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Crl.R.C.No.1577 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C.No.1577 of 2024

Gunalan

.... Petitioner

Vs

The State rep. by
The Station House Officer,
Guduvancheri Police Station,
Chengalpattu District.

Crime No.395/2023

.... Respondent

PRAYER: Criminal Revision Case filed under Section 438 & 442 of
BNSS, 2023 against the order dated 22.03.2024 passed by the Learned
Judicial Magistrate No.II, Chengalpattu in Crl.M.P.No.8459 of 2023.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Dr.C.E.Pratap
Government Advocate (Criminal Side)

ORDER

This Criminal Revision Case is filed to set aside the order dated
22.03.2024 made in Crl.M.P.No.8459 of 2023, on the file of Judicial
Magistrate No.II, Chengalpattu.



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2.Learned counsel for the petitioner submitted that the petitioner filed a Criminal Miscellaneous Petition in Crl.M.P.No.8459 of 2023 before the Judicial Magistrate No.II, Chengalpattu seeking the return of property i.e. cash Rs.2,25,000/- as interim custody. He further submitted that the petitioner's Bank account was freezed by the respondent Police. He further submitted that the Trial Court mistook the fact and dismissed the petition filed by the petitioner. Hence, he prays to allow the criminal revision.

3.Learned Government Advocate (Criminal Side) for the respondent submitted that due to on-line fraud and at the time of investigation, the respondent Police requested the bank to freeze the petitioner's account. However, as of date, there is no money available in the bank account of the petitioner and the same was deducted by the bank for the loans availed by the petitioner. He further submitted that the Trial Court has rightly dismissed the petition and no interference is required by this Court.

4.Heard learned counsel for the petitioner, learned Government Advocate (Criminal Side) for the respondent and perused the materials available on record.



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5.On perusal of records, it is seen that though the petitioner's bank account was seized by the respondent Police during investigation due to on-line fraud. According to the prosecution, no money was available in the petitioner's bank account and the same was deducted by the bank for the loans availed by the petitioner. Accordingly, the Trial Court dismissed the petition.

6.Considering the above facts and circumstances of the case and submissions made by the learned counsel on either side, this Court does not find any grounds to interfere with the order passed by the Judicial Magistrate No.II, Chengalpattu in Crl.M.P.No.8459 of 2023 dated 22.03.2024 and accordingly, this Criminal Revision is dismissed.

18.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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WEB COPY To

- 1.The Judicial Magistrate No.II,
Chengalpattu.
- 2.The Station House Officer,
Guduvancheri Police Station,
Chengalpattu District.
Crime No.395/2023
- 3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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