IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.34004 of 2025

M/s.Kalindi Gold,
Represented by its Partner,
Mr.Ashok Radhanpura (M/A 52),
S/o.Mr.Dhiajlal Radhanpura,
Kamlesh Chamber, Shop No.1 & 2, Sankdi Street,
Juni Gadhivad, Rajkot, Gujarat-630002. ... Petitioner

vs.

1.The Inspector of Police,
Delta-2 Cyber Crime Police Station,
Central Crime Branch, Vepery, Chennai-600007.

2.Rakesh Tiwari

3.M/s.P.S.Trading Co.,
5/9, Panchnath Plot,
Office No.309, Pacific Fortune,
Jawahar Road, Opp. Digamber Jain Temple,
Panchnath Plot, Rajkot Gujarat-360024.

4.M/s.Axis Bank Ltd.,
Bhupendra Road Branch,
F9, First Floor, Monarch Complex Nr.,
Rajashri Cinema, Rajkot, Gujarat-360001. ... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 1st respondent to defreeze the petitioner's current Account No.922020014092298 maintained with the 4th respondent.

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| For Petitioner | : | Mr.D.Harikrishnan |
| For R1 | : | Mr.Leonard Arul Joseph Selvam, Additional Public Prosecutor assisted by Ms.Harshana.T |
| For R2 to R4 | : | No Appearance |

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent to defreeze the petitioner's current Account No.922020014092298 maintained in the 4th respondent *viz.,* M/s.Axis Bank, Bhupendra Road Branch, Gujarat which was freezed on 04.04.2025 at the instance of the 1st respondent Police.

2.Learned counsel for the petitioner submitted that the petitioner is a registered partnership firm engaged in the business of buying and selling of gold from the year 2023 and that the petitioner Firm hold GST Number 24AAYFK4970B1Z3 and maintained a current bank account in the 4th respondent Bank. He further submitted that on 03.03.2024, M/s.P.S.Trading & Co./3rd respondent placed an order with the petitioner to purchase 500 grams of gold bar and the petitioner raised the invoice on the same day for a sum of Rs.39,37,600/-. The 3rd respondent transferred the payment through RTGS a sum of Rs.7,87,600/- and Rs.31,50,000/- and the gold was delivered. The 3rd respondent also filed GST Returns for the said transaction. On 04.04.2025 the 1st respondent sent Email to the 4th respondent Bank to debit-freeze the aforesaid amount of the petitioner, hence, the petitioner's account freezed. The 1st respondent gave such instruction finding that the 3rd respondent committed fraud by using the money to purchase the gold which the petitioner was not aware. Further the 1st respondent registered a complaint in C.No.1702/CCB/COP/V/2024. He further submitted that even after lapse of six months, the petitioner's account not defreezed and the petitioner is now expressed his willingness to deposit Rs.5,00,000/- without prejudice to his rights.

3.He further submitted that the 1st respondent filed Crl.M.P.No.4610 of 2025 before the learned XI Metropolitan Magistrate, Saidapet, Chennai to defreeze the petitioner's bank account along with others and to transfer the respective disputed amount to the 2nd respondent's bank account. The learned Magistrate by order dated 13.05.2025 defreezed the account and ordered transfer. The petitioner challenged the said order in Crl.O.P.No.18198 of 2025 before this Court and this Court by order dated 11.09.2025 not entertained the said petition. In view of the above, the disputed amount of Rs.5,00,000/- may be kept under lien and the bank account to be defreezed, and the petitioner may be permitted to operate his bank account. Hence, he prayed for appropriate direction of this Court.

4.Learned Additional Public Prosecutor appearing for the 1st respondent filed the counter and submitted based on NCRP complaint, requisitions sent to the 4th respondent bank Nodal Officer to debit-freeze the involved bank accounts and to furnish beneficiary details including account statements, KYC documents and Account Opening Forms. Upon analysis of the money trail available in the NCRP portal, it was revealed that the cheated amount was routed through multiple bank accounts in a layered manner. In one such transaction, an amount of Rs.30,92,000/- was transferred in four transactions from the complainant's account to the 1st layer bank account, namely A/c.No.610000000036505

(IFSC:SRCB0000375) on 03.12.2024, involving a disputed amount of Rs.5,00,000/-. From the said 1st layer account, a sum of Rs.5,50,000/- was transferred on 03.12.2024 to the 2nd layer bank account A/c.No.0440002100034581 (IFSC:PUNB0044000), involving the disputed amount of Rs.5,00,000/-. Thereafter, from the said 2nd layer account, an amount of Rs.16,00,000/- was transferred on 03.12.2024 to the 3rd layer bank account A/c.No.20100031657477 (IFSC:BDBL0001836). Subsequently, from the said 3rd layer account, an amount of Rs.31,50,000/- was transferred on 03.12.2024 to the 4th layer bank account, namely the petitioner's Axis Bank Account A/c.No.922020014092298 (IFSC:UTIB0003363) *vide* UTR No.BDBLR62024120315702690, wherein ₹5,00,000/- constitutes the disputed amount. The account holder M/s.Kalindi Gold, Bhupendra Road Branch, Rajkot, Gujarat is the petitioner herein and the said account is involved at the 4th layer of the transaction.

5.Considering the submissions and on perusal of the materials, it is seen that the petitioner is a registered partnership firm engaged in the business of buying and selling of gold from the year 2023 and that the petitioner Firm hold GST Number 24AAYFK4970B1Z3 and maintained a current bank account in the 4th respondent Bank in Account No.922020014092298 (IFSC: UTIB0003363). Finding that the 3rd respondent purchased gold from the petitioner by using the defrauded amount, a communication was sent to the 4th respondent Bank to debit-freeze the bank of the petitioner. The contention of the petitioner is that the petitioner is not at all aware that the 3rd respondent purchased gold by using defrauded amount.

6.It is also seen that the learned XI Metropolitan Magistrate, Saidapet, Chennai by order dated 13.05.2025 in Crl.M.P.No.4610 of 2025 directed the 1st respondent to issue necessary direction to 4th respondent Bank to defreeze the bank account of the petitioner and transfer the disputed amount of Rs.5,00,000/- to the defacto complainant's bank account. In compliance to the order, a requisition dated 15.05.2025 was sent to the concerned Nodal Officer of the 4th respondent Bank to defreeze and transfer the disputed amount, but so far no steps taken till date.

7.In view of the above, this Court directs the 4th respondent Bank to defreeze the bank account of the petitioner in A/c.No.922020014092298 (IFSC: UTIB0003363) and transfer the disputed amount of Rs.5,00,000/- (Rupees five lakh only) to the defacto complainant's bank account as per the order of the learned XI Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P.No.4610 of 2025, within a period of two weeks from the date of receipt of a copy of this order.

8.It is made clear that as and when a doubtful transaction is detected or received, which needs further probe, a lien can be placed to that amount alone and not a blanket freezing of account can be issued.

9.In the result, this Criminal Original Petition stands disposed of.

25.03.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
vv2

To

1.The Inspector of Police,
Delta-2 Cyber Crime Police Station,
Central Crime Branch, Vepery, Chennai-600007.

2.M/s.Axis Bank Limited,
Bhupendra Road Branch,
F9, First Floor, Monarch Complex Nr.,
Rajashri Cinema, Rajkot, Gujarat-360001.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.

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