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CONT P No. 3637 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Contempt Petition No. 3637 of 2025

Unidex Labs Pvt. Ltd.
(Rep. by its Authorized Representative)
SANSER PAL SINGH
S/o. Sh. Baljor Singh, aged about 47 years,
R/o. First Floor D4,
SUNVIEW Apartment Khasra No.846/2,
Sant Nagar, Burari, Delhi- 110 084
(Having UID No.9238 7224 6897)

..Petitioner(s)

Vs

Mehul Shantilal Shah,
S/o.Santhilal Shah,
R/o. No.52, Saikrupa, Woodcote, Conoor,
The Nilgiris.
(Complainant of FIR Cr.No.26/2022
Police -Cyber Crime)

..Contemnor(s)

PRAYER: The Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the respondent for willful and deliberate disobedience of the order passed by this Hon'ble Court in W.M.P.No. 32769 of 2023 in W.P.No. 25076 of 2023 dated 02.02.2024.



For Petitioner(s): Dr.Gyanendra Mishra
for M/s. U. Parvathavarthini

For Contemnor(s): Mr. John Sathyan, Senior Counsel
for Mr. Sanjay Davidson

ORDER

When the Contempt Petition came up 'for hearing' on 12.01.2026, this Court passed the following order:-

“This contempt petition was filed against the contemnor/respondent for willful disobedience of the order passed by this Court on 02.02.2024 in W.M.P.No.32769 of 2023 in W.P.No.25076 of 2023.

“2.When the contempt petition came up for hearing on 07.11.2025, this Court issued statutory notice to the respondent. The respondent was present before the Court.

3.The respondent filed an affidavit before this Court and the relevant portions are extracted hereunder:

2. I state that I filed a complaint in FIR No.26/2022 before the CCD-II Police station The Nilgris district on 22.09.2022 against one lisa for defrauding me of Rs.92,77,839/- through bank transfer for online task jobs. After which by enquiry the police freezed the account of the petitioner under section 102 of CrPC and further I filed a petition to withdraw the money from the account before the Judicial magistrate Udhagamandalam in CMP No.2273/2023. I further submit that the petition was allowed on 24.07.2023 and the amount was transferred to my account for which I filed a undertaking affidavit before the Judicial magistrate Udhagamandalam that I would refund the same amount to the court as and when directed by the court.

3. I submit that after the withdrawal, the petitioner filed a writ petition before this Hon'ble High court to defreeze the account and to refund the withdrew amount and this Hon'ble High court by order dated 30.08.2023 allowed the writ petition and by order dated 02.02.2024 in WMP.No 32769 of 2023



directed me to return the amount within 4 weeks from the date of the order.

4. I submit that after the order of this Hon'ble High court WMP.No 32769 of 2023 order dated 02.02.2024 I was not able to arrange the funds to deposit the funds due to business loss and I am the only breadwinner of the family and further due to personal and family health issues and ever since I've been trying arrange the said funds.

5. I submit that now the petitioner has filed the above contempt petition before this Honble High court, I submit that the non obedience of the order dated 02.02.2024 is neither willful nor wonton.

6. I further submit that I made some arrangements and if some time is granted I will deposit the amount before the trial court, hence I need 8 weeks time.

4.The above affidavit was taken on file and undertaking given by the respondent was also recorded and the following order came to be passed on 19.12.2025:

An affidavit has been filed by the respondent seeking for eight weeks time to deposit the amount, from 27.10.2025. Considering the averments made in the affidavit, eight weeks time is granted by this Court from 27.10.2025 and it is made clear that the respondent will deposit this amount before the trial Court, on or before 02.01.2026.

2. Post this case on 05.01.2026 at 2.15 p.m. under the caption 'for reporting compliance'. It is made clear that if the above direction is not complied with, the respondent shall be present before this Court on 05.01.2026.

5.Pursuant to the above order, the matter was listed for hearing on 05.01.2026. On that day, the contemnor/respondent was not present before the Court. It was also reported that the amount was not deposited by the contemnor as was undertaken in the affidavit that was filed in this contempt petition. Hence, this Court issued non-bailable warrant which was directed to be executed through the Inspector of Police, District Crime Branch, Ootacamund and direction was given to the Police to produce the contemnor/respondent before the Court.



