



CRL.O.P(MD)No. 23494 of 2025

S.SRIMATHY, J.

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This case is listed under the caption “for clarification.”

2. This Court permitted the petitioner to withdraw a sum of Rs.58 lakhs. However, the learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the said amount was deposited in order to disburse the same to the victims who were cheated by the said company.

3. However, the learned counsel appearing for the de facto complainant submitted that the said amount was paid towards a legal transaction. The defacto complainant had given gold to the accused, and the gold was not returned in the course of the business transaction. Hence, he filed a complaint under Section 420 of the IPC. Therefore, he should also be considered as a victim. As of date, the de facto complainant has withdrawn Rs. 58,64,559/-.

4. Therefore, this Court is of the considered opinion that the petitioner is entitled to withdraw the amount based on the legal transaction, and the same should not be interfered with. However, the defacto complainant is directed to cooperate in the settlement process until all settlements are concluded. Liability shall also be fixed on the de facto complainant if all the victims are not cheated. The payment shall be made subject to clearance from all parties.



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KSA

5. Accordingly, this matter is clarified as above.

KSA

24.02.2026

[1/2]

Note : Issue a copy of order on 26.02.2026

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