



W.P.No. 8785 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8785 of 2025

S.Mohanakannan

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
State Cyber Crime Investigation Center,
CCD-1, Ashok Nagar,
Chennai 600 083.
(Crime No.14 of 2024)

2.The Branch Manager,
IndusInd Bank
No.100, Bhupen Bose Avenue,
Ground Floor, Kolkata Post,
Baghbazar PS, Shyambazar Branch,
Kolkata, West Bengal 700 004.

3.The Branch Manager,
IndusInd Bank
Rama Complex, Near Sangam Hotel,
B-21, Man Nagar, Jhunjhunu Branch,
Rajasthan – 333 001.

4.The Branch Manager,
IndusInd Bank:
Upper Ground Floor,
Prem Trade Centre,



W.P.No. 8785 of 2025

Shop No.58, Maharani Road,
Siyaganj Branch, Indore,
Madhya Pradesh 452 007.

5.The Branch Manager,
IndusInd Bank:
Ground Floor, No.35, HIG,
Ratan Lal Nagar, Kanpur Branch,
Uttar Pradesh 208 022.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the first respondent to comply the direction dated 15.11.2024 of the learned XI Metropolitan Magistrate Court at Saidapet in Crime No.14 of 2024 on the file of the first respondent within the time limit that may be fixed by this Court.

For Petitioner : Mr.R.Selvakumar

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to comply with the order dated 15.11.2024 passed by the learned XI Metropolitan Magistrate, Saidapet, in Crime No. 14 of 2024



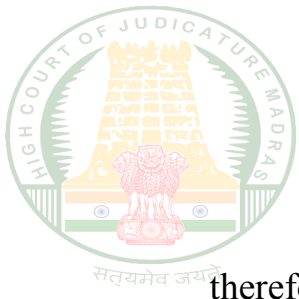
W.P.No. 8785 of 2025

on the file of the first respondent.

WEB COPY

2. The learned counsel for the petitioner submitted that despite the categorical and executable direction issued by the learned Magistrate, the first respondent has failed to take necessary steps to ensure compliance. It was further submitted that the petitioner, being the rightful recipient as per the said judicial order, is now deprived of the amount due to the inaction of the first respondent, and such non-compliance amounts to wilful disobedience of a judicial order.

3. On instructions, the learned Government Advocate (Crl. Side) submitted that, following the freezing of the account, the first respondent duly informed the petitioner about the status. Pursuant to that, the petitioner approached the learned Magistrate for appropriate directions. However, in the interim, based on various orders passed by Competent Courts across the country in similar cases, the amounts lying in the accounts of the accused with respondents 2 to 5 were already transferred to the respective complainants. As a result, there is no money presently available in the account of the accused with the said respondents, and



W.P.No. 8785 of 2025

WEB COPY

therefore, the direction issued by the learned Magistrate is rendered incapable of execution.

4. Heard both sides and perused the materials placed before this Court.

5. On a perusal of the said order passed by the learned Magistrate, it is seen that the learned Magistrate had directed the concerned bank authorities to de-freeze the bank account standing in the name of the accused and transfer the entire amount lying in the said account to the bank account of the de-facto complainant, who is the petitioner herein. However, considering the above submissions and upon noting the factual position that the funds have already been disbursed in compliance with other Court Orders, thereby making it impossible to comply with the learned Magistrate's order, this Court is not inclined to issue any further direction at this stage. However, liberty is granted to the petitioner to approach the learned XI Metropolitan Magistrate, Saidapet for seeking appropriate relief, including recovery or alternate remedies available in law.



W.P.No. 8785 of 2025

WEB COPY

6. Accordingly, this Writ Petition stands dismissed. No costs.

17.03.2025

Neutral citation : Yes/No
Speaking/non-speaking order
shk
To

1. XI Metropolitan Magistrate, Saidapet

2. The Deputy Superintendent of Police,
State Cyber Crime Investigation Center,
CCD-1, Ashok Nagar, Chennai 600 083.

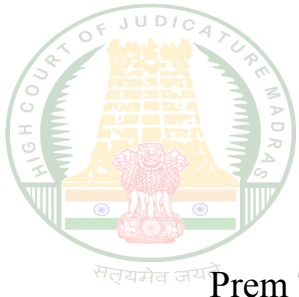
3. The Branch Manager,
IndusInd Bank, No.100, Bhupen Bose Avenue,
Ground Floor, Kolkata Post,
Baghbazar PS, Shyambazar Branch,
Kolkata, West Bengal 700 004.

4. The Branch Manager,
IndusInd Bank, Rama Complex, Near Sangam Hotel,
B-21, Man Nagar, Jhunjhunu Branch,
Rajasthan – 333 001.

G.K.ILANTHIRAIYAN, J.

shk

5. The Branch Manager,
IndusInd Bank:
Upper Ground Floor,



W.P.No. 8785 of 2025

WEB COPY
Prem Trade Centre,
Shop No.58, Maharani Road,
Siyaganj Branch, Indore,
Madhya Pradesh 452 007.

6.The Branch Manager,
IndusInd Bank:
Ground Floor, No.35, HIG,
Ratan Lal Nagar, Kanpur Branch,
Uttar Pradesh 208 022

7. The Public Prosecutor,
High Court, Madras.

W.P.No.8785 of 2025

17.03.2025