

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.40597 of 2016
and
W.M.P.No.34595 of 2016

M.Usha Nandhini

...Petitioner

-Vs-

1.The Branch Manager,
Indian Bank,
Avinashi Lingam Deemed University
Campus Branch,
117, Mettupalayam Road,
coimbatore 641 043.

2. The Inspector of Police,
District Crime Branch,
Udagamandalam,
Nilgiris District.

.... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records on the files of the 2nd respondent in Crime No.2 of 2007 dated 06.12.2010 and quash the same as being without jurisdiction and authority of law and contrary to the principle laid down by this Honourable Court in the judgment rendered in W.P.No.11221 of 2015 dated 27.07.2015 (V.Sundaram & another Vs. the Deputy Superintendent of Police, Economic Offences & Wing, Kancheepuram District) and further direct the first respondent to arrange to release the fixed deposit amount of Rs.4,50,000-00 deposited on 11.05.2007 and Rs.4,50,000-00 deposited on 31.05.2010 for a period of three years and six months matured on 11.11.2010 and 31.05.2013 immediately.

For Petitioner : Mr.R.Senniappan

For Respondents : Mr.M.Mohamed Riyaz for R2
Additional Public Prosecutor

ORDER

The writ petition has been filed to direct the first respondent to arrange to release the fixed deposit, which was frozen in connection with Crime No. 2 of 2007 on the file of the second respondent also quash the said FIR.

2.It is seen from the records the second respondent sent a letter dated 06.12.2010 in connection with Crime No.2 of 2007 to the first respondent and requested that the bank accounts if any in the name of the petitioner may kindly be kept frozen up to completion of the investigation in the above said crime number. Hence, the petitioner filed this petition with the above said prayer.

3.Unfortunately, this Court does not find any FIR in Crime No.2 of 2007 along with the writ petition. Therefore, the prayer sought for by the petitioner cannot be considered now. However, the petitioner is at liberty to challenge the FIR by filing appropriate petition, if the said case is still pending.

4. With the above observations, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

vkrr/msm

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Branch Manager,
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Campus Branch,
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2.The Inspector of Police,
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Udagamandalam, Nilgiris District.

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Kak(29/04/2019)