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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 10510 of 2026

CNR:{HCMA0108995520 26}

1. L.Gunasekar

Petitioner(s)

Vs

1. State rep by
The Inspector of Police, CCD-1,
Tambaram Police Station, Chengalpattu
District (Crime No.21 of 2024)

Respondent(s)

PRAYER

To call for the records relating to the order dated 10.11.2025 passed in Crl.MP.No.2734 of 2025 in Crl.MP.No.1260 of 2025 on the file of the Judicial Magistrate -II, Chengalpattu, and as a part of it set aside the condition imposed therein directing the Petitioner to execute a surety for a sum of Rs.19,43,110/- (Rupees Nineteen Lakhs Forty-Three Thousand One Hundred and Ten only)

For Petitioner(s): Mr. S.Saravanan

For Respondent(s): Mr. A Amarnath
Additional Public Prosecutor

ORDER

This petition has been filed, challenging the order passed in Crl. M.P. No.2734 of 2025 dated 10.11.2025 in Crl. M.P. No.1260 of 2025 dated 19.05.2025, thereby imposed certain conditions to deal with the money to the

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tune of Rs.19,43,110/-.

2. The petitioner is the complainant and he lost money to the tune of Rs.23,62,418/- through online transactions. Pursuant to his complaint, the respondent registered FIR in Crime No.21 of 2024. In pursuant to the same, the respondent requested the fraudster's banker to freeze his bank account. Accordingly, the fraudster's bank account has been frozen by his Banker. Therefore, the petitioner filed a petition seeking direction for return of his cash to the tune of Rs.23,62,418/-. However, a sum of Rs.19,43,110/- alone is lying with the accused's account. Therefore, the Trial Court allowed the petitioner to deal with the amount to the tune of Rs.19,43,110/- by returning the same to his account on condition that the petitioner shall execute a bond for a sum of Rs.20,00,000/- with two sureties each for a like sum to the satisfaction of the Trial Court. However, the petitioner could not able to execute two sureties for the said sum and file the petition for modification in Crl. M.P. No.2734 of 2025. It was modified by an order dated 10.11.2025 to furnish one surety instead of two sureties for a sum of Rs.19,43,110/-. Admittedly, the petitioner is the complainant and he lost his money through online transaction to the tune of Rs.23,62,418/-. However, a sum of Rs.19,43,110/- is alone available with the accused account.

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3. In view of the above, the condition imposed by the Trial Court can be sustained in so far as to deal with the money by the petitioner herein. However, the condition No.(i) in paragraph No.5 of the order passed in Crl. M.P. No.1260 of 2025 dated 19.05.2025 alone shall stand deleted. The other conditions shall remain intact.

4. Accordingly, this Criminal Original Petition is allowed.

28-10-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
ab

To

1. The Judicial Magistrate No.II, Chengalpattu.

2. The Public Prosecutor,
Madras High Court.

3. The Inspector of Police, CCD-1,
Tambaram Police Station, Chengalpattu
District (Crime No.21 of 2024)

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G.K.ILANTHIRAIYAN J.

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