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Crl.O.P.No.3475 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

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THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3475 of 2023

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Petitioner

VS

1.The State represented by its Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City, Tiruppur District.

2.The Branch Manager,
State Bank of India,
Branch Code – 12788,
Nallur Branch, Tiruppur.

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to direct the Respondent to De freeze the petitioner's account in the State bank of India (Nallur Branch) bearing Account no.67097353547 in Crime No.11 of 2022 pending investigation on the file of the Respondent.

For Petitioner

...

Mr.I.M.Siddartha Ramarajan

For R-1

...

Mr.Leonard Arul Joseph Selvam
Government Advocate (crl.side)



CrI.O.P.No.3475 of 2023

ORDER

This Criminal Original Petition has been filed to direct the Respondent to De-freeze the petitioner's account in the State bank of India (Nallur Branch) bearing Account no.67097353547 in Crime No.11 of 2022 pending investigation on the file of the Respondent.

2. Learned counsel for the petitioner submitted that, petitioner's account is unnecessarily frozen by the 2nd respondent Bank. Petitioner finds it difficult to run his business with his account being freezed.

3. Learned Government Advocate (Criminal side) submitted that, 1st respondent has not given any instruction to the 2nd respondent for freezing the petitioner's account. 2nd respondent freezed petitioner's account on his own.

4. Learned counsel for the 2nd respondent seeks time to file counter.

5. Learned counsel for the petitioner strongly opposed the adjournment sought by the 2nd respondent for filing counter, for the reason



that, for the past three hearings, 2nd respondent got adjournment for filing counter, but counter is not filed so far.

6. In the circumstances stated by the learned counsel for the petitioner, this Court is not inclined to grant time to 2nd respondent to file counter.

5. In view of the submissions of the learned counsel for the petitioner and Government Advocate (Criminal side), this Court finds that order for freezing of the petitioner's account was not issued by the 1st respondent,, but 2nd respondent on his own had frozen the account of the petitioner. Under what authority, 2nd respondent had frozen the account of the petitioner is not known. Therefore, freezing of the petitioner's account by State bank of India (Nallur Branch) bearing Account no.67097353547 in Crime No.11 of 2022 is set aside and the 2nd respondent is directed to de-freeze petitioner's Account no.67097353547 and permit the petitioner to operate his account immediately.



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6. With the above directions, this Criminal Original Petition is

allowed.

22.06.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order
gd



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To

- 1.The State represented by its Inspector of Police,
Central Crime Branch Police Station,
Tiruppur City, Tiruppur District.
- 2.The Branch Manager,
State Bank of India,
Branch Code – 12788,
Nallur Branch, Tiruppur.
- 3.The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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22.06.2023