

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.3132 OF 2019

DATED :25.02.2019

Between :

Wisdom IT Services India Pvt. Ltd.,
7th floor, Quadrant-4,
A.1, A.2m A.3 Modules, Cyber Towers,
Madhapur, Hyderabad 500081,
Rep., by its Director,
Mrs.Kolla (Ghanta) Sunitha & Others.

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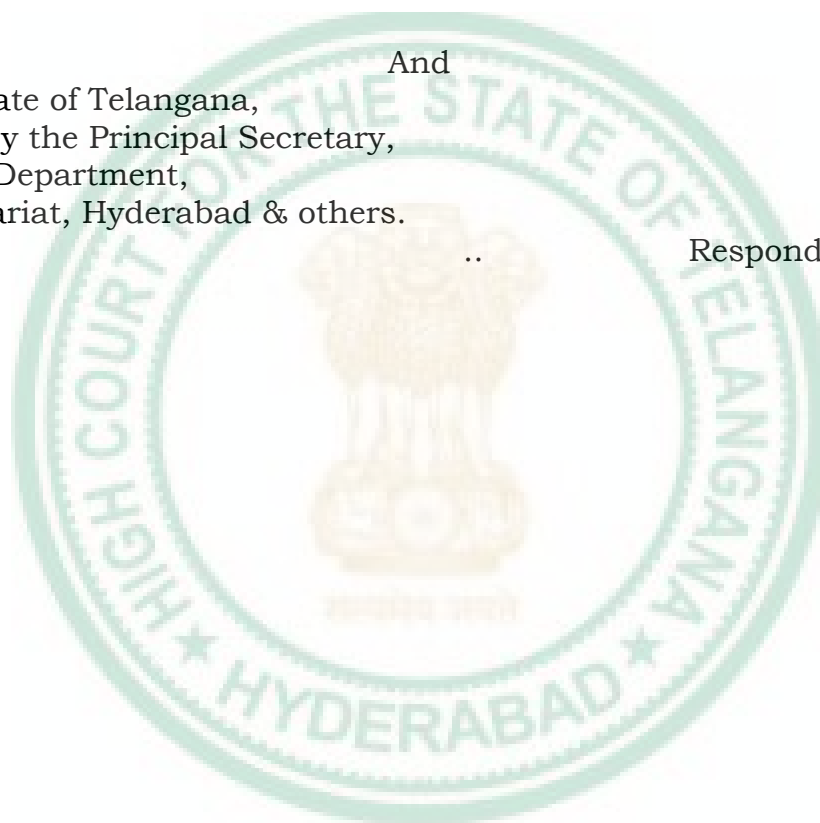
Petitioners

And

The State of Telangana,
Rep., by the Principal Secretary,
Home Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners and learned Government Pleader for Home for respondents.

2. Petitioners claim to have opened bank accounts respectively mentioned in paragraph No.2 of the affidavit filed in support of the writ petition in ICICI Bank Ltd., Madhapur Branch, Hyderabad and Oriental Bank of Commerce, Regency Plaza, Ameerpet Branch, Hyderabad. Petitioners are aggrieved by freezing of above bank accounts. This writ petition is filed challenging the said decision to freeze and prays to direct the respondent-police to defreeze the bank accounts and permit the petitioners to operate the bank accounts.

3. It is not in dispute that Crime No.19 of 2019 is registered in Cyber Crime Police Station, Cyberabad, under Sections 417, 419, 420 of Indian Penal Code and Section 66 (C&D) of Information Technology Act 2000 & 2008.

4. Learned Government Pleader, on instructions, submits that seizure report was made on 02.02.2019 and report is filed before the IX Additional Munsif Magistrate Court, Cyberabad on the same day. He further submits that petitioners may file application before the jurisdictional Magistrate for release of the seized property.

5. It cannot be said that police are not competent to seize the property based on the crime registered against the petitioners. Whether seizure was validly made and whether any order can be

passed to release the seized property or to grant relief which can equitably be passed vis-à-vis the issue involved in the crime can be considered by the competent court.

6. Since petitioners have an effective remedy available before the jurisdictional Magistrate, this Court is not inclined to entertain the writ petition and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed granting the liberty as noted above. Pending miscellaneous petitions, if any, shall stand closed.

25th February, 2019

P.NAVEEN RAO,J

Note :

Issue C.C., by one week
B/o.
Rds

