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Crl.O.P.No.15523 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.07.2023

CORAM

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Crl.O.P.No.15523 of 2023**

**&**

**CrI.M.P.No.9649 of 2023**

Ankur Madan

W/o.Arunesh Kumar Madan

... Petitioner

Vs.

1. State represented by  
Assistant Superintendent of Police,  
Economic Offences Wing,  
Camp at Chennai,  
Police Training College Campus,  
No:3, Natesan Salai,  
Ashok Nagar, Chennai – 83.  
(Cause Title according to the Notice under  
Section 91 Cr.P.C.)

2. The Manager,  
HDFC Bank,  
No.10, Kanakapura Road,  
Bengaluru,  
Karnataka – 560 062.

3. The Manager,  
HDFC Bank,  
No J/12/21, Rajouri Garden Branch,  
New Delhi – 110 027.

... Respondents



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This Criminal Original Petition is filed under Section 482 Cr.P.C. to defreeze two Bank Accounts of the petitioner in HDFC Bank, Kanakapura Branch, Bengalur bearing account number 175310000013613 and Punjabi Bagh Branch, New Delhi, bearing account number 00911060001238 frozen on the instruction of the 1<sup>st</sup> respondent police in relation to the Crime No.07 of 2022 on the file of the EOW, Headquarters, Chennai and permit the petitioner to access the funds within the accounts.

For Petitioner : Mr.G.R. Hari

For Respondent-1 : Mr.A.Damodaran  
Additional Public Prosecutor

### **ORDER**

This Criminal Original Petition has been filed for a direction to the respondent police to defreeze the bank account of the petitioner maintained before the second respondent bank.

2. When the matter was taken up for hearing today, the learned Additional Public Prosecutor on instructions submitted that the first respondent did not intimate the freezing of bank account as mandated under Section 102 of Cr.PC before the concerned magistrate.

3. In view of the above, the freezing of bank account has become



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illegal and hence, there shall be a direction to the first respondent to defreeze the bank account forthwith.

4. This Criminal Original petition is disposed of in the above terms. Consequently, the connected miscellaneous petition is closed.

**11.07.2023**  
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rsi

Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order

To

1. The Assistant Superintendent of Police,  
Economic Offences Wing,  
Camp at Chennai,  
Police Training College Campus,  
No:3, Natesan Salai,  
Ashok Nagar,  
Chennai – 83.
2. The Public Prosecutor,  
Madras High Court,  
Chennai.

**N.ANAND VENKATESH,J.**

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