



Crl.O.P(MD) No.13245 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 25.07.2023

CORAM:

The Hon`ble Dr.Justice D.NAGARJUN

Crl.O.P.(MD)No.13245 of 2023

Prasad Sanjay Kumkar

... Petitioner

Vs

State through
Special Sub Inspector of Police,
Cyber Crime Police Station,
Virudhunagar District.
in Crime No.4 of 2023.

... Respondents

Prayer : Petition filed under Section 482 of Cr.P.C., to direct the respondent to unfreeze the petitioner's account No.0946134029 having at Kotak Mahindra Bank Ltd., Sinhgad Road Branch - 1784, Hingne Khrud, Pune-411 051 due to our business transaction.

For Petitioner : M/S. J.Gunaseelanmuthiah

For Respondent : Mr.S.S.Madhavan
Government Advocate (Criminal Side)



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ORDER

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This Criminal Original Petition is filed seeking for a direction to defreeze the petitioner's account bearing No.0946134029, having at Kotak Mahindra Bank Ltd., Sinhgad Road Branch - 1784, Hingne Khrud, Pune-411 051.

2. It is submitted by the learned counsel for the petitioner that he has received directions from the Kotak Bank that as per the directions of the respondent police, his account bearing No.0946134029 having at Kotak Mahindra Bank Ltd., Sinhgad Road Branch - 1784, Hingne Khrud, Pune-411 051, has been freezed. The petitioner has filed an application before the police concerned requesting to defreeze the account on the ground that petitioner's business account, was freezed and he is not an accused in any criminal case and no way connected with the alleged online fraud committed by the accused in Crime No.4 of 2023 for the offences under Sections 419, 420, 465 of IPC and Section 66 D of Information Technology (Amendment) Act, 2008.

3. The learned Government Advocate (Crl.side) has filed a copy of the statement belonging to the accused to show that an amount of



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Rs.2,20,000/- was transferred from the account of the victim in favour of the petitioner herein and in this regard, the police stated to have issued summons to the petitioner, however, the petitioner did not appear before the respondent police and filed this petition. The investigation is still pending. Once investigation is not concluded, this petition, seeking defreezement of account cannot be considered, as the involvement of the petitioner and other connected aspects would come to light, after the investigation is over. Considering the submissions of the learned Government Advocate (Crl.side), this petition, cannot be considered.

4. Considering the circumstances, this Criminal Original Petition is pre-matured and hence dismissed, directing the petitioner to file the application for defreezing soon of investigation is completed.

25.07.2023

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

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DR. D.NAGARJUN, J.

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To

- 1.Special Sub Inspector of Police, Cyber Crime Police Station,
Virudhunagar District. (in Crime No.4 of 2023).
- 2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date: 25.07.2023