

Crl.M.P.No.14371 of 2019
in
Crl.O.P.No.22743 of 2019

M. NIRMAL KUMAR, J.

This petition is filed to direct the 1st respondent to withdraw and rescind the letter dated 12.07.2019 given to the Branch Manager, State Bank of India, Kancheepuram Branch in respect of the petitioner's Saving Bank Account No.10943903993 enabling the petitioner to operate the said account.

2. The petitioner is A1 in Crime No.1/AC/2019/CC-1 which is being investigated by the 1st respondent.

3. Learned Additional Public prosecutor has filed a status report today.

4. During the pendency of the Original petition, Crl.M.P.No.14371 of 2019 is filed by the petitioner, seeking 1st respondent to withdraw and rescind the letter dated 12.07.2019 addressed to the Branch Manager, State Bank of India, Kanchipuram Branch in respect of petitioner's Saving Bank Account No.10943903993, whereby, his account operation has been

frozen, hence he is unable to operate the account.

5. The contention of the petitioner is that the petitioner was employed as Sub Registrar, Madurantagam. On 27.2.2019, a surprise check was conducted at Sub Registrar Office, Madurantagam and during the said check, a sum of Rs.3,52,000/- unaccounted money was recovered and thereafter the second respondent namely, the District Inspector Cell Officer, Kancheepuram and Thiruvallur District, lodged a complaint with the respondent on 1.3.2019. Five months later, on 9.7.2019, the petitioners' house was searched, during the search, some Fixed Deposits and other documents were seized. The petitioner was demoted from the cadre of Sub Registrar to Head Clerk and he has been transferred to Mayavaram and now he is working as a clerk in Mayavaram.

6. The contention of the petitioner is that the Account No.10943903993 standing in the name of petitioner at State Bank of India, Kancheepuram is the account in which his salary is credited, the petitioner depends mainly on his salary to meet out his day-to-day expenses and other family expenses. He has a family to take care, due to untimely transfer, he has to maintain two establishments.

7. The learned Additional Public Prosecutor produced the letter addressed to the General Manager, State Bank of India, Kancheepuram. In the said letter, they sought particulars in respect of the Savings Bank Account, Fixed Deposits and other deposits made by petitioner, his wife, R. Lakshmi and in his son's name Tharagesh requesting the Bank to provide particulars. The State Bank of India, by its communication dated 20.8.2019 had furnished particulars, of which, the Savings Bank Account of the petitioner bearing No. 10943903993 is also furnished. She would further submit that they have only sought for the particulars and they have not issued any prohibitory order to the Bank to freeze the Accounts. She admits that the account No. 10943903993 standing in petitioner name is his salary account and has no serious objection to operate the said account.

8. On perusal of statement of accounts, it is seen that the salary has been credited to the petitioner's Bank account, further the prosecution has no serious objection for petitioner in operating the salary account. The bank officials on their own had prohibited the petitioner from operating the account.

9. In view of the same, the Manager, State Bank of India, Kancheepuram is directed to defreeze Savings Bank Account No.10943903993 and permit the petitioner to operate the Savings Bank Account bearing No.10943903993 without any prohibition.

14.10.2019

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Note: (i) Post the O.P.No. 22743 for hearing on 30.10.2019.
(ii) Issue copy on 15.10.2019

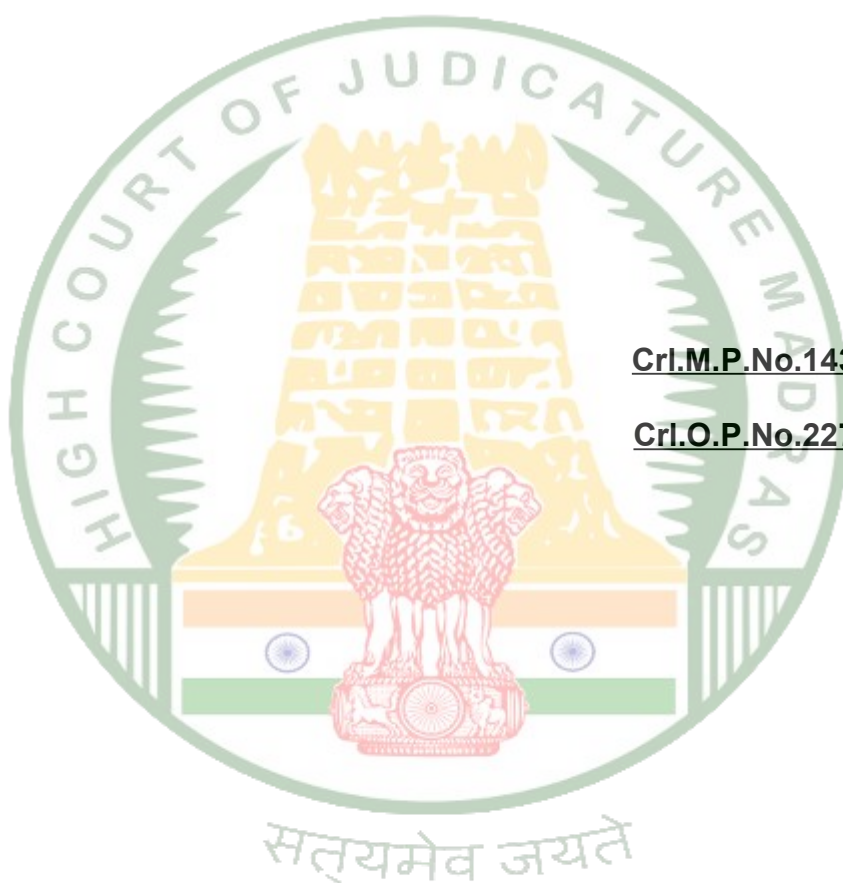


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