

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6664 of 2016

Mr.Ravi,  
Proprietor: M/s.Shri Sai Enterprises,  
No.52, Anna Pillai Street,  
Sowcarpet, Chennai-600 079.

... Petitioner

Vs.

State by:  
The Inspector of Police,  
Central Crime Branch,  
Vepery, Chennai-600 007.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct to the respondent to de-freeze the petitioner's bank account with IDBI Bank, Parrys Corner Branch bearing Account No.78825759 and IFSC Code-IBKL0000907 after withdrawal of the amount of Rs.7 Lakhs transferred by the said Mitesh Bhandari, Accused No.1, in CCB Crime No.58 of 2015, on the file of the Inspector of Police, Central Crime Branch, Vepery, Chennai-600 007, the respondent herein in accordance with law.

For Petitioner : Mr.M.Arvind Kumar

For Respondent : Mr.M.Mohamed Riyaz  
Additional Public Prosecutor.

O R D E R

This petition has filed seeking direction to the respondent to defreeze the petitioner's account with IDBI Bank.

2.The learned counsel for the petitioner submitted that the petitioner is a licensed dealer of Ready made Garments and Textiles and proprietor of M/s.Shri Sai Enterprises, and he is holding an account with IDBI Bank, Parrys Corner Branch bearing Account No.78825759 and IFSC Code-IBKL0000907. All of a sudden his above said account was freezed by the respondent. On enquriy, the petitioner came to know that one Mr.Mitesh Bhandari, who was arrayed as an accused in Crime No.58 of 2015 has made an illegal and unauthorized transfer of Rs.7 Lakhs in

the account of the petitioner. Hence, the respondent Police have freezeed the petitioner's account due to which the petitioner is suffering irreparable loss and mental agony. Hence, he filed the present petition with the aforesaid prayer.

3.The learned Additional Public Prosecutor submitted that investigation is still going on.

4.Heard both sides.

5.Considering the facts and circumstances of the case, without going into the merits f the case and also considering that the petitioner's account was freezeed from the year 2015 onwards, the respondent is directed to complete the investigation in Crime No.58 of 2015 and file a final report within a period of three months from the date of receipt of copy of this order. In the meanwhile, the respondent Police is also directed to consider the request of the petitioner in respect of de-freeze his bank account with IDBI Bank.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/-  
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,  
Central Crime Branch,  
Vepery, Chennai-600 007.

2.The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.Arvind Kumar, Advocate sr.23818  
+1cc to M/s.Kingsly Soloman, Advocate sr.24306

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nr 10/05/2019