



Crl.R.C.No.163 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.02.2025

Coram:

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

Crl.R.C.No.163 of 2025

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Mr.Siddani Teja

.. Petitioner

Vs.

State, Rep. by
Inspector of Police-Cyber Crime,
Chennai South Zone,
St.Thomas Mount,
Chennai - 600 016.
(Crime No.222 of 2024)

.. Respondent

Criminal Revision Case filed under Section 438 read with Section 442 of the BNSS, 2023, to call for the records and set aside the dismissal order passed by the learned XI Metropolitan Magistrate at Saidapet, Chennai in Crl.M.P.No.22734 of 2024, dated 03.01.2025.

For petitioner : Mr.K.Ashok Kumar

For respondent : Mr.S.Sugendran
Additional Public Prosecutor



ORDER

Heard both sides and perused the materials available on record.

2. This Criminal Revision Petition is filed to call for the records and set aside the order passed by the learned XI Metropolitan Magistrate at Saidapet, Chennai, in Crl.M.P.No.22734 of 2024, dated 03.01.2025, whereby the learned Magistrate dismissed the petition filed by the petitioner seeking the return of Rs.11,00,000/- seized during an ongoing investigation.

3. It is seen from the order that the petitioner filed a complaint stating that a sum of Rs.10,00,000/- was transferred from his company's account due to a cryptocurrency transaction, which he initially believed to be genuine. However, it was later revealed that the transaction was forged, as stated in the complaint. During the investigation, the investigating officer recovered Rs.11,00,000/-. Pending the investigation, the petitioner approached the learned Metropolitan Magistrate and filed a petition seeking the return of the seized amount of Rs.11,00,000/-.

4. The learned Metropolitan Magistrate, upon perusal of records, observed that the amount mentioned in the complaint (Rs.10,00,000/-) did not match the amount recovered by the investigating officer (Rs.11,00,000/-). The learned Metropolitan Magistrate also noted that the investigation was still pending and was unable to determine the petitioner's entitlement to the seized amount and consequently, the petitioner's request for the return of the amount



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was dismissed. In this Criminal Revision Case, the petitioner challenges this order, arguing that the learned Magistrate erred in not returning the seized amount.

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5. Upon careful consideration of the facts, this Court finds that there is a discrepancy between the amount mentioned in the complaint and the amount recovered. Furthermore, considering the online nature of the fraud, returning the amount during the investigation could jeopardize its progress. Therefore, as the investigation is still ongoing, it would be premature to return the seized amount at this stage. Hence, the learned Metropolitan Magistrate's order is justified. However, the petitioner is at liberty to approach the learned Metropolitan Magistrate after the filing of the final report.

6. With the above observations and direction, the Criminal Revision Case is dismissed.

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Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

- 1.The XI Metropolitan Magistrate
Saidapet.
- 2.The Inspector of Police-Cyber Crime,
Chennai South Zone,
St.Thomas Mount,
Chennai - 600 016.
- 3.The Public Prosecutor, Madras High Court, Chennai.

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