e-mail (scanned copy containing the signature of the petitioner) along with this Order further mentioning the account to which the amount is to be transferred, the Branch Manager concerned shall take steps to transfer the amount to that account without any delay.
5. The bank concerned shall allow the petitioner to withdraw the amount irrespective of the fact that the same is involved in the above crime.
6. The petition is disposed of accordingly.

Dictated to the Confidential Assistant, transcribed by her, corrected and pronounced by me in open court on this the 7th day of April, 2026.

Sd/-
Chief Judicial Magistrate.
Alappuzha

Chief Judicial Magistrate.
Alappuzha

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