



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

WEB COPY

CRL.O.P.(MD)Nos.3153 and 3192 of 2015

1.Seithoon Beevi	..Petitioner in Crl.OP.No.3153/2015
2.Mydeen Madhar	..Petitioner in Crl.OP.No.3192/2015

vs.

State through
The Inspector of Police,
Airport Police Station,
Thiruchirapalli.
(In Crime No.23 of 2014)

... Respondent/Complainant

PRAYER in Crl.O.P.(MD).No.3153 of 2015: This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to unfreeze the petitioner's savings bank account in A/c.No:30671211368 with State Bank of India, Madurai City Branch, Kamarajar Salai, Madurai enabling the petitioner to operate the bank account.

PRAYER in Crl.O.P.(MD).No.3192 of 2015: This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to unfreeze the petitioner's savings bank account in A/c.No:06122011011395 in Oriental Bank of Commerce, Andalpuram Branch, Madurai enabling the petitioner to operate his bank account.

For Petitioner : Mr.T.Lajapathiroy
For Respondent : Mr.K.Anbarasan
Government Advocate(Crl.side)



COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners seeking to de-freeze his account as well as his wife's account.

2. Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the State.

3. The petitioners are arrayed as accused in Crime No.23 of 2014 for the alleged offences punishable under Sections 467, 468 and 471 of I.P.C., r/w. 12(1)(a) of Passports Act.

4. The learned counsel for the petitioners submitted that the investigation nearly in completion and there is no justification to continue for freezing the petitioners' account on 18.01.2014.

5. Per contra, the learned Government Advocate (Crl.side) on instructions would submit that the petitioners have committed the alleged offence and there is sufficient reason to freeze the petitioner's account as well as his wife's account.

6. As the investigation has come to an end, there is no justification to keep the accounts frozen. The alleged offence being under Sections 467, 468 and 471 of I.P.C., r/w. 12(1)(a) of Passports Act, freezing of the accounts, does not have direct link to investigate, which is also nearly in completion or to the pending case, registered.

7. The petitioners' account cannot be freezed for ever and more than 1 ½ years lapsed. Accordingly, the criminal original petitions are allowed with a direction to the respondent to de-freeze the petitioner's account as well as his wife's account, within a period of four weeks from the date of receipt of a copy of this order.

Sd

ASST REGISTRAR (AE)

TRUE COPY

SUB ASST REGISTRAR

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To

1. The Inspector of Police, Airport Police Station, Thiruchirapalli.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

2CC TO MR.T.LAJAPATHI ROY, ADV SR: 34664 34666