



Crl.O.P.No.1368 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.1368 of 2024

M.Neelamegam
S/o.Murugan

... Petitioner

Vs.

1.The Commissioner of Police,
Tambaram Commissionarate,
Sholinganallur,
Chennai – 600 119.

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

3.The Manager,
ICICI Bank,
2nd Agraharam,
Salem – 636 001

...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.106001510583 of the petitioner



Crl.O.P.No.1368 of 2024

maintained with the 3rd respondent.

WEB COPY

For Petitioner : Mr.S.Kalyanaraman

For Respondents : Mr.A.Damodaran for R1 and R2
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 12.04.2023. However, the investigation officer was not able to intimate the same to the concerned



Crl.O.P.No.1368 of 2024

jurisdictional Magistrate Court immediately.

WEB COPY

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

3/5



Crl.O.P.No.1368 of 2024

Neutral citation: Yes/No

WEB COPY

To

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



WEB COPY



Crl.O.P.No.1368 of 2024

N.ANAND VENKATESH,J

rka

Crl.O.P.No.1368 of 2024

29.01.2024