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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

CRL.O.P.NO.11180 OF 2021

M.Radha

.. Petitioner/wife of deceased

Vs.

1. The State,
Rep.by the Addl.Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Shastri Bhavan,Nungambakkam,
Chennai - 600 006.

2. The Branch Manager,
Indian Overseas Bank,
Besant Nagar Branch,
E-140 B,3rd Main Road,
Chennai - 600 090.

.. Respondents

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent to de-freeze the petitioner husband's bank account in SB A/C.No.025801000015279 in Indian Overseas Bank in Besant Nagar Branch, Chennai within a time frame as stipulated by this Court.

For Petitioner .. Mr.R.Jayaprakash

For R1 .. Mr.K.Srinivasan
Spl.PP (for CBI cases)

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent, the Branch Manager, Indian Overseas Bank, Besant Nagar Branch, to de-freeze the account of the petitioner in SB A/c No.025801000015279 in the said Indian Overseas Bank.

2.It is stated by the petitioner that her husband had been arrayed as 4th accused in Crime No.RCMA1 2012 A 0009 which was



registered on 29.02.2012 by the 1st respondent for the alleged offence under Sections 120-B read with Sections 420, 468 and 471 of IPC and also under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

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3.It is informed by Mr.K.Srinivasan, learned Special Public Prosecutor appearing for the 1st respondent, who also filed a counter affidavit, that during the course of investigation, the said account had been frozen by the Investigating Authorities to determine whether it was involved in the course of the offence. It is however stated in the counter affidavit that investigation had revealed that the Investigating Agency are not, as on date, relying on the transactions which reflected in the said accounts. It was also stated that account had been frozen only for the purpose of investigation and on completion of investigation, the said account is not relied on for any further purpose. It is also informed that the husband of the petitioner who was arrayed as 4th accused has also died. Naturally, the charges laid against him have also abated.

4.In view of that particular fact stated in the counter affidavit, a direction is given to the 2nd respondent / the Branch Manager, Indian Overseas Bank, Besant Nagar Branch, to de-freeze the account of the petitioner in SB A/C.No.025801000015279 and thereafter permit operation of the account in accordance with rules governing such operation.

5.With the above observations, the present Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

smv/psa

To

1. The Addl.Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Shastri Bhavan,Nungambakkam,
Chennai - 600 006.



2. The Branch Manager,
Indian Overseas Bank,
Besant Nagar Branch,
E-140 B, 3rd Main Road,
Chennai - 600 090

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.45951

Crl.O.P.No.11180 of 2021

KSM(CO)
PM/06/10/2021