IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

THURSDAY, THE 29TH DAY OF FEBRUARY 2024 / 10TH PHALGUNA, 1945

WP(C) NO. 6254 OF 2024

PETITIONER:

NOUSHAD
AGED 50 YEARS
S/O.MUHAMMEDKUTTY, ELAYADATH PUTHANVEETIL HOUSE, PUNNA, CHAVAKKAD, THRISSUR DISTRICT, PIN - 680506
BY ADV K.RAKESH

RESPONDENTS:

1 THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS, NORTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI, PIN - 110001

2 THE RESERVE BANK OF INDIA
REPRESENTED BY ITS GOVERNOR, HEAD OFFICE, MUMBAI, MAHARASTRA, PIN - 400029

3 THE STATE POLICE CHIEF
POLICE HEAD QUARTERS, VAZHUTHACAUD, THIRUVANANTHAPURAM, PIN - 695014

4 THE POLICE INSPECTOR
CEN CRIME POLICE STATION, EAST DIVISION, SHIVAJINAGAR, BANGALURU CITY, E MAIL: CENPSEASTBCP@KSP.GOV.IN, PIN - 560001

5 THE FEDERAL BANK LTD.
KUNNAMKULAM BRANCH, THRISSUR DISTRICT, PIN - REPRESENTED BY ITS SENIOR MANAGER & BRANCH HEAD, PIN - 680503

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The facts involved in this case are covered by the judgment of this Court in ***Dr.Sajeer v. Reserve Bank of India & Anr.*** [2024 (1) KLT 826]. Since the learned counsel for the parties are *ad idem* on this, I allow this writ petition in terms of the said judgment.

Consequently, I order this Writ Petition with the following directions:

(a) The respondent Bank arrayed in this case, is directed to confine the order of freeze against the accounts of the petitioner, only to the extent of the amounts mentioned in the order/requisition issued to them by the Police Authorities. This shall be done forthwith, so as to enable the petitioner to deal with their accounts, and transact therein, beyond that limit.

(b) The respondent – Police Authorities concerned are hereby directed to inform the Bank as to whether freezing of accounts of the petitioner in this Writ Petition will require to be continued even in the afore manner; and if so, for what further time, within a period of eight months from the date of receipt of a copy of this judgment.

(c) On the Bank receiving the afore information/intimation from the Police Authorities, they will adhere to the same and complete necessary action – either continuing the freeze for such period as mentioned therein; or withdrawing it, as the case may be.

(d) If, however, no information or intimation is received by the Bank in terms of directions (b) above, the petitioner or such among them, will be at full liberty to approach this Court

again; for which purpose, all their contentions in this Writ Petition are left open and reserved to them, to impel in future.

Sd/-

DEVAN RAMACHANDRAN

JUDGE

SAS

APPENDIX OF WP(C) 6254/2024

PETITIONER'S EXHIBITS:

Exhibit P1	A TRUE COPY OF THE COMMUNICATION RECEIVED BY THE PETITIONER FROM THE 5TH RESPONDENT BANK DATED 14-2-2024