

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6665 of 2016

Mr.Santhosh Kumar,  
S/o.Mr.Rajasekar  
Proprietor: M/s.Rahul Marketing,  
Old No.60, New No.38, CIT Nagar,  
3<sup>rd</sup> Main Road, Nandanam,  
Chennai-600 035. .... 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.71361003 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.

Intervenor : M/s.Kingsly Solomon

O R D E R

This petition has been 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 Cosmetics and Gift Articles and Proprietor of M/s.Rahul marketing, and he is holding an account with IDBI Bank, Parrys Corner Branch bearing Account

No.71361003. All of a sudden his above said account was freezed by the respondent. On enquiry, 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 freezed 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 of the case and also considering that the petitioner's account was freezed 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/-  
Deputy Registrar(C.S)

//True Copy//

Sub Assistant Registrar

rm  
To

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

2. The Public Prosecutor, High Court, Madras.

+1cc to M/s.Kingsly Solomon, Advocate, S.R.No.24307

CrI.O.P.No.6665 of 2016

VGII(CO)  
CS/20/05/2019