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Crl.O.P.No.999 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.999 of 2024

Padmavathi

W/o.Vasu

... Petitioner

Vs.

State represented by
The Inspector of Police,
F3-Aarambakkam Police Station,
Thiruvallur.
C.C.No.385 of 2023

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to set aside the order passed by Principal Special Court under EC & NDPS Act in Crl.M.P.No.3827 of 2023 dated 01.08.2023.

For Petitioner : Mr.K.Thenrajan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the respondent to defreeze the bank account of the petitioner maintained before the City

Union Bank, Elayur Branch.



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2. Heard Mr.K.Thenrajan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The bank account of the petitioner was freezed in the course of investigation in Crime No.46 of 2022.

4. Learned Additional Public Prosecutor submitted that the bank account of the petitioner was freezed on 14.06.2023, whereas, it was not intimated immediately to the jurisdictional Magistrate.

5. Considering the above submissions made by learned Additional Public Prosecutor, it is quite clear that the mandate u/s.102 Cr.P.C. has not been followed. Hence, the freezing of the bank account of the petitioner becomes illegal. Therefore, there shall be a direction to the respondent police to defreeze the bank account. If the respondent police wants to freeze the bank account during the course of investigation, they have to necessarily comply with the mandate u/s.102 Cr.P.C.



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This Criminal Original Petition is disposed of in the above terms.

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22.01.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Principal Special Court under EC & NDPS Act,
Chennai.

2.The Inspector of Police,
F3-Aarambakkam Police Station,
Thiruvallur.

3.The Public Prosecutor,
High Court Madras.



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N.ANAND VENKATESH, J.

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