



W.P.No.37858 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.37858 of 2024

P.Baskar

... Petitioner

Vs

1. The Commissioner of Police,
Linemedu, Salem City.
2. The Inspector of Police,
Kitchipalayam Police Station,
Salem.
3. The Branch Manager,
Federal Bank,
Ramakrishna Road,
Salem.
4. The Branch Manager,
Tamilnad Merchantile Bank,
Ramakrishna Road,
Salem.
5. The Branch Manager,
ICICI Bank, Gugai, Salem.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to take appropriate and necessary action to defreeze the petitioner's bank accounts in respondent Nos.3, 4 and 5 Banks namely Federal Bank bearing SB Ac.No.12870100114042, Tamilnadu Mercantile Bank bearing SB Ac.No.453100710400049 and ICICI Bank bearing SB Ac.No.607201100246 by considering the petitioner's representation dated 25.10.2024.

For Petitioner : M/s.N.Lavanya

For R1 & R2 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the second respondent to take appropriate and necessary action to defreeze the petitioner's bank accounts in respondent Nos.3, 4 and 5 Banks namely Federal Bank bearing SB Ac.No.12870100114042, Tamilnadu Mercantile Bank bearing SB Ac.No.453100710400049 and ICICI Bank bearing SB Ac.No.607201100246 by considering the petitioner's representation dated 25.10.2024.



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2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents and perused the materials available on record.

3. It is submitted by the learned counsel for the petitioner that the petitioner's wife made a complaint against the petitioner before the second respondent police. Based on the said complaint, C.S.R.No.285 of 2024 has been registered. Further, based on letter dated 29.07.2024 of the respondent police, the petitioner's bank accounts have been freezed. Hence, he filed this criminal original petition.

4. It is seen that the dispute is between the petitioner and the *de facto* complainant who are husband and wife respectively. Though the petitioner/husband added the police and the respective banks as parties/respondents in the criminal original petition, he has not added the *de-facto complainant*/wife as the respondent. The petitioner has suppressed the material facts and tried to get the order of this Court behind the opposite party. The petitioner has not come to the court with



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clean hands. Hence, this Court is not inclined to grant the relief as sought for by the petitioner.

5. In view of the above, this Writ Petition is dismissed. There shall be no order as to costs.

11.12.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The Commissioner of Police,
Linemedu, Salem City.
2. The Inspector of Police,
Kitchipalayam Police Station,
Salem.
- 3 . The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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