



W.P.No.20075 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM:

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

W.P.No.20075 of 2023

T.S.Srinivasan

... Petitioner

Vs

1. The Inspector of Police,
Cyber Crime Department,
Kilpauk, Chennai-600 010.

2. State Bank of India,
Taylors Road Branch,
Kilpauk, Chennai-600 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondent Police to take all necessary steps to recover the sums illegally removed from the petitioner's Account after conducting a detailed enquiry and file a final report at the earliest.

For Petitioner	: Mr.Krishna Ravindran for Mr.P.Kavin Prabhu
For R1	: Mr.A.Gopinath Government Advocate (Crl.side)
For R2	: Mr.B.Siva Kollapan

ORDER



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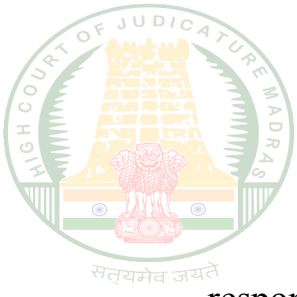
This Writ Petition has been filed for direction directing the respondent Police to take all necessary steps to recover the sum illegally removed from the petitioner's Account.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner is a pensioner and aged about 85 years. He is a retired IRS Officer and he lost his money to the tune of Rs.10 Lakhs from his savings bank account by disclosing the One Time Password number on the phone call from the accused. Hence, the complaint.

4. On the said complaint, the first respondent registered FIR in Crime No.200 of 2022 for the offences punishable under Sections 465, 468, 471 and 420 of IPC and Section 66 D of IT Act.

5. The grievance of the petitioner is that after registration of FIR, the first respondent did not take any action as against the second



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respondent. After calling the petitioner, the accused asked for One Time Password as if claiming to be a BSNL official, Anna Nagar Branch and the petitioner provided the One Time Password and lost the money to the tune of Rs.10 Lakhs. Even till today, the first respondent did not enquire the second respondent in this regard since, without the help of the second respondent, the accused could not have withdrawn the money to the tune of Rs.10 Lakhs from the petitioner's account.

6. A perusal of the status report filed by the first respondent and on the submissions made by the learned counsel for the first respondent revealed that after registration of FIR, so far the first respondent had frozen the account of the accused to the tune of Rs.7 Lakhs, in which the petitioner was paid a sum of Rs.5 Lakhs and a sum of Rs.2 Lakhs was with-held by the HDFC bank and remaining amount is yet to be recovered from the accused.

7. In view of the above, the first respondent is directed to transfer a sum of Rs.2 Lakhs from the HDFC Bank account to the petitioner's account, within a period of two weeks from the date of receipt



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of a copy of this order. The first respondent is further directed to complete the investigation in Crime No.200 of 2022, after enquiring the second respondent and file a final report, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition petition is disposed of. No costs.

04.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
mn



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To

1. The Inspector of Police,
Cyber Crime Department,
Kilpauk, Chennai-600 010.
2. State Bank of India,
Taylors Road Branch,
Kilpauk, Chennai-600 010.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

mn

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