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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1212 of 2024

V.Dinesh Kumar

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Special Cyber Crime Unit,
SHO Town District Begusarai,
Bihar.

2.The Branch Manager,
HDFC Bank Limited,
No.29, 30 & 31, Nellukaran Street,
1st Floor, (Annai Indira Gandhi Salai),
Kanchipuram – 631 502.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to defreeze the Savings Bank Account No.50100206541123 maintained by the petitioner with the 2nd respondent Bank forthwith.

For Petitioner : Mr.V.S.Senthil Kumar

For R1 : No Appearance



For R2

: Mr.C.Mohan
For M/s.King and Partridge

ORDER

The Writ of Mandamus has been instituted to direct the respondents to defreeze the Savings Bank Account No.50100206541123 maintained by the petitioner with the 2nd respondent Bank forthwith.

2. The Bank account of the writ petitioner was freezed on the ground that the 1st respondent / The Inspector of Police, Special Cyber Crime Unit, Bihar sent a letter to the 2nd respondent / Bank to freeze the account.

3. The learned counsel for the petitioner would submit that some unknown person has transferred a sum of R.650/- to the account of the petitioner and the petitioner itself is unaware of the details of the person, who transferred the said amount in his Bank account. There is no other similar transactions were identified in the Bank account of the petitioner in the earlier occasion.

4. The disputed amount of Rs.650/- transferred to the account of the petitioner is an isolated incident and the learned counsel for the 2nd respondent



would also submit that the amount was transferred from the account of the victim, who is residing in Bihar and the defacto complainant.

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5. However, there is no instances to establish that the petitioner's account has received any such suspicious amount and therefore, this Court is inclined to consider the writ petition.

6. Accordingly, the 2nd respondent is directed to keep on hold a sum of Rs.650/- and permit the petitioner to operate his Bank account for the remaining amount.

7. With the above directions, this Writ Petition stands allowed. No costs.

26.04.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To



The Inspector of Police,
State,
Special Cyber Crime Unit,
SHO Town District Begusarai,
Bihar.

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S.M.SUBRAMANIAM, J.

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