



Crl.OP.No.2317 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

CORAM:

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

Crl.O.P.No.2317 of 2025

and

Crl.MP.310 of 2025

R.Vinodh

... Petitioner

Vs.

1. State

Rep.by Inspector of Police,
Cyber Crime Police Station,
Vepery, Chennai-600 007.

2. State Bank of India

Represented by its Branch Manager,
52/1, Dev Nagar,
Desh Bandhu Gupta Marg,
New Delhi-110 005.

3. State Bank of India,

Represented by its Branch Manager,
Mangalmurthi Plot No.A 29,
by 30 by 31 and 50
Sector 20 Nerul W
Navi Maharashtra-400 706.

... Respondents



Crl.OP.No.2317 of 2025

WEB COPY

PRAYsER: Criminal Original Petition is filed under Section 528 of BNSS, to direct the respondents to comply with the order passed by the Hon'ble XI Metropolitan Magistrate Court, Saidapet, Chennai in Crl.MP.No.19441 of 2024 dated 19th October 2024 and to issue a direction to consequently defreeze the above accounts and transfer the respective amounts to the petitioner's bank account.

For Petitioner : Mr.G.R.Hari

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)
for R1

ORDER

This petition has been filed seeking a direction to the respondents to comply with the order passed by the Hon'ble XI Metropolitan Magistrate Court, Saidapet, Chennai in Crl.MP.No.19441 of 2024 dated 19th October 2024 and also to issue a direction to defreeze the above accounts and transfer the respective amounts to the petitioner's bank account.

2. It is a case of Online Trading Scam, in which the fraudster has cheated the petitioner and swindled a total sum of Rs.71,79,896/- through



Crl.OP.No.2317 of 2025

WEB COPY

bank account transaction. The petitioner has filed a petition before the learned XI Metropolitan Magistrate Court, Saidapet, Chennai-15 in Crl.MP.No.19441 of 2024. On 19.10.2024, the learned Judge had ordered to defreeze the respective accounts and transfer the amount to the petitioner's account as interim custody. The first respondent police have complied with the order partly by defreezing the ICICI Bank Accounts of Name: Atma Krishna A/c.No.193301000884 and transferring proceeds of Rs.4,00,000/- from the said bank accounts to the petitioner/defacto complainant. However, the respondent police have failed to transfer any funds from the State Bank of India Accounts bearing No.42932688461 Account Name: M/s.KK Enterprises and 00000042923121764 Account Name: Maheshwari Furniture. The pending amount of Rs.8,31,842/- to which the petitioner has a rightful claim, has not been transferred to date. Hence, the present petition has been filed by the petitioner/defacto complainant.

3. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court directs the first respondent



Crl.OP.No.2317 of 2025

WEB COPY

to comply the order passed by the learned XI Metropolitan Magistrate Court, Saidapet, Chennai-15 in Crl.MP.No.19441 of 2024 dated 19.10.2024 within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

20.03.2024

Vv

To

1. The XI Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Inspector of Police,
Cyber Crime Police Station,
Vepery, Chennai-600 007.
3. The Branch Manager,
Branch Manager
52/1, Dev Nagar,
Desh Bandhu Gupta Marg,
New Delhi-110 005.

4/6



Crl.OP.No.2317 of 2025

WEB COPY

4. The Branch Manager,
State Bank of India,
Mangalmurthi Plot No.A 29,
by 30 by 31 and 50
Sector 20 Nerul W
Navi Maharashtra-400 706.

5. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.OP.No.2317 of 2025

G.K.ILANTHIRAIYAN, J.

Vv

Crl.O.P.No.2317 of 2025

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