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1

Crl OP No.3325 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3325 of 2023

Mr.Arunpandian

..Petitioner

Vs.

1. State The Inspector of Police,
St. Thomas Mount Police station,
Chennai.

2. The Manager,
HDFC Bank Limited,
Anna Nagar Branch,
Chennai 600 040

3. The Manager,
Kotak Mahindra Bank Limited,
Villivakkam Branch,
Chennai 600 049

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to defreeze the accounts of petitioner bearing Number 500100225980500, 4646310288 maintained with the 2nd and 3rd respondents bank in Crime No.42 of 2022 on the file of respondent within the stipulated time.

For Petitioner

: Mr.M.P.Saravanan

For Respondent

: Mr.A.Damodaran

Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed for a direction to the 1st respondent to defreeze the bank account of the petitioner maintained before the respondents 2 and 3.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that during the course of investigation in crime No.42 of 2022, the bank account of the petitioner was freezed on 17.03.2022. However, it was intimated to the Special Court on 14.02.2023.

3. In the considered view of this Court, the 1st respondent did not follow the mandate under Section 102 of Cr.PC and the freezing of the bank account was not immediately intimated to the Jurisdictional Court. Hence, freezing of the bank account becomes illegal.

4. In the light of the above discussion, there shall be a direction to the 1st respondent to defreeze the bank account maintained by the petitioner before the respondents 2 and 3rd respondents. If the 1st



respondent wants to freeze the bank account of the petitioner, the mandate under Section 102 of Cr.PC has to be strictly complied with.

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

10.01.2024

Index : Yes / No
Internet : Yes / No
Speaking Order : Yes/No
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To

1. State The Inspector of Police,
St. Thomas Mount Police station,
Chennai.
2. The Manager,
HDFC Bank Limited,
Anna Nagar Branch,
Chennai 600 040
3. The Manager,
Kotak Mahindra Bank Limited,
Villivakkam Branch,
Chennai 600 049
4. The Public Prosecutor,
High Court of Madras,
Madras.



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4

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N.ANAND VENKATESH, J.,

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