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W.P.No.16167 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.16167 of 2024 and
W.M.P.Nos.17710 of 2024

M/s.Star Communications
Rep. By Its Proprietor Mr.Balasubramaniam,
14/7, Kuppada Goudner Street,
Othakkal Mandapam Post,
Okkilipalayam,
Coimbatore-641 032. ... Petitioner

VS.

1.M/s.INDUSIND Bank
Rep. By Its Branch Manager, Pollachi Branch, Ground
Floor, No.16, Venkatraman Road, VKS Complex,
Mahalingapuram, Pollachi Coimbatore-642 002.

2.The Station House Officer,
Cyber Crime Police Station (Imphal West)
Sanakhwa Yaima Kollup,
Imphal, Manipur-795 001.

3.The Station House Officer
Kurnool-II Town Police Station,
Kurnool, Andhra Pradesh-518 001,

4.The Station House Officer,
Cyber Crime Police Station,
Jhabuna Thandla, Madhyapradesh-457 990.

5.The Station House Officer
Cyber Crime Police Station,
Sohana, Sas Nagar, Punjab-140 308.



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6.The Station House Officer
Cyber Crime Police Station,
Mandhi Road, Old Faridabad,
Faridabad, Haryana, 121 002.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to defreeze the petitioner's current account bearing No.255355355355 within the time frame as may be stipulated by this Honourable Court.

For Petitioner	: Mr.Santhanaraman
For Respondent 1	: M/s.S.R.Radha Swetha Standing Counsel

ORDER

The writ petition is filed seeking a direction to 1st respondent herein to de-freeze the petitioner's current account bearing No. 255355355355 within a time stipulated by this Court.

2. It is the case of the petitioner that he is a proprietor of Utility Payment Services provider(UPI). The petitioner firm has been providing its service to public through 65,000 registered retail merchant outlets in and around Tamil Nadu and Kerala through which nearly 10,000 financial transactions are done by using the petitioner's services. The 1st respondent bank, on request made by the respondents 2 to 6, freezed the petitioner's



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Current Account No.255355355355 on the ground that certain complaints regarding the financial transactions were pending on the file of respondents 2 to 6. Aggrieved by the same, the petitioners has come before this Court.

3.The learned counsel for the petitioner submits that the amount involved in the complaints which is under investigation before the respondents 2 to 6 may not exceed Rs.10,000/- However, the 1st respondent freezed the account of the petitioner which actually crippled the petitioner from doing its' UPI business.

4. The 1st respondent bank filed a counter wherein it is stated that it received requests from respondents 2 to 6 on various dates to freeze the account of the petitioner on the ground the investigation into the complaints regarding financial transaction. The 1st respondent in the memo also stated that they received instructions from respondents 2 to 6 to un-freeze/de-freeze the account of the petitioner and remove the hold/lien on the amount involved in the financial transaction which is under investigation. The memo filed by the 1st respondent is extracted hereunder:-



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“1. It is submitted that the 1st respondent has no objection in defreezing the Current Account No.255355355355 pertaining to the petitioner herein.

2. It is submitted that there were 10 cyber crimes cases been pending since 2023 at different parts of India.

3. It is submitted that 1st respondent had received notices from concerned Cyber Police Authorities at various dates to unfreeze/de-freeze the account of the petitioner and to remove the Hold/Lien on the said account. The notices are attached as Annexure 1.

4. It is submitted that the 1st respondent shall comply with any such order/orders that this Hon'ble Court shall pass”

5. In view of the memo filed by the 1st respondent bank, the prayer sought for in the writ petition is deserved to be allowed and the 1st respondent is permitted to de-freeze the account as per the instructions received by it from other respondents.



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6. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

20.12.2024

Index: Yes/No
Internet: Yes/No
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To

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