



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 18440 of 2025
and WMP No.20652, 20654 of 2025

Axis Bank Ltd
Yadgir Branch, Rep. By
its Authorised Signatory Shivashakti
Plot Nos.27/1,27/2,27/7,27/8,
Mundnal Layout ,Station Road,
Yadgir District
Gulbaraga -585202.

..Petitioner(s)

Vs.

1. The Inspector Of Police
Delta-2,Cyber Crime Police Station,Central
Crime Branch,Vepery,Chennai 07
2. Tr.Sathiya Shadrack
No.103/42, Nageswar Guru Samy Street,
Ayanavarm, Chennai 600 023
3. The Ministry Of Home Affairs,
North Block, New Delhi - 110 001.
(R3 *suomotu* Impleaded Vide Order Dated
01.12.2025 in WP.18440/2025 By NSKJ)

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to call for the records of the learned XI Metropolitan Magistrate, Saidapet, passing the order dated 29.10.2024 in NCRP ACK No.32910240030079 in CrI.M.P.No.20408 of 2024, and quash the same as being arbitrary,illegal and violation of principles of natural justice.

For Petitioner(s):

Mr.Rahul Balaji



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For Respondent(s):

Mr.R.Ganesh Kumar
Govt. Advocate (Crl. Side) - R1

M/s. I.Boby Portia - R2

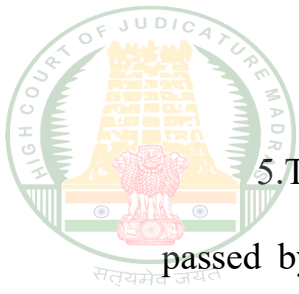
ORDER

This Writ Petition has been filed challenging the order passed in Crl.M.P.No.20408 of 2024 dated 29.10.2024, on the file of the XI Metropolitan Magistrate, Saidapet, wherein the petitioner was directed to transfer the amount lying in the accused account to the 2nd respondent's account.

2.On the complaint lodged by the 2nd respondent, 1st respondent issued instructions to the petitioner to freeze the accounts of the accused which is maintained by the petitioner.

3.Pursuant to the freezing of the accounts, the same was duly informed to the trial Court. In turn, the trial Court vide order dated 29.10.2024, directed the 2nd respondent to defreeze the accused account and to transfer the amount or if it is less than the same, the remaining available balance amount to the account of the defacto complaint Bank.

4.The learned counsel for the petitioner submits that day by day, they are receiving so many orders from various courts from all over India. Therefore, they are not in a position to comply with the order passed by the Court.



5. The petitioner, being the banker, has nothing to do with the order passed by the trial Court. Since the petitioner is neither an accused nor a complainant. The accused opened the account in the petitioner's bank and it is maintained by the petitioner. Now, the Court passed the order to transfer the amount which is lying in the accused account to the complainant's account. Therefore, there is absolutely no hindrance to the petitioner merely transferring the amount which is lying from the accused banker to the complainant banker. Further, whatever the amount available in the bank in the accused account, that has to be transferred in favour of the defacto complainant. The order is also very clear that to transfer the amount to the defacto complainant or if it is less than the same, the remaining balance amount to be transferred to the defacto complainant account.

6. It is also made clear that the petitioner has to act upon the Court order by first come first serve basis. After complying with the first order passed by the Court, if there is no amount available in the accused account, the petitioner cannot comply with the second order passed by the Court. At that stage, the petitioner can very well write a letter to the concerned Court by saying their inability to comply with the order. Therefore, there is absolutely no illegality in the order passed by the learned XI Metropolitan Magistrate, Saidapet, Chennai. Hence, this Court considers that the Writ Petition is devoid of merit and is liable to be dismissed.

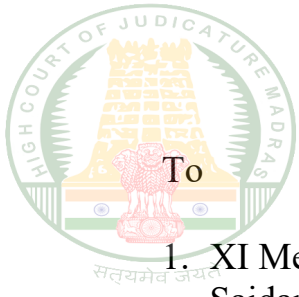


7. This Writ Petition stands dismissed accordingly. As per the interim order passed by this Court, the petitioner deposited 50% of the amount to the credit of the learned XI Metropolitan Magistrate, Saidapet, Chennai. The petitioner shall comply with the order passed by the learned XI Metropolitan Magistrate, Saidapet, Chennai, by transferring the remaining amount to the defacto complainant account as directed, if any amount is available. The 2nd respondent is permitted to withdraw the amount which was already deposited by the petitioner from the file of the XI Metropolitan Magistrate Court, Chennai, by way of filing appropriate application. On receipt of such application, the learned XI Metropolitan Magistrate is directed to permit the defacto complainant to withdraw said amount, without ordering notice to the banker, petitioner or an accused. No costs. Consequently, the connected miscellaneous petitions are closed.

10-06-2026
(1/3)

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

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To

1. XI Metropolitan Magistrate
Saidapet
Chennai 600 015

2. The Inspector of Police
Delta-2,Cyber Crime Police Station,Central
Crime Branch,Vepery,Chennai 07

3. The Ministry Of Home Affairs,
North Block, New Delhi - 110 001.



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G.K.ILANTHIRAIYAN, J.

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