

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 213 OF 2023

Between:

Mohammad Kaleem Baig, S/o. Mohd. Rasool Baig, aged about 42 years, Occ.
Business R/o. 11/407, Tukumanimitta, Santhapet Nellore 524001.

...PETITIONER

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of
Telangana, Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to de-freeze the Petitioners Bank Account with IDBI Bank, Nellore Branch, bearing A/c. No. 337104000008884 which was freezed in C.C. No. 698 of 2012 on the file of the Honble Chief Metropolitan Magistrate, Hyderabad arising out of Crime No. 602 of 2011 of Panjagutta P.S., Hyderabad and pass such other order or orders as this Honourable Court deems fit.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T S ANIRUDH REDDY, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No. R1.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.213 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") by the petitioner namely Mohammad Kaleem Baig to defreeze his bank account bearing No.337104000008884 with IDBI Bank, Nellore Branch.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent - State.

3. The petitioner is questioning the freezing of his account in the year 2011 pertaining to the Crime No.602 of 2011.

4. Learned counsel for the petitioner submits that the police having concluded investigation filed charge sheet and this petitioner is not shown as an accused nor a witness in the charge sheet, hence, the prayer for de-freezing the petitioner's account bearing No.337104000008884 with the IDBI Bank, Nellore Branch can be considered.

5. On the perusal of the record, the case is of the year 2011 and since twelve (12) years the account was frozen. The request made by the petitioner for de-freezing the account was denied by the bank on the ground that it is for the Inspector of Police, Panjagutta Police Station to instruct to de-freeze of the account.

6. Since the petitioner is not an accused nor it is mentioned in the charge sheet regarding the present account, this Court deems it appropriate to defreeze the petitioner's bank account bearing No.337104000008884 with IDBI Bank, Nellore Branch.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/-T. JAYASREE
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Honourable Chief Metropolitan Magistrate Hyderabad
2. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to SRI T S ANIRUDH REDDY Advocate [OPUC]
4. Two CD Copies
5. The SHO, Panjagutta P.S

EDS

BSR

HIGH COURT

DATED:09/01/2023

ORDER

CRLP.No.213 of 2023



ALLOWING THE CRL.P

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02/02/23
BSR