



Crl.O.P.(MD) No.12031 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03.07.2023

CORAM:

The Hon`ble Dr.Justice **D.NAGARJUN**

Crl.O.P.(MD)No.12031 of 2023

Shikka Marketing
Represented by its Managing Director,
Sayed Raghieb Khursheed

... Petitioner

Vs

- 1.The Commissioner of police,
Sivagangai,
Sivagangai District.
- 2.The Inspector of Police,
Cyber Crime Police (CCD-III),
Sivagangai District,
Crime No.10/2023.
- 3.The Branch Manager,
HDFC Bank Ltd., S-17,
Green Park Extension,
Uphaar Cinema Complex,
New Delhi.

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent to defreeze the petitioner's Bank Account, A/c. 921020003512038, AXIS Bank Ltd., Pushp Vihar Branch, New Delhi,



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by giving necessary instructions to the 3rd respondent Bank and allow the petitioner to operate this account.

For Petitioner : Mr.B.Sargunam

For Respondents : Mr.S.S.Madhavan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed seeking for a direction to defreeze the petitioner's Bank Account, A/c.921020003512038, AXISC Bank Ltd., Pushp Vihar Branch, New Delhi, by giving necessary instructions to third respondent.

2. It is submitted by the learned counsel for the petitioner / 3rd accused that on the basis of allegations that an amount of Rs.99,987/- was committed fraud by this petitioner, respondent police freezed his bank account. Thereby the petitioner could not operate his account. It is further submitted that the police have freezed not only the petitioner's bank account but also his family members', thereby they also could not able to operate the bank account. It is further submitted that he is prepared to deposit amount equivalent to the amount alleged to have committed fraud and sought for de-freezing of his bank account.



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3. It is brought to the notice by the learned Government Advocate (Crl.side) that the police have completed the investigation and charge sheet is filed.

4. Considering the circumstances, as the charge sheet has already been filed, the petitioner is expected to file similar petition before the trial Court, so that trial Court can go through the materials filed along with the charge sheet and pass appropriate orders.

5. Considering the same, this petition is disposed of at this stage by giving liberty to the petitioner to approach the trial court and file application seeking for defreeze of his bank account. On filing of such application, the trial court is directed to dispose of the same as expeditiously as possible.

03.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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DR. D.NAGARJUN, J.

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To

- 1.The Commissioner of police, Sivagangai, Sivagangai District.
- 2.The Inspector of Police, Cyber Crime Police (CCd-III),
Sivagangai District, Crime No.10/2023.
- 3.The Branch Manager, HDFC Bank Ltd., S-17, Green Park Extension,
Uphaar Cinema Complex, New Delhi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date: 03.07.2023