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Crl.O.P.No.6092 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6092 of 2024

S.Ezhilarasan,
Proprietor, M/s.Green Agro Tech,
No.115, First Floor, SB, Complex third Avenue,
Annanagar, Chennai – 600 040. .. Petitioner

Vs.

1.State by
The Deputy Superintendent of Police,
Economic Offences Wing, Chennai.
(Crime No.6 of 2023)

2.The Manager,
ICICI Bank,
St.Thomas Branch,
No.66, Butt Rd, Ramapuram, Parangi Malai,
St.Thomas Mount, Chennai. .. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 1st respondent to De-freeze the petitioners ICICI bank account bearing Account No.23480500889 maintained with the 2nd respondent in the case pending investigation in Crime No.6 of 2023, on the file of the respondent Police.

For Petitioner : Mr.R.Thamarai Selvan

For R1 : Mr.A.Damodaran
Additional Public Prosecutor

**ORDER**

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This criminal original petition has been filed for a direction to the respondent Police to de-freeze the Bank Account of the petitioner maintained with the 2nd respondent Bank.

2.The learned Additional Public Prosecutor on instructions submitted that the 1st respondent in the course of investigation in Crime No.6 of 2023 freezed the Bank Account of the petitioner maintained with the 2nd respondent Bank. However, the same was not intimated to the jurisdictional Magistrate immediately.

3.In the light of the above submission, it is clear that mandate under Section 102 of Cr.P.C. has not been followed in this case. Hence, there shall be a direction to the 1st respondent to de-freeze the Bank Account of the petitioner maintained in the 2nd respondent Bank.

4.If according to the 1st respondent, freezing of the Bank Account is required in the course of investigation in Crime No.6 of 2023, the 1st respondent shall follow the mandate under Section 102 of Cr.P.C.



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

13.03.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

NOTE: Issue order copy on 14.03.2024.

To

- 1.State by
The Deputy Superintendent of Police,
Economic Offences Wing, Chennai.
- 2.The Manager,
ICICI Bank,
St.Thomas Branch,
No.66, Butt Rd, Ramapuram, Parangi Malai,
St.Thomas Mount, Chennai.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

krk

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