



WEB COPY



W.P.No.25390 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.25390 of 2023
and W.M.P.Nos.24794 and 24795 of 2023

Sanjay Lalwani

.. Petitioner

Versus

1. The State Rep. by
The Inspector of Police,
Bank Fraud Investigation Wing,
Central Crime Branch, Team XII,
Vepery,
Chennai - 600 007.
(Crime No.119 of 2023)

2. The Branch Manager,
HDFC Bank, Egmore Branch,
Kalhotta House New No.5,
15st Street, Sait Colony,
Egmore,
Chennai - 600 008.

3. Nirmala Krishnan

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned Debit Freeze Mail, dated 09.05.2023 issued by the 1st respondent, quash the same and consequently, forbear the respondents



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from interfering with the petitioner's right to operate his HDFC Account No.50100172733003 with the 2nd respondent bank.

For Petitioner : Mr.P.Krishnan

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

ORDER

The petitioner has challenged the impugned mail, dated 09.05.2023 issued by the first respondent directing the HDFC Bank, Egmore to freeze the bank account maintained by the petitioner.

2. The learned Counsel for the petitioner submitted that the petitioner is not even an accused in the case and that his bank has been freezed by the first respondent illegally.

3. The learned Additional Public Prosecutor, on instructions, submitted that the impugned mail, dated 09.05.2023 was sent by the first respondent to the bank at the stage when the enquiry was pending in C.P.No.719 of 2023. Thereafter, an F.I.R came to be registered in Crime No.119 of 2023 on 22.05.2023. Hence, yet another requisition was made to the bank on 24.05.2023 and the bank account of the petitioner was freezed



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and it was also intimated to the concerned jurisdictional Court immediately on 25.05.2023 and thereby, the mandate under Section 102 of Cr.P.C., has been complied with.

4. In view of the above, the impugned mail, dated 09.05.2023 had become infructuous and no further orders can be passed in this Writ Petition. If the petitioner is aggrieved by the freezing of the bank account, it is left open to the petitioner to file an appropriate application before the concerned Court and work out his remedy. Except giving this clarity, no further orders can be passed in this Writ Petition.

5. This Writ Petition is disposed off accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

29.08.2023

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



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N.ANAND VENKATESH, J.
grs

To

1. The Inspector of Police,
Bank Fraud Investigation Wing,
Central Crime Branch, Team XII,
Vepery,
Chennai - 600 007.
2. The Branch Manager,
HDFC Bank, Egmore Branch,
Kalhotta House New No.5,
15st Street, Sait Colony,
Egmore,
Chennai - 600 008.
3. The Public Prosecutor,
High Court of Madras.

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