



Crl.O.P.No.1364 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1364 of 2024

M.Neelamegam
S/o.Murugan

... Petitioner

Vs.

1.The Inspector of Police,
Central Crime Branch EDF – IV,
Office of the Commissioner of Police,
Sholinganallur,
Chennai – 600 119.

2.The Manager,
Ujjivan Small Finance Bank,
30/3, 2, Suramangalam Main Road,
Mullai Nagar,
Salem – 636 005

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code to issue a direction to the respondents to de-freeze the savings bank account bearing A/c.No.1172120040000319 of the petitioner maintained with the 2nd respondent.



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For Petitioner : Mr.S.Kalyanaraman
For Respondents : Mr.A.Damodaran for R1
Addidtonal Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to the respondent police to de-freeze the bank account of the petitioner maintained in the 2nd respondent bank.

2. Heard Mr.S.Kalyanaraman, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for 1st respondent.

3. The learned Additional Public Prosecutor on instructions submitted that the respondent police submitted that in the course of investigation, the account was freezed on 23.03.2023. However, the investigation officer was not able to intimate the same to the concerned jurisdictional Magistrate Court immediately.



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4. Considering the above submission, it is clear that the mandate under Section 102 of Cr.PC has not been complied with. Therefore, the freezing of the bank itself becomes illegal and hence, there shall be a direction to the 1st respondent to defreeze the bank account of the petitioner. If the 1st respondent deems it fit to freeze the bank account of the petitioner in the course of investigation, it will be left open to the 1st respondent to strictly comply with the mandate under Section 102 of Cr.PC while undertaking the process.

5. This Criminal Original petition is disposed of in the above terms.

29.01.2024

rka

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No



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WEB COPY **To**

- 1.The Inspector of Police,
Central Crime Branch EDF – IV,
Office of the Commissioner of Police,
Sholinganallur,
Chennai – 600 119.
- 2.The Public Prosecutor,
Madras High Court.



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