



W.P(MD)No.26905 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.26905 of 2023

Suresh Pandian

... Petitioner

Vs.

1.The Branch Manager,
ESAF Small Finance Bank,
Arappalayam Branch,
Arappalayam,
Madurai,
Tamil Nadu – 625 016.

2.The Branch Manager,
ICICI Bank,
K.K.Nagar Branch,
Madurai,
Tamil Nadu – 625 020.

3.The Inspector of Police (Crime),
Anna Nagar Police Station,
Anna Nagar,
Madurai City,
Tamil Nadu – 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to direct the 1st and 2nd respondents herin to defreeze the bank account maintained by the petitioner with the 1st respondent Bank, vide Bank Account No.53230002753896 at Arappalayam Branch, Madurai,



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and Vide Bank Account No:601601510052 in the 2nd respondent Bank at K.K.Nagar Branch, Madurai respectively by considering the representation made by the petitioner herein dated 21.08.2023.

For Petitioner :Mr.Niranjan S.Kumar
For Respondents :Mr.M.Sakthi Kumar
Government Advocate(Crl side)

ORDER

This Writ Petition is filed to issue a Writ of Mandamus, directing the 3rd respondent to direct the 1st and 2nd respondents herin to defreeze the Bank accounts maintained by the petitioner with the 1st respondent Bank, vide Bank Account No.53230002753896 at Arappalayam Branch, Madurai, and Vide Bank Account No:601601510052 in the 2nd respondent Bank at K.K.Nagar Branch, Madurai, respectively by considering the representation made by the petitioner herein dated 21.08.2023.

2. While entertaning the anticipatory bail application filed by the petitioner in Crl.O.P(MD) No.15792 of 2023, by the co-ordinate Bench of this Court, the following order was passed;



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“7. Considering the rival submissions on either side and considering that there is a money dispute between the parties and the petitioner is ready to deposit the disputed amount of Rs.6,00,000/- on condition that the defacto complainant has to return two cheque leaves, which he already issued to the defacto complainant at the time of borrowal of the said amount, but the defacto complainant denied the issuance of two cheques and there are prima facie grounds to grant anticipatory bail to the petitioner and also considering the nature of offences and other aspects, this Court is inclined to grant anticipatory bail to the petitioner.”

3. Now the learned Government would submit that after the above said amount transferred to the account of the petitioner, Rs.5,80,000/- was withdrawn by him. Now, he is having Rs.20,000/- as balance amount in his account. Further, he submit that the Final Report is made ready.

4. Since it is a issue between the pledger and pledgee, the matter can be resolved through the Mediation.

5. In view of the above said development, freezement of the



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accounts maintained by the petitioner is ordered to be set aside. Defreeze of the account maintained by the petitioner in first and second respondents Bank is ordered. But however, the respondents are directed to watch the transaction in the account of the petitioner.

6. With this direction, this Writ Petition is disposed of. No costs.

09.11.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

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To

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- 3.The Inspector of Police (Crime),
Anna Nagar Police Station,
Anna Nagar,
Madurai City,
Tamil Nadu – 625 020.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

G.ILANGO VAN, J



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Order made in
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Dated 09.11.2023