



Writ Petition No.26407 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No. 26407 of 2023

M. Surya Prakash,
S/o.V.Mayi

...Petitioner

Vs

1. State rep. by
Deputy Superintendent of Police,
NIB, CID,
AOL Nagar, 2nd Street,
Valludareddy, Villupuram.

2. The Inspector of Police,
NIB, CID,
AOL Nagar, 2nd Street,
Vallureddy, Villupuram.

3. The Branch Manager,
Indian Bank, Cumbum Branch,
1196, LF Road, Cumbum,
Theni District – 625 516.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents 1 and 2 to defreeze the account of the petitioner vide account No.6756089339 maintained with the third respondent, Indian Bank, Cumbum Branch, Theni District.



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For Petitioner : Mr.T.K.S.Bharathy Shri
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER

This Writ Petition has been filed for a direction to the second respondent police to defreeze the bank account maintained by the petitioner in the third respondent bank.

2. Heard Mr.T.K.S.Bharathy Shri, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public Prosecutor, on instructions, submitted that the bank account of the petitioner was freezed by the second respondent in the course of investigation in Crime No.8 of 2022. Learned Additional Public Prosecutor, on instructions, submitted that the mandate u/s.102 Cr.P.C. was not followed by the respondent police.

4. In the light of the above submission, there shall be a direction to



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the second respondent police to defreeze the bank account of the petitioner maintained at Indian Bank, Cumbum Branch, 1196, LF Road, Cumbum, Theni District – 625 516. If, according to the second respondent, the bank account of the petitioner is to be freezed, the second respondent has to necessarily follow the mandate u/s.102 Cr.P.C. and proceed further.

This Writ Petition is disposed of with the above direction. No costs.

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Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

gm

To

1. The Deputy Superintendent of Police,
NIB, CID,
AOL Nagar, 2nd Street,
Valludareddy, Villupuram.
2. The Inspector of Police,
NIB, CID,
AOL Nagar, 2nd Street,
Vallureddy, Villupuram.
3. The Public Prosecutor,
High Court, Madras.

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