

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.III ERODE

Present : Thiru.S.R.Babu, B.A., B.L.
Judicial Magistrate No.III, Erode.

Dated this 10th day of March 2026.

Crl.M.P.No:467/2026

Seshagiri,
S/o.Ramamoorthi.

.....Petitioner / Defacto Complainant/
/ Owner of mo

// Vs //

State represented by Inspector of Police,
CCD-II,
Erode.

in CSR No.21/2026

NCRP No.32901260000112

.....Respondent/complainant

This case was coming before me for final hearing on this date 10.03.2026 and the Learned Assistant Public Prosecutor for the respondent and the Learned Counsel Thiru.S.Hari Ganesh appeared for petitioner after perusing the arguments advanced by both sides this Court passed the following.

ORDER

1. The complainant had filed the petition U/s. 497 & 503 of BNSS stating that, the petitioner had received a message through whatsapp social media and it is about the online share trading. By trusting the words of the accused the petitioner sent the details (i.e., name, phone number, Aadhar number, address, Bank account details). The petitioner had sent the amount of Rs.5,30,670/- for the loan application process. After getting to know that he was cheated by the accused, the defacto complainant has filed the complaint before the Cyber Crime Police. The Defacto complainant submits that he had sent money on various occasions to the accused summing up to Rs. 5,30,670/- in total. After receiving the complaint from the defacto complainant, the Cyber Crime Police had freezed the bank account operated by the accused to which money has been sent. The petitioner/defacto complainant has filed this petition

seeking for the retrieval of the money sent to the accused's account for which the account of the accused has to be defreezed. The details of the same along with the bank accounts and the remaining balance left in that particular freezed accounts are given below

Sl. No.	Accused used bank account no.	Account Holder name and address	Victim Amount in Rs.	Closing Balance amount in Rs.	Amount to be defreezed in Rs.
1	Indusind Bank, A/c No. 252512101998 IFSC Code: INDB0000037	New Dog House, D 59/129 B 1 Smith School road, Sigra, Varanasi, Uttarpradesh	75,000	2,05,752	75,000
2	Utkarsh Small Finance Bank, A/c No. 1670020000000192 IFSC Code: UTKS0001670	Dhorimana Advertisement (opc) Private Limited, 1 st floor 10 Zillion land market near, Bansal Mal, Soma Talav Tarsalim 40 Mtr ring road, Vododara, Gujarat	3,00,000	28,926	28,926
				Total	Rs.1,03,926/-

2. Thereafter, a formal complaint was registered with the Respondent Police in CSR No.21/2026, NCRP No.3290126000112 based on the complaint filed by them the bank account was freezed by the Cyber Crime Police.

3. The petitioner submits that she is filing the present petition seeking a direction to the respondent to withdraw the amount of Rs. 5,30,670/- and he prays that this Honourable Court may be pleased to direct the respondent to recover the amount of Rs. 5,30,670/- from the bank mentioned above.

4. In the reply the Cyber Crime Police and the Prosecutor submits that, the above mentioned amount of Rs. 1,03,926 /- may be returned to the petitioner subject to certain conditions imposed by the Honourable Court. The prosecution has confirmed that the above sum of money had been sent by the petitioner/Defacto

complainant to the accused and they can be released on conditions.

5. On perusal of the records and submissions made by both the parties, it is clear that the petitioner have been used and the accused have cheated the complainant and induced him to transfer money. This case being a case of online fraud, and involves online transactions being the mode of transfer, the petitioner has sort remedy by filing the petition before this Court for retrieving his money.

6. The reply by the prosecution also been carefully perused, the first respondent is directed to defreeze the bank accounts in the respected bank mentioned above and remit the petitioner claimed the amount of Rs. 1,03,926 /- (One Lakh and Three Thousand and Nine Hundred and Twenty Six Rupees.)

7. Hence the petition is allowed and further directed the respondents to comply with below mentioned conditions,

(i) In the result, it is ordered that the Inspector of Police, Cyber crime cell, Erode is directed to issue proper intimation to the Bank authorities to defreeze the account mentioned above and transfer amount of **Rs. 1,03,926/-** to the account (**i.e.,State Bank of India, Sathy Road Branch, Erode District in A/c No. 40470016630 & IFSC: SBIN0016100**) at the earliest.

(ii) The petitioner is directed to execute a bond for Rs. 1,03,926 /- and shall co-operate in investigation and also in trial.

(iii) The petitioner shall file an affidavit before this Court stating that he will indemnify the said amount against any 3rd party claim and shall deposit the said amount as and when directed by this Court.

8. In the result petition is allowed. No costs.

Typed by the typist in the Court computer, dictated, corrected and pronounced by me on this 10th day of March 2026.

Judicial Magistrate No.III,
Erode

Copy to:
Cyber Crime Police Station, Erode.