

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

**PRESENT : THIRU.M.RAJAKUMARESAN, B.Com., L.L.B.,
PRINCIPAL DISTRICT MUNSIF, CUDDALORE
JUDICIAL MAGISTRATE NO.III, (FAC) CUDDALORE**

**C.M.P. No.150 / 2026
Thursday, the 02nd day of April 2026**

Velmurugan, (Aged – 25)
S/o.Kuzhanthaivel.

... Petitioner

//Vs//

SHO. Cuddalore Cyber Crime P.S.,
CSR.No.2652 / 2025,
NCRP No.32911250072585.

... Respondent

This Petition is filed U/s.503(1) of BNSS coming before me for final hearing on today in the presence of Mr.J.Ramajayam, B.A., B.L., Learned Advocate for the Petitioner / owner of the property and Learned APP Grade-II appearing for the Respondent upon perusal of the Petition and reply and have been stood over for consideration till this day this Court made the following.

ORDER

01. The Petitioner who is the defacto complainant lodged a complaint stating that he was subjected to online fraud. An amount of **Rs.55,800/-** was stolen from his bank account. Realising that he was cheated the petitioner lodged the complaint and CSR was registered by the police. Now, the petitioner submitted that money has been frozen by the respondent police and hence prayed to release the money to his bank account. Hence, this petition.

02. The respondent police filed their reply stating that they had frozen the **Jio Payments Bank Ltd, Account No.003321721067891 Rs.33,600/-** and money there belongs to the petitioner. The respondent further stated that they have no objections to transfer the said money to the petitioner's bank account.

03. Heard. Both sides. On perusal of the available records, it can be ascertained from the complaint that the petitioner is a victim of online scam. An amount of **Rs.55,800/-** was taken illegally from his bank account. The respondent police had frozen the bank account to which the money went. Now, the petitioner seeks to return the frozen money to him. He is ready to furnish sufficient sureties. In this case, if this petition is not allowed, this petitioner would be subjected to irreparable loss. Further, the respondent police have also filed the reply that they have no objections to transfer the money in petitioner's bank account and also as per the reply of the respondent police, out of the total amount of **Rs.55,800/- they have freezed only Rs.33,600/-**.

04. The Learned counsel for the petitioner submitted that the respondent police have failed to recover the entire money. On the other hand the respondent police submitted that they were able to track and freeze only the said amount of Rs.33,600/-.

05. Considering the fact that the petitioner was subjected to online fraud by unknown person and that the respondent police were able to track and freeze an amount of Rs.33,600/-, this court cannot order to defreeze any excess amount than which is frozen. Morefurther, the respondent police have filed reply stating that the frozen money belongs to the petitioner. Hence, considering the facts and circumstances this court is inclined to order that the frozen money of Rs.33,600/- which has been frozen by the respondent police is ordered to be transferred to the petitioner's bank account namely **Velmurugan, S/o.Kuzhanthaivel, Indian Overseas Bank, Account No.028001000020398, IFSC No.IOBA0000280, Naduveerapattu branch.**

06. In ROC.No.42561-A/2024/F1, Dated: 11.07.2024 indicates that the Magistrates shall call for a report from the Cyber Police who may file an action taken report, affirming registration of the information and freezing of the amount in the bank after detecting the trail of money. If there is a nexus between the amount frozen, and the amount reported by the complainant cheated, then, without insisting on

registration of FIRs, the Magistrates shall dispose of the application. The action taken report filed by the cyber police may be treated as report U/s.457 Cr.P.C (Sec.503 BNSS). As per the aforesaid ROC, this court did not insist for FIR. Based on NCRP number this Court is inclined to allow this petition with the following condition:

07. The true copy of complete transaction details (after transaction) shall be submitted to this court through investigation officer.

08. (As there is no physical currency, taking photographs and preparing panchanama does not arise) (All transactions including sending money by the victim to the accused, seizing the money by police, handing over of money to the victim by the order of the court are all through e-banking transactions alone).

09. The Petitioner is directed to execute own bond for a sum of Rs.35,000/-.

Dictated to the Steno-typist, typed and taken print out by her, corrected by me and pronounced in open Court, this is the 02nd day of April 2026.

-Sd-M.Rajakumaresan
Judicial Magistrate No.III(FAC)
Cuddalore.

/True Copy/

Judicial Magistrate No.III(FAC)
Cuddalore.