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W.P.No.30035 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30035 of 2012 and
M.P.No.2 of 2012

PacNet Services (India) Private Ltd.
No.6, Karim Chamber, 40 A.d.Marg
Fort, Mumbai – 400 001
Rep. by its Director
Robert Paul Davis.

.. Petitioner

VS

1. The Inspector of Police
Central Crime Branch – III
Chennai Suburban Police
St. Thomas Mount, Chennai – 16.
2. The Manager, Royal Bank of Scotland
No.1, Harington Road
Chetpet, Chennai – 600 031.
3. The Manager
Royal Bank of Scotland
101/104, Tulsiani Chambers
Nariman Point, Mumbai - 400 021.

.. 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 relating to the impugned memo dated 05.05.2011 issued by the first respondent to the second respondent requesting the second respondent to freeze the petitioner's bank account (current account No.1220481, Royal Bank of Scotland, Mumbai) and quash the same and direct the respondents to list the freeze on the said bank account of the petitioner.



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W.P.No.30035 of 2012

For Petitioner : Mr.P.Manojkumar
For Respondents : Mr.S.Ravichandran
Additional Government Pleader
for R1
Mr.T.Suresh
for R2 and R3

ORDER

The writ on hand has been instituted challenging the memo dated 05.05.2011 issued by the Central Crime Branch, Chennai based on the request made by the second respondent / Royal Bank of Scotland to freeze the petitioner's bank account (current account No.1220481, Royal Bank of Scotland, Mumbai).

2. The petitioner is PacNet services (India) Pvt. Ltd., a company incorporated under the Companies Act, 1956. The PacNet services, globally is a payment service company and it assists multinational companies in payments and collections from their clients around the world.

3. The grievance of the writ petitioner is that the first respondent Central Crime Branch issued a memo on 05.05.2011 for freezing the petitioner's bank account based on the request made by the second respondent bank. A crime case has been registered against the writ



W.P.No.30035 of 2012

petitioner company and based on that, certain instructions were issued to freeze the account in the year 2011. The second respondent bank is a private bank and if at all any company transaction, results in initiation of criminal prosecution against the petitioner, the petitioner has to approach the appropriate forum for the purpose of redressal of his grievance.

4. The issued raised for registering the complaint has been resolved by the petitioner and therefore, the relief of freezing the account does not arise at all. However, this Court in a writ proceedings, cannot adjudicate such issues and if at all any grievance exists, the petitioner is at liberty to approach the competent authority.

5. With these directions, the writ petition is disposed of. There will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Neutral Citation : Yes/No

10.04.2023

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To:

<https://www.mhc.tn.gov.in/judis>



W.P.No.30035 of 2012

1. The Inspector of Police
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W.P.No.30035 of 2012

S.M. SUBRAMANIAM, J.

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W.P.No.30035 of 2012

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