IN THE COURT OF JUDICIAL MAGISTRATE NO. III, TIRUPATHUR, TIRUPATHUR DISTRICT

Present: - Tr. S.Kovendhan, B.A., LL.B., (Hons).,
Judicial Magistrate No.III (FAC),
Tirupathur

Wednesday, this the 10th day of June 2026

Crl.M.P. No. 1585 of 2026
in
CSR.No. 173 of 2026

Ezhumalai (Age.32) S/o.Thirupathi,
No. 85, Samathuvapuram Village,
Udayamuthur, Tirupathur Taluk,
Tirupathur District – 635 652 .... Petitioner/defacto - Complainant

//Vs//

The state of Tamil Nadu Represented by,
The Inspector of Police,
Tirupathur Cyber Crime branch,
Tirupathur District. ......Respondent/Complainant

The Petition has been taken on file on 08.06.2026 and came up for final hearing before me on this day in the presence of the Learned counsel Mr. G. Rajkumar, M.B.A.,LL.B., appearing for the Petitioner and the Learned APP.Gr.II appearing for the Respondent and after hearing both sides and on perusal of records and having stood over for my consideration till this day, this court delivered the following,

ORDER

This petition is filed by the Petitioner u/s 497 & 503 of BNSS to order to transfer the freezed cash in CSR No. 173 of 2020 in respect of the Tirupathur Cyber Crime Police station to this petitioner's account for the reasons stated in the affidavit and thus render justice.

1. Brief averments in the petition

(a) It is the case of the petitioner stated that, On 13.02.2026, the petitioner lost his mobile phone, thereafter on 15.02.2026 and 16.02.2026, a sum of Rs.40,000/- and Rs.50,000/- respectively, totaling Rs.90,000/-, was fraudulently withdrawn from his bank account through UPI transactions. In this regard, on 16.02.2026, the petitioner lodged a complaint before the Tirupathur Cyber Crime Police Station seeking recovery of the lost amount based on **NCRP Acknowledgement No.32902260010375.** Pursuant to the said complaint, **CSR No.173/2026** was registered and he have been informed that the amount lost in the above fraud has been frozen through online. Petitioner prays to be return the freezing amount through online by the Cyber Crime Police Station to his bank account **Karur Vysya Bank, Tirupathur Account No. 1637155000078383, IFSC: KVBL0001637** through online transfer and the petitioner by undertaking that he abides by the conditions ordered by the court and prays to allow this petition.

(b) On numbering and ordering of notice, Reply received from the police concerned that **Rs.50,000/-** has been freeze from the suspected account and that the respondent police have no objection to return the same to the petitioner/victim.

2. Points for Consideration:

WHETHER THE CASH of Rs.50,000/- FREEZED IN THE ABOVE CASE BE RETURNED TO THIS PETITIONER?

a) Heard. Records perused. The same shows that this petitioner is the defacto -complainant in the above case and facts of the case shows that this petitioner is the victim concerned in online fraud and has been defrauded to amount of **Rs.50,000/-** which amount has been sent from this petitioner's account concerned in to unknown person account, for which on the report given by this petitioner to Tirupathur cybercrime Police station in **CSR.No.173/2026**.

b) The investigation officer of this case has given report that no objection to transferring the amount **Rs.50,000/-** frozen in the suspect's bank account to the petitioner's bank account concerned in **Karur Vysya Bank, Tirupathur Account No. 1637155000078383, IFSC: KVBL0001637**. The details of the amount lost and freeze details are provided hereunder: -

S.No	Victim Account number	Suspect Account number	Lost Amount (Rs.)	Possible Refund (Rs.)
1.	**Karur Vysya Bank Account No. 163715500007838, IFSC: KVBL0001637**	Indian Bank A/c No.6982701164 IFSC: IDIB000R102	50,000/-	50,000/-
TOTAL				**Rs.50,000/-**

While that being so, when the prosecution also did not object this application and this petitioner has by submitting the account statement has prima facie satisfied the alleged transfer, allowing this application only would meet the ends of justice as keeping the said amount would not serve any purpose. However, considering the facts and circumstances of the case and that the accused is yet to be secured, this court finds it appropriate to allow this application on following conditions,

a) That this petitioner is hereby directed to execute indemnity bond for a sum of **Rs.50,000/-** with two sureties wherein said sureties shall be solvent surety who should indemnify the said amount against 3rd party claim and shall deposit the amount as and when directed by this court.

b) That the respondent Police is hereby directed to defreezed account in Indian Bank, A/c No.6982701164 IFSC: IDIB000R102 and to transfer said amount of **Rs.50,000/-** to the petitioner's account concerned in **Karur Vysya Bank, Account No. 1637155000078383, IFSC: KVBL0001637.**

c) That the petitioner shall file an indemnity affidavit that he shall indemnify for said amount of **Rs.50,000/-** in case of any rival claims made.

d) On fulfilment of above condition, the office shall issue necessary release order.

Dictated by me typed by Typist directly and corrected by me and pronounced in open court on 10th day of June – 2026.
// True Copy//

(Sd/- S. Kovendhan),
Judicial Magistrate No. III(FAC)
Tirupathur.