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CrI.O.P.No.15519 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15519 of 2023

Augment Investments Pvt. Ltd.,
Represented by Mr.Arunesh Kumar Madan
Having Registered address at
EL-362, SFS, Maya Enclave,
Hari Nagar,
New Delhi – 110 064.

... 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.

... Respondents



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This Criminal Original Petition is filed under Section 482 Cr.P.C. to defreeze the Bank Account of the petitioner in HDFC Bank, Kanakapura Branch, Bengaluru bearing account number 17532560000025 linked with Pan Card No.AAKPM0S44P frozen on the instruction of the 1st 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.



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

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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.

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N.ANAND VENKATESH,J.

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