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W.P.No.25419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.25419 of 2023

Ganelu Krishna

.. Petitioner

Versus

1. State Rep By,
The Inspector of Police,
PEW-Triplicane unit,
Chennai - 600 003.
2. The Branch Manager,
State Bank of India,
Padampur Branch,
Rayagada District,
Odisha - 768 036.
3. The Regional Manager,
Regional Business Office,
State Bank of India,
Sai Priya Nagar, Rayagada, Odisha - 765 001. ..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to defreeze the saving account No.35391842612 IFSC Code - SBIN0010931 at Padampur Branch, Rayagada District, State of Odisha maintained by the 2nd respondent in pursuant to petitioner representation, dated 07.08.2023.



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For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor,
for R1

ORDER

This Writ Petition has been filed for a direction to the first respondent to defreeze the bank account of the petitioner that is maintained in the second respondent bank.

2. The learned Additional Public Prosecutor, on instructions, submitted that the bank account of the petitioner was freezed on 01.04.2023 and that the mandate under Section 102 of Cr.P.C., has not been followed.

3. In view of the submission of the learned Additional Public Prosecutor, the freezing of the bank account of the petitioner becomes illegal due to non-compliance of the mandate under Section 102 of Cr.P.C., and hence, there shall be a direction to the first respondent to defreeze the bank account maintained by the petitioner before the second respondent. If the first respondent wants to freeze the bank account of the petitioner



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pending the investigation, the mandate under Section 102 of Cr.P.C., shall be followed.

4. This Writ Petition is disposed off with the above directions. No costs.

29.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Inspector of Police,
PEW - Triplicane unit,
Chennai - 600 003.
2. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.
grs

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