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Crl.O.P.No.2988 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **14.02.2024**

CORAM

THE HON'BLE MR.JUSTICE **N.ANAND VENKATESH**

Crl.O.P.No.2988 of 2024

Chandrasekar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai

...Respondent

Criminal Original Petition under Section 482 of the Criminal Procedure Code to issue a direction to the respondent to de-freeze the two bank account Nos.0916101036721 and 091601055148 in Canara Bank, Thiruvottiyur Branch, Chennai.

For Petitioner : Mr.K.Thenrajan

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



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ORDER

This Criminal Original Petition has been filed for a direction to the respondent police to de-freeze the two bank account Nos.0916101036721 and 091601055148 in Canara Bank, Thiruvottiyur Branch, Chennai.

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

3. The learned Additional Public Prosecutor on instructions from the respondent police submitted that in the course of investigation, the account was freezed on 25.10.2023. However, the investigation officer was not able to intimate the same to the concerned jurisdictional Magistrate Court immediately.

4. Considering the above submission, it is clear that the mandate under Section 102 of Cr.PC has not been complied with. Therefore, the



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freezing of the bank itself becomes illegal and hence, there shall be a direction to the respondent to defreeze the bank account of the petitioner. If the respondent deems it fit to freeze the bank account of the petitioner in the course of investigation, it will be left open to the 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.

14.02.2024

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Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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1.State Rep by
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai

2.The Public Prosecutor,
Madras High Court.



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