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W.P.No.22407 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.22407 of 2024

FPL Vehicles Pvt Ltd.,
Rep. by its Chief Operating Officer/COO,
824/1, Anna Salai,
Nandanam, Chennai 600 035.

...Petitioner

Vs.

1. The Inspector of Police/The Station House Officer,
Police Post Mangolpuri,
Patthar Market, Outer Ring Road,
Pitampura New Delhi – 110 086.

2. Axis Bank,
Rep. by its Branch Manager,
No.82, Dr. Radhakrishnan Salai,
Mylapore, Chennai 600 004.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to issue NOC (No objection certificate) to the second respondent Axis Bank to de-freeze the lien amount of Rs.10,00,000/- in A/c.No.920020019869633 for the transaction dated 23.01.2024 vide transaction No.RTGS/IOBAR52024012300326656/ Trade name ARYA



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POWER TECH/INDIAN OVERSEAS BANK/RTGS and direct the second respondent to release the payment of Rs.10,00,000/- to the petitioner.

For Petitioner : Mr.R.Sankarnarayanan, Senior Counsel
for M/s. Abishek Jenasen

For Respondents : Mr.R.Palanikumar, for R2

ORDER

The petition has been filed to defreeze the account of the petitioner maintained in the Axis Bank, since on the instructions given by the respondent Police, the account has been freezed though the petitioner is no way connected with any scam whatsoever has been alleged.

2. According to the petitioner, he sold a MG Car to one P.Kannan and received a consideration of Rs.9,93,322/-. The first respondent Police, who is investigating the case pertaining to said P.Kannan, has intimated the Bank to have a lien over a sum of Rs.10,00,000/- in connection with Crime No.22 of 2024 registered by Cyber Crime Police, Outer, Delhi. He further submitted that a *bona fide* transaction between



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the petitioner and Kannan now brought under scam and the entire amount of Rs.10,00,000/- lying in the account of the petitioner in the Axis Bank has been freezed.

3. On notice, the first respondent appeared through video conferencing and submitted that it is suffice to hold a lien of Rs.2,00,000/- from the petitioner's account and appropriate request has been given to the second respondent Bank to restrict the lien to sum of Rs.2,00,000/- instead of Rs.10,00,000/-. However the petitioner to be directed to appear for enquiry on receipt of summons.

4. The learned counsel appearing for the second respondent Bank submits that intimation from the first respondent received and appropriate action will be taken on the side of the second respondent Bank.

5. The learned Senior Counsel appearing for the petitioner would submit that the petitioner will participate in the enquiry on receipt of the summon from the first respondent and cooperate for the completion of



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the investigation and provide details available with the petitioner.

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6. Recording his undertaking, the Writ Petition is disposed of directing the second respondent to defreeze the account of the petitioner holding a lien of Rs.2,00,000/-. There shall be no order as to costs.

24.09.2024

jv

Internet: Yes/No

Index: Yes/No

speaking order/ Non Speaking order

Neutral Citation: Yes/No



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To

1. The Inspector of Police/The Station House Officer,
Police Post Mangolpuri,
Patthar Market, Outer Ring Road,
Pitampura New Delhi – 110 086.
2. The Branch Manager
Axis Bank,
No.82, Dr. Radhakrishnan Salai,
Mylapore, Chennai 600 004.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G. JAYACHANDRAN, J.

jv

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