



WEB COPY



W.P.(MD)No.19409 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19409 of 2024

B.Maharaja Vijay

... Petitioner

Vs.

1.The Reserve Bank of India,
Rep., by its Governor,
Head Office, Mumbai,
Maharashtra 400 029.

2.Kerala National Cyber Crime Reporting Portal,
Rep., by its S.H.O,
The Inspector of Police,
Kerala Kottayam Manimala.

3.The Manager,
Indusind Bank,
Dindigul Main Branch,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondents to instruct the third respondent to defreeze the petitioner's current account bearing No. 256383336040 as per the petitioner's representation dated 12.07.2024 within time stipulated by this Court.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.S.A.Ganapathyraman(for R3)



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ORDER

This writ petition has been filed seeking a direction to the respondents to defreeze the petitioner's current account bearing No.256383336040 with the third respondent bank immediately.

2.The petitioner is an account holder in SB Account No.256383336040 in the third respondent Bank and he had deposited a sum of Rs.16,27,183/- in that account as his savings. When the petitioner approached the third respondent Bank to withdraw the same, it is informed that the account of the petitioner was blocked by the Cyber Crime Police on account of the complaint registered against the petitioner in Crime No.33 of 2024 before the Kerala National Cyber Crime Reporting Portal, Kerala Kottayam Manimala, alleging online fraud for a sum of Rs.50,000/-. Pursuant to the same, the bank account of the petitioner is frozen.

3.Heard the learned counsel appearing on either side and perused the materials placed on record.

4.The Kerala National Cyber Crime Reporting Portal, Kerala Kottayam Manimala, had held that on account of the complaint by one P.M.Jacob alleging fraud, an investigation had been undertaken as to how a sum Rs.50,000/-, for



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which amount the complaint has been made, came to the account of the petitioner. Hence, a letter has been addressed to the third respondent to hold that amount in the petitioner's account.

5.At this juncture, the learned counsel for the petitioner submitted that a sum of Rs.50,000/- shall be held separately by the third respondent Bank and the petitioner may be permitted to withdraw the remaining amount.

6.When the complaint itself is made only with regard to a sum of Rs.50,000/- , the entire banking account of the petitioner cannot be frozen and it will have a serious impact on the petitioner.

7.For the reasons stated above, the third respondent bank is directed to hold only a sum of Rs.50,000/- (Rupees Fifty Thousand only) and permit the petitioner to withdraw the remaining amount lying in his account in SB AC.No. 256383336040 before the third respondent.

8.This writ petition is ordered. No costs.

03.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Rmk

<https://www.mhc.tn.gov.in/judis>



W.P.(MD)No.19409 of 2021

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N.SATHISH KUMAR, J.

Rmk

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