



WP(MD)No.16517 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Parameswari

... Petitioner

Vs.

1.State of Gujarat,
Rep by its Inspector of Police,
Vadodara City Police Station,
Vadodara,
Gujarat – 390006.

2.State of Maharashtra,
Rep by its Inspector of Police,
Bajaj Nagar Police Station,
Nagpur,
Maharashtra 440015.

3.The Branch Manager,
Indian Overseas Bank,
Periyar Centenary Campus Branch,
Tiruchirappalli.

4.The Manager,
Fraud Risk Management Cell,
Central Office,
Anna Salai,
Chennai.

...Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to de-freeze the Savings Bank Account Number: 155201000003381 maintained by the petitioner with the third respondent Bank.

For Petitioner : Mr.A.Mohamed Hashim
For R1 & R2 : Mr.T.Senthil Kumar
Additional Public Prosecutor
For R3 : Mr.N.Dilip Kumar
Standing Counsel

ORDER

The petitioner has approached this Court with a grievance that the third respondent Bank has frozen her Savings Bank Account Number: 155201000003381, on the instructions of the first and second respondents.

2.The case of the petitioner is that the petitioner is maintaining a Savings Bank Account No.155201000003381 with the third respondent Bank for the past 10 years. On 16.05.2023, the petitioner's son, who is working in Canada had sent a sum of Rs.1,56,870/- to the petitioner's Account through UTR. When the petitioner attempted to withdraw the



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amount, it was informed by the respondent Bank that her account has been frozen in view of the request made by the first and second respondent police due to fraudulent transactions. However, they have not disclosed any particulars to that effect. Therefore, the petitioner has sent a representation to the third respondent Bank on 30.05.2023 to de-freeze her savings account, for which, a reply has been received on 05.06.2023 that they have received three cyber fraud complaints from Vadodara City Police Station, Gujarat and one Cyber fraud complaint from Bajaj Nagar Police Station, Nagpur, Maharashtra and the fourth respondent requested them to mark lien on the petitioner's account. According to the petitioner, the reply of the third respondent, dated 05.06.2023 is bereft of details. Hence, this petition.

3.The learned Standing Counsel appearing for the third respondent Bank submits that at request of the respondents 1 & 2, they have freezed the petitioner's Savings Bank account on the ground that there is some fraudulent transaction with regard to a sum of Rs.70,000/-. After the investigation, the first respondent has made further request to defreeze the account and to keep Rs.70,000/- as lien for the criminal case.



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Accordingly, they have de-freezed the petitioner's account and kept Rs. 70,000/- as lien for the criminal case, which is registered pursuant to the transaction.

4. Recording the submission of the learned Standing counsel for the third respondent Bank, this writ petition is disposed of with liberty to the petitioner to approach the third respondent Bank and operate the Bank account. The third respondent Bank is also directed to furnish the details with regard to the communication, which they have received from the first and second respondents enabling the petitioner to agitate the same with regard to the lien created pursuant to the request of the respondents 1 & 2.

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Index : Yes/No
Internet : Yes/No
vrn



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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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B.PUGALENDHI,J.

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