



W.P(MD)No.26071 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.26071 of 2023

Damayanthi

... Petitioner

Vs.

1.The Superintendent of Police
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police
Oddanchathiram Police Station,
Dindigul District.

3.The Bank Manager
Union Bank of India
Chathirapatti Branch
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records pertaining to the impugned order issued by the 2nd respondents in his proceedings in Na.Ka.no.656/ODC-Circle/DGL/2022 dated 05.12.2022 quash the same.



W.P(MD)No.26071 of 2023

For Petitioner : Mr.K.Sheenivasan
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R3 : Mr.V.Balasubramanian

ORDER

Seeking defreezement of the account, which was freezed by the third respondent herein, in pursuance of the request made by the second respondent, this writ petition has been filed on the ground that the husband of the petitioner is involved in Crime No.625 of 2022 under Sections 8(C) r/w 20(b)(II)(B)25, 29(I) NDPS Act, on the file of the second respondent herein. Suspecting some transfer of illegal money to the account of this petitioner, a request was made by the second respondent to the third respondent to freeze the account by the request dated 05.12.2022. In pursuance of the above said request freezing of the petitioner's bank account, was ordered.

2. Learned counsel for the petitioner submitted that absolutely there is no transaction between her husband and the petitioner. They are living separately.



W.P(MD)No.26071 of 2023

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3. Learned counsel for the third respondent also produced statement of account of the petitioner which indicates that only meagre amount was credited, apart from some gold loan amount. Except that there is no suspicious transaction in the petitioner's bank account.

4. In view of the above, I find that without ascertaining proper facts, a request has been made by the second respondent to freeze the petitioner's account. But however, there shall be a direction to the third respondent herein to watch the transaction particulars in the account of the petitioner and if any suspicious transaction is found, the same is to be intimated to the second respondent for appropriate action.

5. With this direction, this Writ Petition is allowed and the account is ordered to be defreezed. No costs.

10.11.2023

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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W.P(MD)No.26071 of 2023

G.ILANGOVAN, J.

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To

- 1.The Superintendent of Police Office of the Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police Oddanchathiram Police Station,
Dindigul District.
- 3.The Bank Manager, Union Bank of India
Chathirapatti Branch, Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.26071 of 2023

Dated 10.11.2023