

IN THE COURT OF JUDICIAL MAGISTRATE, TIRUVARUR

Present: Tmt. G. LISI, B.A.B.L.,(Hons), M.L.,

Judicial Magistrate, Tiruvarur

Tuesday, 17th day of March 2026

Cr.M.P.No.175/2026

Sivakumar, Aged 46/2026

S/o.Viveganantham,

..... Petitioner

Versus

1. The State represented by S.H.O.,

CSR.No.1007/2025

Cyber Crime P.S,

Tiruvarur.

2. The Branch Manager,

Bank of Maharastra,

Lonavala, Maharastra State,

IFSC Code: BKID0008638,

A/c. 60552096014.

3. The Branch Manager,

Axis Bank,

Baihata Chariali, Assam State,

IFSC Code: UTIB0004731,

A/c. 923010040541131.

..... Respondents

For Petitioner : Tr. A. Gnanasekaran, Advocate.

For Respondent : Staion House Officer of Cyber Crime Police,
Tiruvarur

This petition coming up for final hearing on 20.02.2026 upon hearing the arguments of both sides and upon perusal of the records and having stood over for consideration till this day, this court delivers the following :

ORDER

1. This petitioner filed this petition U/s. 497 and 503 BNSS to grant interim custody to property namely Total value of Rs.36,776/-.The property was seized by the respondent police and registered the case in CSR. No.1007/2025.
2. Notice issued to police. The police side Report received. The total amount is freezed in Accused Account is Rs.20,276/- But, on perusal this petitioner / defacto complainant transferred amount of Rs.99,999/- to the account of accused in respondent bank.

3. This court taken into consideration that the guidelines given by the Hon'ble Apex court in Sunder Bai Ambalal Desai case 2003(1) CTC 176, and the Circular given by the Hon'ble High Court of Madras in the R.O.C.No.42561-A/2024/F1, Dt: 11.07.2024. It is stated that the learned Judicial Magistrates are directed not to insist on separate FIR's being registered on the basis of an application filed u/s 457 Cr.P.C in the matters/complaints which have already been registered in the National Cyber Crime Reporting Portal- NCRP against cyber offences. 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 disposed of the application. The action taken report filed by the Cyber Police may be treated as report u/s 457 Cr.P.C (503 BNSS).

4. **As per Police Report the Suspect banks details and frozen amount and Transaction amount are:-**

Complainant Bank Account Number and details	Suspect bank Account Number	Transaction ID	Transaction amount	Hold amount
Name:Sivakumar A/c.552544656, IFSC Code: IDIB000M017, Branch:Mannarkudi	A/C.60552096014 Bank: Bank of Maharashtra IFSC Code:BKID0008638 Branch: Lonavala, Maharashtra.	567451275213	Rs.33,000/-	Rs.20,276/-
		567468685522	Rs.50,000/-	
		530818303926	Rs.16,999/-	

Total frozen amount Rs. 20,276/-

Total Transaction amount Rs.99,999/-

5. Petitioner has transferred from the Name of Sivakumar, A/c.552544656, IFSC Code: IDIB000M017, Branch:Mannarkudi for Rs.99,999/- has been sent through G.Pay. The respondent police has given report that the Account Number: 60552096014 in the Bank of Maharashtra has been frozen as suspect account to which the amount of Petitioner has been transferred. Since the Petitioner has transferred certain amount to the said account number only to that extent the amount can be deducted from the suspect bank account number and handed over to the petitioner.

6. **As a result**, this court is inclined to allow this petition and to return the property to the petitioner as interim custody with condition. The respondent police is directed to defreeze the suspect Account and transfer the respective Amounts as stated below:

2 nd respondent bank of Maharashtra	A/c. 60552096014	Rs.20,276/-
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In above respective amounts in Total Rs. 20,276/- to be transferred to the Petitioner/
Complainant Account.

In this result, this petition is allowed with the condition that,

- (I) The petitioner shall execute either a own bond for Rs.20,276/- or by his/her blood relative as surety to execute bond for Rs.20,276/-
- (ii) In case freezed amount belongs to someone else or any person claiming ownership of the amount, the petitioner shall deposit the amount to this court.
- (iii) The petitioner shall file affidavit that, Once amount transferred to petitioners account, she must file the transaction detail with regard to credit entry.

Dictated by me to steno typist and typed by her and corrected and pronounced by me on 17.03.2026.

**Judicial Magistrate,
Tiruvarur.**