



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 585 of 2025

1. Jothimani
S/o. Ramasamy, 1/165,
Kondichettipatti, Periyapatti Post,
Namakkal.

Petitioner(s)

Vs

1. The Inspector of Police,
CCD-II, Cyber Crime Police Station,
Namakkal.

2.The Nodal Officer,
Axis Bank, Axis Bank Ltd, 3rd Floor,
Corporate Park 2, Behind Swastik
Chambers, Sion Trombay Road,
Chembur East, Mumbai, Maharashtra -
400071

3.The Manager,
Axis Bank, Onkar, Plot No. 17,
Shivdham Sankul, Gen.A.K.Viadya
Marg, Opp. Oberoi Mall, Dindoshi,
Goregaon (E), Mumbai 400063.

4.The Manager,
Axis Bank, Evershine Nagar Malad



West, Kalpataru, 17, Padma Nagar,
Mumbai - 400064.

WEB 5. The Manager,

HDFC Bank, Branch - Tulsiani
Chamber, 101-104, Tulsiani Chambers,
Free Press Journal Marg, Nariman
Point, Mumbai - 400021.

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India directing the 1st Respondent herein to take appropriate steps to initiate refund of the amounts to the petitioner's bank account pursuant to the order in CMP.No.558 of 2024 by the Hon'ble Judicial Magistrate, Additional Mahila Court, Namakkal, in accordance with law and within a Stipulated period.

For Petitioner(s): Mr.S.Sriram

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor – R1
Mr.C.Mohan,
Ms.A.Rexy Josephine Mary
for M/s.King & Patridge – R5

ORDER

This Writ Petition has been filed to direct the first respondent to take appropriate steps to initiate refund of the amounts to the petitioner's bank account pursuant to the order in CMP.No.558 of 2024 passed by the Judicial



Magistrate, Additional Mahila Court, Namakkal, in accordance with law and within a Stipulated period.

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2. Despite service of notice, there is no representation for the respondents

2 to 4.

3. It is the case of the petitioner that on the complaint given by him to the first respondent, that he was cheated to the tune of Rs.85,16,941/- a case in Crime No.32 of 2024 has been registered for the offence under section 420 of IPC. On the basis of the said complaint, as his account has been frozen, he filed a petition in CrI.M.P.No.558 of 2024, for release of the refundable amount.

4. It is the contention of the petitioner that despite the Order of the learned Judicial Magistrate, Additional Mahila Court, Namakkal, to refund the amount to the petitioner, the same has not been done. The learned counsel appearing for the fifth respondent submitted that they had refunded the amount. The same has not been disputed by the petitioner.



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5. As far as the amount to be refunded by the Axis Bank is concerned, the amount has not been refunded. The learned Additional Public Prosecutor appearing for the first respondent submitted that the respondent had also sent a letter to the Axis Bank in this regard. However, the amount has not been refunded to the petitioner.

6. In such view of the matter, there shall be a direction to the Axis Bank to defreeze the account of the petitioner and refund the amount and thereafter, freeze the account. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this Order.

7. With the above direction, this Writ Petition is disposed of.

08-09-2025

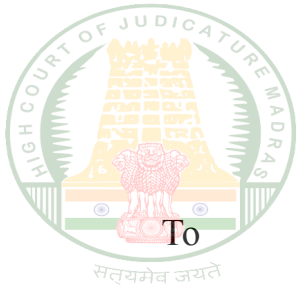
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1.The Inspector of Police,
CCD-II, Cyber Crime Police Station,
Namakkal.

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Axis Bank, Evershine Nagar Malad
West, Kalpataru, 17, Padma Nagar,
Mumbai - 400064.

5.The Manager,
HDFC Bank, Branch - Tulsiani
Chamber, 101-104, Tulsiani Chambers,
Free Press Journal Marg, Nariman
Point, Mumbai - 400021.



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N.SATHISH KUMAR J.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

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CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.CrI.No.585 of 2025

Jothimani

... Petitioner

Vs.

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4. The Manager,
Axis Bank, Evershine Nagar Malad West,
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5. The Manager,
HDFC Bank,
Branch - Tulsiani Chamber, 101-104,
Tulsiani Chambers, Free Press Journal Marg,
Nariman Point, Mumbai - 400021.

... Respondents



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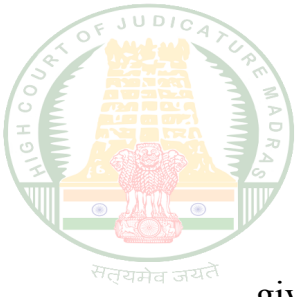
For Petitioner : Mr.S.Sriram
For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor
For R5 : Mr.C.Mohan

ORDER

The Writ Petition has been filed seeking a direction to the first respondent Police to take appropriate steps to initiate refund of the amounts to the petitioner's bank account pursuant to the order in C.M.P.No.558 of 2024 passed by the learned Judicial Magistrate, Additional Mahila Court, Namakkal.

2. It is seen that this Court, while disposing of the Writ Petition on 08.09.2025, had directed the Axis Bank to de-freeze the accounts of the accused, refund the amount to the petitioner and thereafter, re-freeze the same. However, certain inadvertent errors have crept into the said order. Hence, the matter has been listed today under the caption for “being mentioned”.

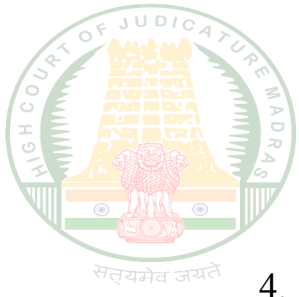
3. In view of the above, the errors are hereby corrected and the relevant paragraphs 3 and 6 of the order dated 08.09.2025, stand modified as follows:-



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“3. It is the case of the petitioner that on the complaint given by him to the first respondent, that he was cheated to the tune of Rs.85,16,941/- a case in Crime No.32 of 2024 has been registered for the offence under section 420 of IPC. On the basis of the said complaint, the bank accounts of the accused maintained in Axis Bank, viz., 1. Account No.923020027932032, IFSC Code : UTIB0001062; 2. Account No.924020017092141, IFSC Code : UTIB0004707 and 3. Account No.924020017092015, IFSC Code : UTIB0004707 and in HDFC Bank, viz., Account No.99999023433038, IFSC Code : HDFC0000001 have been frozen. Thereafter, the petitioner has filed a petition in CrI.M.P.No.558 of 2024, seeking release of the refundable amount.

6. In such view of the matter, there shall be a direction to the Axis Bank to de-freeze the following accounts maintained by the accused, viz., 1. Account No.923020027932032, IFSC Code : UTIB0001062; 2. Account No.924020017092141, IFSC Code : UTIB0004707 and 3. Account No.924020017092015, IFSC Code : UTIB0004707, refund the refundable amount to the petitioner and thereafter, freeze the accounts. Such an exercise shall be completed within a period of four weeks from the date of receipt of copy of this Order.”



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4. The Registry is directed to carry out the necessary correction and issue fresh copy of the order.

09.10.2025

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To

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Namakkal.
2. The Nodal Officer,
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5. The Manager,
HDFC Bank,
Branch - Tulsiani Chamber, 101-104,
Tulsiani Chambers, Free Press Journal Marg,
Nariman Point, Mumbai – 400021.
6. The Public Prosecutor,
High Court of Madras.



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