



Crl.O.P.(MD)No.2462 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.2462 of 2025

Fahima Zanath

.. Petitioner

Vs.

**The Sub Inspector of Police
Cyber Crime Police Station
Dindigul District**

.. Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to give direction to the respondent to comply the order passed by the learned Judicial Magistrate No. I, Dindigul in Crl MP No.25772 of 2023 dated 03.01.2024 and to grant the interim custody of freezed money a sum of Rs.6,36,690/- (Six Lakhs Thirty Six Thousand Six Hundred and Ninety Rupees Only) to the petitioner within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanithi

**For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)**



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ORDER

This Criminal Original Petition has been filed by the petitioner to direct the respondent to comply the order passed by the learned Judicial Magistrate No. I, Dindigul in Crl MP No.25772 of 2023 dated 03.01.2024 and to grant the interim custody of freezed money a sum of Rs.6,36,690/- (Six Lakhs Thirty Six Thousand Six Hundred and Ninety Rupees Only) to the petitioner within the stipulated time.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the victim and defacto complainant in this case. Based on the complaint given by him a case has been registered in Crime No. 29 of 2023 for the offences under Sections 420 of IPC and Section 66(D) of Information Technology(Amendment)Act. Thereafter the petitioner filed an application before the learned Judicial Magistrate No.I, Dindigul in Crl MP No.25772 of 2023 dated 03.01.2024 and the Court also granted interim custody of the freezed amount of Rs.Rs.6,36,690/- through an order dated 03.01.2024 but the respondent has not complied with the order, hence the above petition has been filed.



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3. The learned Government Advocate(Crl.Side)appearing for the respondent would submit that they have complied with the order of this Court and sent a letter to the concerned bank and the bank also in the reply stated that no money available in the bank account and the existing money in the bank accounts were disbursed already by the Court orders all over from India. Therefore no amount was available with the bank, Therefore they have already complied with the order of the learned Magistrate hence this petition is liable to be dismissed.

4. Heard both sides and perused the materials available on record.

5. According to the petitioner the learned Judicial Magistrate No. I, Dindigul passed an order in Crl MP No.25772 of 2023 dated 03.01.2024 and granted interim custody of freezed money a sum of Rs.6,36,690/- to the petitioner. The respondent filed counter stating that already they issued letter to the concerned bank and the bank also replied that no money is available in the bank account and the existing money in the bank accounts were disbursed already based on the Court orders allover from India. Therefore the respondent have complied with the orders of the learned Magistrate and therefore nothing survives for further adjudication in this

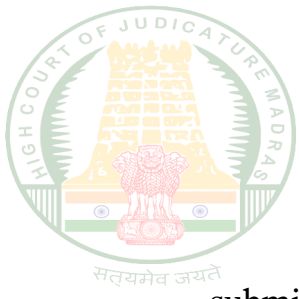


petition.

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6. At this juncture the learned counsel appearing for the petitioner submitted that the respondent police till now has not completed investigation and thereby this Court may issue direction to the respondent police to complete the investigation and file final report.

7. Since the First Information Report has been registered in the year 2023, it is for the respondent to expedite the investigation and complete the same within a period of three months from the date of receipt of this order.

8. With the above direction, the Criminal Original Petition stands disposed of.

27.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Sub Inspector of Police
Cyber Crime Police Station
Dindigul District
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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