APHC010107152026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3332]**
(Special Original Jurisdiction)

WEDNESDAY, THE 2nd DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 5742/2026

Between:

1. MUDRABOIA VENKATA SUBBAIAH,, S/O. MUDRABOINA SUBBRAYUDU AGED ABOUT29 YEARS, OCC PVT EMPLOYEE, R/O 2/178, NANGANURU PALLE, PRODDATUR, MEENAPURAM, CUDDAPAH, ANDHRA PRADESH- 516362.

...PETITIONER

AND

1. THE UNION OF INDIA, MINISTRY OF FINANCE, REP. BY ITS SECRETARY, 166-B NORTH BLOCK, NEW DELHI - 110001.
2. THE HDFC BANK, REP BY ITS MANAGER LIE COLONY, 1ST FLOOR, LEELA PRIDE, H NO 54-18-37 VIJAYAWADA, ANDHRA PRADESH -520008
3. THE HDFC BANK LIMITED, REP BY ITS MD AND CEO HDFC BANK HOUSE, SENAPATI BAPAT MARG, LOWER PAREL(W) MUMBAI, MAHARASHTRA - 400013
4. THE INSPECTORINCHARGE CYBER CRIME POLICE STATION, RAIGANJ PD, UTTAR DINAJPUR, WEST BENGAL,733134.
5. THE RESERVE BANK OF INDIA, REPRESENTED BY REGIONAL DIRECTOR FOR ANDHRA PRADESH 6-1-56, SECRETARIAT ROAD SAIFABAD, P.B. NO.1 HYDERABAD - 500004.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased tomay be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 4 in issuing a Memo No. 221 of 2026 dated 10.02.2026 addressing the Nodal Officer/ Bank Manager of HDFC Bank and thereby instructing to debit freeze an Account No. 50100562671292 in HDFC Bank with IFSC -HDFC0006582 of the Petitioner and consequential action of the Respondents 2 and 3 in debit freezing the account of the petitioner in view of the such Memo is being assailed as illegal, arbitrary, unconstitutional and in violation of provisions of Bharathiya Nagarika Suraksha Samhitha, 2023 and Set aside the said Memo and further direct the Respondents not to interfere with the operation of the said bank account of the petitioner and to pass such

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to grant a stay on transferring an amount of Rs. 45,000/- from the Petitioners Bank Account No. 50100562671292, HDFC Bank of IFSC -HDFC0006582 in view of the communication dated 23.02.2026 of HDFC Bank Limited addressing the Petitioner referring to an order dated 20.02.2026 and thereby declaring to transfer an amount of Rs. 45,000/- from the Petitioner's account in favor of an account held in the name of Baidyanath Dutta with Indian Bank without any further notice to the Petitioner if no stay on such transfer is provided to the Bank from a competent court within 5 days of such communication, pending disposal of the above writ petition and to pass such

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased, to direct the Respondent No. 2 to permit the Petitioner to operate the Account No. 50100562671292 in HDFC Bank with IFSC - HDFC0006582, pending disposal of the above writ petition and to pass such

Counsel for the Petitioner:

1. BARRI PARTHASARADHI REDDY

Counsel for the Respondent(S):

1. S SATYANARAYANA MOORTHY
2. KONA N.D.V.RAMANA RAO
3. CHALASANI AJAY KUMAR

ORDER

This writ petition is filed questioning the action of respondent no.4 in issuing Memo No.221 of 2026 addressing the Nodal Officer/Bank Manager of HDFC Bank instructing him to debit freeze account of the petitioner bearing No.50100562671292 in HDFC Bank and consequential action of respondent nos. 2 and 3 in debit freezing the account of the petitioner in view of the said notice.

2. Heard Sri Parthasaradhi Reddy, learned counsel for petitioner, Sri S.Satyanarayana Moorthy, learned counsel for respondent no.5-Reserve Bank of India, Sri Kona N.D.V.Ramana Rao, learned Central Government Counsel and Sri Chalasani Ajay Kumar, learned Standing Counsel for respondent no.2 bank.

3. Sri Parthasaradhi Reddy, learned counsel, while reiterating the contents of the writ affidavit would contend that on the Memo No.221 of 2026 dated 10.02.2026 issued by respondent no.4-Inspector-In-Charge, Cyber Crime Police Station, the respondent no.2- Manager, HDFC Bank, debit freezed the petitioner's bank account in violation of the principles of natural justice and law established by Hon'ble Supreme Court and thereby disabling

him from operating his account, despite the fact that the petitioner is not an accused in any of the alleged cyber crimes nor had any acquaintance with any person involved in the alleged crimes and therefore, blanket freezing of the account of the petitioner in its entirety and even if there is any intimation/direction/ requisition, the blanket ought to have confined debit-freezing of the account only to the extent of the disputed amount enabling the petitioner to deal with his account and transact beyond that limit. Accordingly, prayed to allow the petition.

4. Sri Chalasani Ajay Kumar, learned Standing Counsel for bank, contended that based on the instructions received from Cyber Crime Police Station that in relation to a cyber crime, an amount of Rs.99,000/- has been transferred to the petitioner subject bank account, the same had been frozen and prayed to pass appropriate orders.

5. Perused the material available on record and considered the submissions made by learned counsel for the parties.

6. The petitioner's bank account was frozen as per the instructions received from Cyber Crime Police Station, Raiganj Cyber Crime Police Station. The total disputed amount is Rs.45,000/- as per the notice addressed to the respondent no.2 Bank. As of now there is no material to show that the petitioner is an accused in any of the cyber crimes with regard to which the account was frozen.

7. It is fairly settled that debit freezes must be strictly confined to the disputed or suspected amount rather than blocking the entire account. Freezing an entire bank account is considered disproportionate, illegal, and a violation of rights under Articles 19(1)(g) and 21 of the Constitution, as it paralyzes livelihoods and legitimate business operations. Therefore, this court is inclined to direct the bank to mark a lien only on the specific fraudulent/disputed amount while unfreezing the remainder of the account so as to enable the petitioner to operate it normally.

8. Accordingly, this writ petition is disposed of, directing the respondent bank to mark lien only on the specific disputed amount while unfreezing the remainder of the account of the petitioner. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

2nd September,2026.

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