



CrL.R.C.(MD)No.225 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrL.R.C.(MD)No.225 of 2025

Manmohan Fomra

... Petitioner

-VS-

1.State represented by its Inspector of Police,
Madurai City Police Station,
CCD – III,
Madurai.
(Crime No.90 of 2024)

2.The Nodal Officer/Bank Manager,
Ground Floor,
Kanneth City Petrol Station,
Ernakulam,
Kerala – 682 308.

... Respondents

(R2 is impleaded as per order of the Court
dated 20.06.2025 in CrL.R.C.(MD)No.225 of 2025
by LVGJ)

PRAYER : Criminal Revision Case is filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records in CrL.M.P.No.5207 of 2024 on the file of the learned Judicial Magistrate No.I, Madurai and set aside and direct the learned Judicial Magistrate No.I, Madurai to repay the amount of Rs. 13,05,324.6/- to the petitioner.



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For Petitioner

: Ms.T.Seeni Syed Amma
for M/s.Roy and Roy Associates

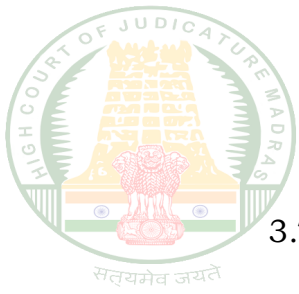
For Respondents

: Mr.S.Ravi,
Additional Public Prosecutor (for R1)
Mr.Chevanan Mohan
for M/s.King and Patridge (For R2)

ORDER

Challenging the order passed in CrL.M.P.No.5207 of 2024 dated 05.12.2024, on the file of the learned Judicial Magistrate No.I, Madurai, this Criminal Revision Case is filed.

2.The petitioner being a victim in an online fraud, required the learned Judicial Magistrate to return an amount of Rs.13,05,324.6/-, which was lying in the account of the accused, which he had maintained in HDFC Bank Ltd., bearing account No.50200101311701. The said account has already freezed in relation to crime concerned and he sought for returning the said amount. The learned Judicial Magistrate observing that the account has already been freezed and the amount, if allowed to remain in the bank would not serve the purpose of the case, passed the impugned order directing the bank to transfer the amount to the account of the learned Trial Court maintained at SBI Bank, Account No:11450415738, Judicial Magistrate No.I, IFSC:SBIN0007922, Branch:C.T.O.Complex, Madurai. Challenging the same, this Criminal Revision Case is filed.



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3.The learned counsel appearing for the petitioner submitted that the impugned order is highly unsustainable for the learned Trial Court, directing the amount to be transferred to the account of Court and he submitted that it is very much necessary that the amount to be returned to him, since he was defrauded by the accused and pressed for allowing the Revision Case.

4.The learned Additional Public Prosecutor appearing for the 1st respondent submitted that there is no infirmity in the impugned order since the investigation is at the preliminary stage. The amount if transferred to the account of the learned Judicial Magistrate, would remain safe and would be duly returned to the victim concerned. The said order would not be implemented for the reason that already the account has been freezed by several Courts across the Country relating to the same online fraud and the details are as follows:-

Date of order	Date of Receipt	Received From	Amount to be transferred
26.01.2024	05.11.2024	Chief Judicial Magistrate Court, Thiruvananthapuram	13,05,324
12.11.2024	14.11.2024	Learned CJM Court, Barasat	13,00,000
15.11.2024	18.11.2024	CJM No.1, Poonamallee	13,05,324
25.11.2024	28.11.2024	45 th ACJM at Bangalore	10,92,491

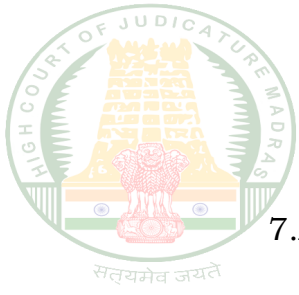


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02.12.2024	09.12.2024	I Additional Civil Judge and JMFC, Hubballi	12,60,000
18.12.2024	19.12.2024	JM No.I, Madurai	13,05,324.6
21.12.2024	01.01.2025	I Additional Civil Judge, Dharwad	13,05,324.6

5.This Court *suo motu* impleaded the second respondent bank and the learned counsel appearing for the second respondent Bank has filed a detailed statement of accounts with respect to accounts maintained by the accused and he submitted that an amount of Rs.39,75,000/-, which was transacted in the account of the accused was withdrawn on the same day and only an amount of Rs.13,05,324.6/- is remaining in the said account and the second respondent Bank is helpless and could not comply the order passed by the learned Judicial Magistrate No.I, Madurai, in view of the order passed by the Hon'ble Kerala High Court in CrL.M.C.No.971 of 2025 dated 04.02.2025, in relation to the similar cyber crime in Crime No. 197 of 2024 on the file of Cyber Police Station, Thiruvananthapuram.

6.Recording the said submission, I do not find any infirmity in the order passed by the learned Trial Court and since the investigation is only at preliminary stage, the petitioner is directed to wait patiently till the investigation concludes.



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7. Accordingly, this Criminal Revision Case is disposed of. No Costs.

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NCC :Yes/No

Index :Yes/No

Internet : Yes

Mrn

To

1.The Judicial Magistrate No.I, Madurai.

2.The Inspector of Police,
Madurai City Police Station,
CCD – III,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Mrn

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