



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1017 of 2025

S.Baranidharan

..Petitioner(s)

Vs

1. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore.
2. The Inspector of Police,
Cyber Crime Police Station,
Coimbatore.
3. The Manager,
HDFC Bank,
Olympia Techpark - Guindy,
Altius A Block,
Sidco Industrial Park, Guindy,
Chennai - 600032.
4. The Manager,
Axis Bank,
Kalpataru, 17, Padma Nagar,
Evershine Nagar, Malad West,
Mumbai - 400064.

..Respondent(s)

This Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Mandamus, directing the 2nd respondent to recover the freezed amount which is lying on account of the 4th respondent in connection with the case in FIR No.138/2024 and release the same to the petitioner as directed by the learned Judicial Magistrate Court IV, Coimbatore by its order dated 26.09.2024 in CrI.M.P.No.31169/2024.



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For Petitioner(s):

Mr.S.Sabarish

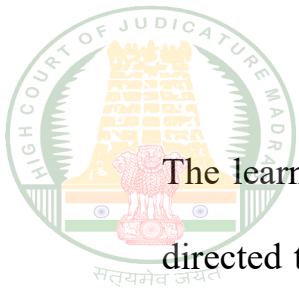
For Respondent(s):

Mr.R.Ganesh Kumar,
Govt. Advocate (CrI. Side) for R1 and R2.Ms.A.Rexy Josephine Mary
and Mr.C.Mohan
for M/s. King & Partridge for R3**ORDER**

This petition has been filed for a direction directing the 2nd respondent to recover the freezed amount, which is lying on account of the 4th respondent in connection with FIR No.138 of 2024 and to release the same to the petitioner as directed by the learned Judicial Magistrate IV, Coimbatore, by an order dated 26.09.2024 in CrI.M.P.No.31169 of 2024.

2.On the complaint lodged by the petitioner, the 2nd respondent registered the FIR in Crime No.138 of 2024, alleging that the accused defrauded the petitioner to the tune of Rs.16,82,897/- through online transactions. Pursuant to the registration of the First Information Report, the 2nd respondent seized the amount from the accused's bank by freezing his account. The amount is very much lying in the accused's bank namely, the 4th respondent herein.

3.Therefore, the petitioner filed a petition in CrI.M.P.No.31169 of 2024 seeking interim custody of the property, which was seized by the 2nd respondent.



The learned Judicial Magistrate IV, Coimbatore, by an order dated 26.09.2024 directed the 2nd respondent to approach the 4th respondent and obtain a demand draft for a sum of Rs.11/- lakhs, which is available in the accused's bank account and produce the same before the Trial Court within a period of one week. Thereafter, the petitioner is entitled to receive the same, on certain conditions.

4.However, the 2nd respondent so far did not take any steps to approach the 4th respondent to obtain the demand draft for a sum of Rs.11/- lakhs and produce the same before the Trial Court.

5.In view of the above, the 2nd respondent is directed to instruct the 4th respondent to issue the demand draft for a sum of Rs.11/- lakhs in the name of the petitioner forthwith. On such instruction, the 4th respondent shall issue the demand draft for a sum of Rs.11/- lakhs in the name of the petitioner and in turn, the 2nd respondent is directed to produce the same before the Trial Court within a period of one week thereafter. On such production of demand draft, the learned Judicial Magistrate IV, Coimbatore, is directed to hand over the demand draft to the petitioner, subject to compliance of the conditions imposed by the Trial Court.



6. With the above directions, this Writ Petition stands disposed of. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Public Prosecutor
Madras High Court.

2. The Judicial Magistrate IV, Coimbatore.

3. The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore.

4. The Inspector of Police,
Cyber Crime Police Station,
Coimbatore.

5. The Manager,
HDFC Bank,
Olympia Techpark - Guindy,
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G.K.ILANTHIRAIYAN, J.

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