



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2016

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WEB COPY

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

W.P(MD)No.18465 of 2016

and

W.M.P. (MD)No.13304 of 2016

V.Arjun Singh

... Petitioner

-vs-

- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City.
- 3.The Branch Manager,
AXIS Bank,
BTM Layout Branch,
Bangalore, Karnataka.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents No.1 and 2 to take appropriate action on the strength of his complaint dated 19.09.2016 and further direct them to resort to the steps as contemplated in section 102(1) Cr.P.C. so as to freeze the account i.e., A/c No.916020027984659 maintained at the third respondent's bank with an immediate effect.

For Petitioner	:	Mr.R.Anand
For Respondents	:	Mr.K.P.Krishna Doss Government Advocate for R.1 and R.2

O R D E R

This Writ Petition is filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to take appropriate action on the strength of the complaint of the petitioner dated 19.09.2016.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that he is doing business dealing with the sales of clocks in the name and style of JB Times at Nethaji Road, Madurai. During the course of business, one



M.K.Shiva Kumar approached the petitioner for the sales of the clocks and as per his directions, the petitioner transferred a sum of Rs.Five Lakhs from his account and another sum of Rs.Five Lakhs from his wife's account viz., Lalithe Devi on 07.09.2016.

4. It is further alleged that on the same day, the said M.K.Shiva Kumar had passed away due to cardiac arrest and when he requested his wife to return the amount, she has refused. Hence, the petitioner made a complaint dated 19.09.2016 to the respondents 1 and 2 to seize the amount as per Section 102 Cr.P.C. Since no action has been taken by the respondents 1 and 2, the petitioner has come up before this Court with this petition.

5. Considering the nature of prayer sought for in this Writ Petition, without going into the merits of the case, the first respondent is directed to consider the complaint of the petitioner dated 19.09.2016 on merits and in accordance with law and take action within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City.

+1 cc to Mr.R.ANAND,Advocate, Sr.No: 56347

+1cc to M/S Special Government Pleader, Sr No. 55863

JAM/SK-SKN/SAR AE/27.09.16 2P-5C

W.P (MD) No.18465 of 2016

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