



W.P(MD)No.6955 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6955 of 2024

and

W.M.P.(MD)Nos.6473 & 6477 of 2024

P.Velmurugan

... Petitioner

Vs.

1.The Chief Executive Officer/Nodal Officer,
Indian Bank Corporate Office,
PB No.5555.254.260, Avvai Shanmugam Salai,
Royapettai,
Chennai-600 014.

2.The Branch Manager,
Indian Bank, Paramakudi Branch,
Ramanathapuram District.

3.The Intelligence Officer,
Narcotics Control Bureau,
Chennai Zonal Unit, Madurai Sub Zone,
No.4/790, Old No.667, Anna Nagar,
Meenakshi Nagar, Anna Nagar,
Madurai-625 020.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned order passed by the 2nd respondent herein in Nil dated 12.02.2024 and quash the same as illegal and unconstitutional and consequently directing the 3rd respondents to issue suitable direction to the 2nd



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respondent herein to defreeze the petitioners bank account bearing no. 987551193 by considering the petitioner's representation dated 05.02.2024 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.M.Karunakaran

For Respondents : Mr.C.Karthick

ORDER

Heard both sides.

2. The petition mentioned bank account was frozen. The bank informed the petitioner vide communication dated 12.02.2024 that freezing was done based on the instructions received from the Narcotics Control Bureau, Central Zonal Unit, Madurai. Challenging the same, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned standing counsel for NCB pointed out that the petitioner is an accused in a narcotic case involving in a commercial quantity. I wanted to know how much amount is lying in the petitioner's account. It is said to be a sum of Rs.35,000/-.

4. The learned standing counsel submitted that third respondent is empowered under Sections 68(E) and 68(F) of the NDPS Act, 1985 to freeze



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the petition mentioned bank account. Section 68(F)(2) of the Act states that any order made under sub-section (1) shall have no effect unless the said order is confirmed by an order of the competent authority within a period of thirty days of its being made.

5. I called upon the learned standing counsel to produce the confirmation order. The confirmation order has not been furnished. I therefore direct the respondents 1 & 2 to de-freeze the petitioner's bank account forthwith and without any delay.

6. The writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

25.03.2024

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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