

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36864 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 & 3 in stopping operation of the Running Account No.2060328094 as per letter, dated 25.04.2016, to the petitioners as authorized persons of Bethany Prayer House, Vijayanagaram Street, Proddatur Town, YSR Kadapa District, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioners is that the 4th respondent made a complaint against the petitioners to the 2nd respondent, which is registered as Crime No.50 of 2016 and that the 4th respondent, by using his influence, managed the 2nd respondent to issue a letter, dated 25.04.2016, to the 3rd respondent to stop the running Account No.2060328094 of Bethaniya Church and the petitioners received a communication from the 3rd respondent, whereby it is informed to the petitioners that the account bearing No.2060328094 is freezed on the basis of the letter issued by the 2nd respondent, dated 25.04.2016.

Learned Government Pleader for Home submitted written instructions received by the 2nd respondent, wherein it is informed that basing on the complaint of the 4th respondent, a case in Crime No.50 of 2016, dated 24.02.2016, is registered against the petitioners under Sections 408 & 420 read with 34 IPC and investigation is taken up by the 2nd respondent and during the course of investigation, while informing the facts in Crime No.50 to 2016 to the 3rd respondent, the 2nd respondent requested the 3rd respondent to stop the transactions of the Account

No.2060328094 belonging to the Bethaniya Church, Vijayanagaram Stree, Proddatur Town, for the purpose of investigation since the petitioners are accused in Crime 50 of 2016 and they are alleged to have deposited the misappropriated amount in the said account.

From the perusal of the record, it is evident that the 2nd respondent has forwarded a letter to the 3rd respondent to freeze the account of the Bethaniya Church during the course of investigation.

Considering the facts and circumstances of the case and the submissions of the learned Government Pleader for Home, the Writ Petition is disposed of. If the petitioners are aggrieved over the action of the 2nd respondent, whereby the account of the Bethaniya Church is freezed, they are at liberty to approach the concerned Court where Crime No.50 of 2016 is pending and file an application for de-freezing the account bearing No.2060328094 belonging to Bethaniya Church, Vijayanagaram Street, Proddatur Town. On such application, the concerned Court is directed to consider the same and pass appropriate orders, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 14th November, 2016

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