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CrI.O.P.No.15394 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.15394 of 2024

Srikanth Reddy

... Petitioner/Accused No.3

/versus/

1. The Commissioner of Police,
EVK Sampath Road, Vepery.
Periamet, Chennai – 600 007.

2. State Represented by Inspector of Police,
Beta – 6, EDF-II,
Central Crime Branch,
Vepery, Chennai – 07.

3. The Manager,
Karur Vyasa Bank,
Srinivasa Nagar, Nandyala,
Andhra Pradesh – 518 501.

4. Darshan. ...Respondents
*R4 impleaded as per order dated 12.07.2024 in CrI.M.P.No.9834/2024 in
CrI.O.P.No.15394 of 2024.*

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C., to direct the 2nd respondent to de-freeze the petitioner's bank account bearing Nos.1435172000005459 & 1435270000000031 in the name of Mr.Sajjala Sreekanth Reddy maintained with the 3rd respondent in relation to Crime No.89 of 2023 which were frozen by the 2nd respondent.



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Crl.O.P.No.15394 of 2024

For Petitioner : Mr.C.Thiagarajan

For R1 & R2 : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

For R4 : Mr.C.Palanichamy.

ORDER

This Criminal Original Petition is filed to defreeze the accounts of the petitioner, who is arrayed as A3 in Crime No.89 of 2023 for the alleged offences under Section 406, 420 r/w 34 of I.P.C given by one Darsan, Power Agent of M/s.Rishabh Triexim LLP, alleging that the accused persons have cheated him to the tune of Rs.11,79,08,234.29.

2. The Learned Counsel for the petitioner submits that he is no way connected with the money transaction between the complainant and the 1st accused Company. He is the Director of the said Company and the money in his bank account has no connection with the alleged crime. Therefore, when there is no material to show that the money laying in his account is part of the crime proceeds, his account cannot be freezed. Hence, seek for defreezing.



CrI.O.P.No.15394 of 2024

WEB COPY

3. The Learned Government Advocate (CrI.Side) for the respondent states that based on the complaint given against this petitioner/A3 and others, case has been registered in Crime No.89/2023 and same is under investigation. Since there was some semblance of connection between the crime and the money laying in the account of the petitioner intimation was given to the Bank to freeze the account.

4. In the course of the investigation, if the money laying in the petitioner's account found to have no connection with the crime, necessary intimation will be given to be concern bank to defreeze the account.

5. Further, the Learned Government Advocate (CrI.Side) states that within a period of 10 days, the Investigating Officer will take decision regarding the accounts of the petitioner whether to continue the order of freezing or to defreeze.



Cr.O.P.No.15394 of 2024

WEB COPY

6. Recording the above submission, this Criminal original Petition is disposed of, directing the respondent to take decision on the defreezing the account of the petitioner within a period of 10 days, from the date of receipt of copy of this order.

26.07.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

Copy to:-

1. The Commissioner of Police, EVK Sampath Road, Vepery.
Periamet, Chennai – 600 007.
2. The Inspector of Police, Beta – 6, EDF-II, Central Crime Branch,
Vepery, Chennai – 07.
3. The Public Prosecutor, High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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