IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL RC No. 1145 of 2026

Manickam, S/o.Subbaiah,
No.196, P.K.Patti, Inampuliyur,
Mudhalaipatti, Ettarai, Karur - 639 103.

..Petitioner(s)

Vs

1. The Inspector of Police, Cyber Crime Wing,
   Central Crime Branch, Tambaram
   Commissionerate, Chennai.

2. Canara Bank, Rep by its Manager
   Ponmeni, Madurai Branch, No.30, Rakesh
   Towers, By Pass Road, Madurai

3. Union Bank of India, Rep. by its Manager,
   Dwarka-New Delhi Branch, Banasal Plaza, 1st
   Floor, Plot No.13, Sector 6,
   Central Market Dwarka, New Delhi.

4. Indian Bank, Rep.by its Manager
   Dwarka Sector six Branch, LSC 3, Plot No.3,
   Shivam Plaza Sector 6,
   Dwarka, Delhi - 110075.

..Respondent(s)

Prayer:- To call for the records and set aside the judgement of dismissal dated 30.1.2026 passed in Crl.M.P.117/2026 on the file of the Judicial Magistrate II at Chengalpattu.

For Petitioner(s): M/s.T.Dhakana

For Respondent(s): Mr.M.Dinesh, GA (Criminal Side)-R1

ORDER

1. This Criminal Revision Case is filed against the order, dated 30.01.2026,

passed in Crl.MP.No.117 of 2026, by the Judicial Magistrate No.II, Chengapattu.

2. The facts of the case, in a nutshell, are that the Petitioner had been defrauded by unknown persons through online to the tune of Rs.13,94,269/- in the year 2025 and that the Petitioner had filed a complaint before the Respondent Police, seeking return of his cash to the tune of Rs.3,16,635. During the course of investigation, the Respondent Police had freezed the accounts of the fraduster accounts. Hence, the Petitioner had filed the above petition, seeking return of a sum of Rs.3,16,635/- freezed by the Respondent Police. Before the Trial Court, the Respondent Police has stated that they have no objection to return the money to the Petitioner. However, by the impugned order, the Trial Court had dismissed the Petition on the ground that the claim of the Petitioner was not proved and that the identity of the Petitioner was not verified. Hence, this Criminal Revision Case has been filed by the Revision Petitioner/ accused.

3. This Court heard Mr.T.Dhakana, the learned counsel for the Petitioner and Mr.M.Dinesh, the learned Government Advocate (Criminal Side) for the 1st Respondent and considered their submissions and also perused the entire materials placed on record.

4. This Court heard Mr.T.Dhakana, the learned counsel for the Revision Petitioner and Mr.M.Dinesh, the learned Government Advocate (Criminal Side) for the Respondent and considered their submissions and also perused

the entire materials placed on record.

5. Before the Trial Court, the Respondent Police had stated that they have no objection in returning the said freezed amount to the Petitioner herein. Even after such reply from the Respondent Police, the Trial Court failed to return the money to the Revision Petitioner, which is unlawful.
6. Before this court, the Respondent Police has filed a status report, dated 23.06.2026, which is taken on record. It is admitted in the said status report of the Respondent Police that the total loss sustained by the Petitioner/victim is Rs.13,94,299/-, out of which, a sum of Rs.3,16,635/- was available and the same was frozen under Section 106 of BNSS and that the sum of Rs.3,16,635/-forms part of the cheated amount of Rs.13,94,299/- from the Petitioner.
7. It is also stated in the Status Report of the Respondent Police that the investigation and money trail mapping established that the sum of Rs.3,16,635/- is presently lying in 03 Bank Accounts across 07 Branches at subsequent layers and that merely because the funds have passed through multiple aaccounts, it does not dilute the complainant's proprietary interest, when the transaction trail is intact and legally established.
8. In the status report of the Respondent Police, it is also stated that for the purpose of restoration of property to the Petitioner, the Ministry of Home Affairs, has formulated a Standard Operating Procedure (SOP), dated 02.01.2026, which introduced five distinct processes and any one of such

prescribed procedures may be adhered to restoring the money to the Petitioner. One such process for restoration of money to the Petitioner is that ***"if the Petitioner approaches the Police, Process (1): Interim process for giving interim custody of the amount put on hold or under seizure to the victim under Section 106 of BNSS where there is a single victim."***

9. Considering the above said Status Report, filed by the Respondent Police and the Standard Operating Procedure (SOP), dated 02.01.2026 and also the fact that the Respondent Police has no objection to release the amount in question in favour of the Petitioner, the 1st Respondent Police is directed to release the said sum of Rs.3,16,335/- in favour of the Petitioner, within a period of four weeks from the date of receipt of a copy of this order.

23-06-2026

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

SRCM

To

1. Judicial Magistrate II at Chengalpattu.
2. The Inspector of Police, Cyber Crime Wing,
Central Crime Branch, Tambaram Commissionerate,
Chennai.

SHAMIM AHMED, J.

SRCM

CRL RC No. 1145 of 2026

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