



W.P.(MD)No.16156 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.16156 of 2024

Mani Balan

... Petitioner

Vs.

1. The Branch Manager,
Indian Overseas Bank,
Kodimangalam Branch,
Agraharam Street, Kodimangalam,
Madurai South, Madurai District.

2. The Inspector of Police (Crime),
Anna Nagar Police Station,
Anna Nagar, Madurai City,
Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent bank herein to defreeze the bank account of the petitioner maintained with the 1st respondent bank vide bank Account No. 079701000011187 at Kodimangalam Branch, Madurai District by considering the order passed in W.P(MD) No. 26905 of 2023 dated 09.11.2023 on the file of this Court.

For Petitioner : Mr.S.M.Ramasiva

For Respondents : Mr.N.Dilipkumar (R1)

Standing Counsel

Mr.K.Gnanasekaran (R2)

Government Advocate



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ORDER

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This writ petition has been filed seeking for a direction to the first respondent to de-freeze the account of the petitioner maintained with the first respondent bank in bank account No. 079701000011187 at Kodimangalam Branch, Madurai District, by considering the order passed by this Court in W.P(MD) No. 26905 of 2023 dated 09.11.2023.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The learned counsel appearing for the first respondent bank on instructions submitted that the petitioner's bank account was freezed only on the intimation from the second respondent.

4. The learned Government Advocate appearing for the second respondent filed a report stating that the petitioner is not at all an accused in the FIR in Crime No. 497 of 2023 on the file of the second respondent police. However, the accused had transferred an amount of Rs.29,482/- to the petitioner's account.



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5. The learned counsel appearing for the petitioner submitted that the petitioner is running a retail business and the accused is of the habit of purchasing monthly groceries every month from the petitioner and would settle the amount once in a while and only in that way, he settled the amount of Rs. 29,482/- by transferring the same into the petitioner's account.

6. Recording the submissions made on either side, and considering the above facts and circumstances of this case, this Court hereby directs the first respondent Bank to de-freeze the petitioner's bank account to facilitate him for future operation of his account.

7. With the above direction, this writ petition is disposed of. No costs.

11.12.2024

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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TO:-

1. The Branch Manager,
Indian Overseas Bank,
Kodimangalam Branch,
Agraharam Street, Kodimangalam,
Madurai South, Madurai District.
2. The Inspector of Police (Crime),
Anna Nagar Police Station,
Anna Nagar, Madurai City,
Madurai District.

Order made in
W.P.(MD)No.16156 of 2024

Dated
11.12.2024