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W.P.No.30875 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.11.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.30875 of 2024
and
W.M.P.No.33459 of 2024
--

U.Tharunkumar

.. Petitioner

Vs.

1. State, rep. by
The Superintendent of Police,
Chengalpattu District.
2. The Deputy Superintendent of Police,
Chengalpattu District.
3. The Inspector of Police,
K-10 Kayar Police Station,
Chengalpattu District.
Crime No.92/2024
4. The Branch Manager,
HDFC Bank,
A/c.No.50100239097141
West Mambalam,
Chennai-33.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's representation, dated 30.09.2024 in accordance with law by defreezing the salary account HDFC Bank No.50100239097141, IFSC Code:

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HDFC0000575, West Mambalam, Chennai.

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For petitioner : Mr.P.Thiyagu

For respondents : Mr.S.Sugendran, Addl.P.P. for RR-1 to 3

ORDER

The petitioner has filed the present Writ Petition praying for issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's representation, dated 30.09.2024 in accordance with law by de-freezing the salary account HDFC Bank No.50100239097141, IFSC Code: HDFC0000575, West Mambalam, Chennai.

2. The petitioner worked as Team Leader of Sutherland Global Services Private Limited in Chennai and he was arrested on 21.07.2024 and released on 19.08.2024 under Sections 8(c) and 20(b)(ii)(B) of the NDPS Act in Crime No.92 of 2024 on the file of the third respondent. The petitioner's salary Bank Account is in HDFC Bank No.50100239097141, IFSC Code: HDFC0000575, West Mambalam, Chennai and the salary account was freezed on 19.07.2024 without reason and without notice. The investigation is over, as the case is borne out by records. The petitioner submitted a representation dated 30.09.2024 to the respondents, requesting to de-freeze the salary account and non-consideration of the representation dated 30.09.2024 by the first respondent is unjust and illegal.

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3. A case was registered against the petitioner under the above said Sections. During investigation, the salary account of the petitioner was freezed and hence, the petitioner has filed the present Writ Petition for de-freezing his account. The investigation is pending and the offences are under the above said Sections of the NDPS Act. Pending investigation, the salary account cannot be de-freezed. The charge-sheet was also not filed.

4. Pending investigation, this Court is not inclined to pass any order. Hence, this petition is dismissed. There shall be no order as to costs. Consequently, W.M.P.No.33459 of 2024 is closed.

27.11.2024

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To

1. State, rep. by
The Superintendent of Police,
Chengalpattu District.
2. The Deputy Superintendent of Police,
Chengalpattu District.
3. The Inspector of Police,
K-10 Kayar Police Station,
Chengalpattu District.
Crime No.92/2024
4. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

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