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6. When the matter was taken up for hearing today, Mr.R.Karthik, Sub Inspector of Police (Mobile:9940436863) and Mr.R.Parthiban, Police Constable (Mobile:9751330764), Cyber Crime Police Station, The Nilgris, were present and they produced the contemnor/respondent before this Court.

7. The contemnor/respondent stated that he was not doing well on 05.01.2026 and therefore, he was not able to be present before this Court. He further stated that he was not able to arrange for the funds.

8. In the considered view of this Court, the contemnor/respondent seems to have taken the proceedings very lightly. When an order is passed by this Court and the contemnor/respondent had also filed an affidavit undertaking to deposit the amount, thereafter, the contemnor will not be allowed to resile from such an undertaking and come up with excuses for not complying with the order of the Court. The contumacious conduct of the contemnor/respondent is quite evident from the fact that the contemnor/respondent not only undertook before this Court, but he had also undertaken before the learned Judicial Magistrate, Ootacamund, that he will refund the amount as and when directed by the Court. Therefore, the contemnor/respondent cannot be permitted to now state that he is not able to arrange for the funds.

9. In the light of the above discussion, this Court finds that the contemnor/respondent has willfully disobeyed the orders passed by this Court and has gone back on the undertaking given before the learned Magistrate as well as this Court. Therefore, this Court has no other option except to impose punishment for contempt of Court under Section 12 of the Contempt of Courts Act, 1971. This Court imposes a punishment of simple imprisonment for a term of three months and fine of Rs.1500/- against the contemnor/respondent.

10. The learned counsel appearing on behalf of the contemnor/respondent submitted that he will advise the contemnor on the seriousness of the issue and pleaded for some mercy and to keep this order in abeyance for some time.



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11. In the light of the above request made by the learned counsel for the contemnor/respondent, post this case under the caption 'For Reporting Compliance' on 27.01.2026 at 2.15 p.m. It is made clear that if the undertaking given by the respondent is not complied with, this order will be implemented on the same day. The order passed today is kept on hold till 26.01.2026 and the non-bailable warrant issued against the contemnor/respondent is kept in abeyance till 26.01.2026.

2. Pursuant to the above order, the matter was listed 'for hearing' today to give an opportunity to the respondent to comply with the order.

3. Mr.R. John Sathyan, learned Senior Counsel appearing on behalf of the respondent submitted that the respondent is present today and that a Demand Draft drawn in favour of the Judicial Magistrate, Udhagamandalam, for a sum of Rs.92,77,839/- was also placed before this Court.

4. The learned counsel for the petitioner submitted that the Demand Draft can be deposited before the Judicial Magistrate Court and thereafter, the amount must be directed to be transferred to the account of the petitioner.

5. Per contra, the learned Senior Counsel appearing for the respondent submitted that the respondent has an apprehension that if the amount is



deposited into the account of the petitioner, the same will be withdrawn and thereafter, it will become impossible for the respondent to recover the amount.

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6. In the considered view of this Court, the initiation of criminal proceedings should not be equated with the recovery of money from the accused person. Freezing of a bank account is only a step taken by the Police during the course of investigation to ensure that the interest of the complainant is protected.

7. This Court had already interfered with the action taken by the Police in freezing the bank account of the petitioner. In view of the same, the amount has to ultimately reach the bank account of the petitioner and only then, the *status quo ante* will be restored, which will be the effect of the order passed by this Court in W.P.No.25076 of 2023. Therefore, it is for the Police to take a decision as to whether they are once again going to resort for freezing of the bank account during the course of investigation. In the meantime, this Court cannot pass any order directing the petitioner to furnish any security, as the same would go beyond the scope of the issue that is involved in the present case.



8. In the light of the above discussions, there shall be a direction to the respondent / contemnor to deposit the Demand Draft on the file of the Judicial Magistrate Court, Udhagamandalam. On receipt of the same, the Judicial Magistrate, Udhagamandalam, shall permit the amount to be transferred to the account of the petitioner. This order will not stand in the way of the Investigation Officer to take any step strictly in accordance with law during the course of investigation in Crime No.26 of 2022 pending before the CCD-II Police Station, The Nilgiris.

9. This Contempt Petition is accordingly, closed.

27-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
District Crime Branch, Ootacamund,
The Nilgiris District.

2. Mehul Shantilal Shah,
S/o.Santhilal Shah,
R/o. No.52, Saikrupa, Woodcote, Conoor,
The Nilgiris.



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N.ANAND VENKATESH, J.

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