

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P Nos.23413 & 23414 of 2010

Sridevi ... Petitioner in Crl.O.P.No.23413/2010
Shakila ... Petitioner in Crl.O.P.No.23414/2010

vs.

State rep.
1.Sub Inspector of Police,
R9, Valasaravakkam Police Station,
Chennai.

2.Inspector of Police,
R8, Vadapalani Police Station,
Chennai.

3.Inspector of Police,
R1, Mambalam Police Station,
Mambalam, Chennai.

... Respondents in both the Crl.O.Ps
(Crime No.1089/2009)

Prayer in Crl.O.P.No.23413/2010: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to defreeze the bank account of the petitioner viz., State Bank of Mysore at Cooke Town Branch, Bangalore in Account No.54004495408.

Prayer in Crl.O.P.No.23414/2010: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to defreeze the bank account of the petitioner viz., Syndicate Bank, Lingarajapuram Branch, Bangalore in Account No.044520115980.

(In both the Crl.O.Ps)
For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondents : Mr.P.Govindarajan
Additional Public Prosecutor

COMMON JUDGMENT

These criminal original petitions were preferred by the petitioners directing the respondents to defreeze the bank

account at Syndicate Bank of Lingarajapuram Branch, Bangalore in account No.044520115980 and State Bank of Mysore at Cooke Town Branch, Bangalore in account No.54004495408.

2.Brief case of the petitioners is that:

A case in Cr.No.1089 of 2009 in which the bank accounts of the petitioners was freezed on the allegations that on 21.07.2009 at 21.00 hours, one G.R.Thangamaligai (Husband) son of the petitioner Sheerab @Mohamed Farooku Hussain along with another committed theft of 9 gold coin each weighing 50 grams. The respondent arrested the petitioner and registered the case under section 380 of IPC.

3.The learned counsel for the petitioners submits that the freezed account does not belong to the accused in Cr.No.1089 of 2009 and it belongs only to the petitioner which has been operated since 2006.

4.The learned counsel for the petitioners submits that the respondent wanted to enquire the petitioners and also about the amount balance in their account on 17.12.2009 and hence the operation of the bank account has been freezed without notice but till date there is no progress in the investigation nor the petitioners were enquired.

5.The learned Additional Public Prosecutor for the respondents opposed the contentions of the petitioners and sought for dismissal of the petition.

6.I heard Mr.R.C.Paul Kanagaraj, learned counsel for the petitioners and Mr.P.Govindarajan, learned Additional Public Prosecutor for the respondents in both the criminal original petitions and perused the entire materials available on record.

7.In the case on hand, admittedly the bank accounts have been freezed in account of allegations by the respondent police. The petitioners have their remedy before the concerned jurisdictional Court. Further the progress of the investigation or the status of the case was not disclosed by the petitioners and the bank accounts were maintained outside the territorial jurisdiction of this Court.

8.In the result, both the criminal original petitions are dismissed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

vs

To

- 1.The Sub Inspector of Police,
R9, Valasaravakkam Police Station,
Chennai.
- 2.The Inspector of Police,
R8, Vadapalani Police Station,
Chennai.
- 3.The Inspector of Police,
R1, Mambalam Police Station,
Mambalam, Chennai.

CrI.O.P Nos.23413 & 23414 of 2010

RSI (CO)
GN(23/03/2019)



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