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W.P.(MD)NO.10473 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10473 of 2024

Manikandan

... Petitioner

Vs.

1. The Branch Manager,
City Union Bank,
Palani Branch,
Dindigul District.

2. The Inspector of Police,
District Crime Bureau,
Cyber, Economic and Narcotic Crime police station,
Chickballapura,
State of Karnataka – 562 101.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to defreeze the petitioner's Saving Account No.500101012515860 with the first respondent bank forthwith and allow the petitioner to continue the petitioner's banking operations with the said bank.

For Petitioner : Mr.S.Sathyachidambaram

For R-1 : Mr.Madhan Alexandar

* * *

**ORDER**

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Heard the learned counsel appearing for the writ petitioner and the learned Standing counsel appearing for the first respondent.

2. The second respondent has been served and the name is printed in the cause list. On account of the notice issued by the second respondent as per Section 91 and 102 Cr.P.C. on 25.03.2024, the petitioner's account has been frozen. It is seen that Crime No.55 of 2024 was registered by the second respondent for cyber fraud. The amount involved is Rs.9,99,000/-. It appears that there was some suspicious transactions involving the petition mentioned account also. The second respondent has not mentioned the details. Instead by a general communication, the entire account has been ordered to be frozen. This is clearly impermissible. Action has been taken under Section 102 Cr.P.C. It appears that as on date, there is only a sum of Rs.48,370/- in the petitioner's bank account. It is categorically asserted by the petitioner that the petitioner never received any large sum in his bank account. The petitioner is engaged in cable TV business and the amount collected from the subscribers are deposited in the petition mentioned bank. They are



only small amounts. In this view of the matter, the first respondent is directed to defreeze the petition mentioned saving account. This writ petition stands allowed. No costs.

11.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The Branch Manager,
City Union Bank,
Palani Branch,
Dindigul District.
2. The Inspector of Police,
District Crime Bureau,
Cyber, Economic and Narcotic Crime police station,
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G.R.SWAMINATHAN,J.

PMU

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