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Crl.O.P.No.20423 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.20423 of 2023

K.Godwin Raj
S/o.Kanaka Raj

...Petitioner/Accused-I

vs.

The State Rep.by
Inspector of Police,
St.Thomas Mount police station,
Chennai.
Crime No.252/2022

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to defreeze the Saving Bank Account of the petitioner bearing SB account No.20160274377, State Bank of India, Chemmanvilai Branch, Kanyakumari District.

For Petitioner : Mr.Aloysius Raja Progash M.

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent to defreeze the saving bank account of the petitioner maintained at State Bank of India, Chemmanvilai Branch, Kanyakumari District.

2. Heard Mr.M.Aloysius Raja Progash, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The case of the petitioner is that the bank account of the petitioner was freezed by the respondent police in the course of investigation in Crime No.252 of 2022. According to the petitioner, the respondent did not follow the mandate u/s.102 Cr.P.C. and hence, the present petition has been filed before this Court.



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4. Learned Additional Public Prosecutor, on instructions, submitted that the mandate u/s.102 Cr.P.C. was not followed by the respondent police.

5. In the light of the above submission, there shall be a direction to the respondent police to defreeze the bank account of the petitioner maintained at State Bank of India, Chemmanvilai Branch, Kanyakumari District. If, according to the respondent, the bank account of the petitioner is to be freezed, the respondent has to follow the mandate u/s.102 Cr.P.C. and proceed further.

This Criminal Original Petition is disposed of with the above direction.

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Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order
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N. ANAND VENKATESH, J

gm

To

- 1.The Inspector of Police,
St.Thomas Mount police station,
Chennai.
Crime No.252/2022.
2. The Public Prosecutor,
Madras High Court,
Chennai 600 104.

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