



WEB COPY



Writ Petition No.22124 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.22124 of 2023

Manikandan
S/o.Chandrasekar

... Petitioner

VS.

1.State represented by
The Inspector of Police,
PEW Anna Nagar,
Chennai District.

2.The Manager,
HDFC Bank Ltd.,
No.20/5, Sony Plaza,
Ground and 1st Floor,
Valluvar Salai, Chennai - 600 089.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to direct the respondents to defreeze the Current Account No.50200056874007 maintained by the second respondent in pursuant to the petitioner's representation dated 13.06.2023.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER



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This Writ Petition has been filed seeking a direction to the first respondent to defreeze the bank account of the petitioner maintained by the second respondent.

2. Heard Mr.P.Muthamizhselvakumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The first respondent, in the course of investigation in Crime No.136 of 2023 has freezed the bank account of the petitioner. The petitioner made a representation on 13.06.2023 requesting the first respondent to defreeze the bank account. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Learned Additional Public Prosecutor, on instructions, submitted that the freezing of the bank account of the petitioner was not intimated to the concerned Judicial Magistrate. In view of the same, there is a clear violation of the mandate u/s.102 Cr.P.C.

5. In the light of the above discussion, there shall be a direction the first



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respondent to defreeze the bank account of the petitioner maintained before the second respondent bank forthwith. If the first respondent during the course of investigation deems it fit to attach the bank account, the first respondent shall follow the mandate u/s.102 Cr.P.C.

This Writ Petition is disposed of in the above terms. No costs.

27.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To

1.The Inspector of Police,
PEW Anna Nagar,
Chennai District.

2.The Public Prosecutor,
High Court of Madras,
Madras.

N. ANAND VENKATESH., J



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