



W.P(MD)No.19449 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19449 of 2024

and

W.M.P(MD)Nos.16520 and 16521 of 2024

Kishore Pandian

...Petitioner

Vs.

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Prohibition Enforcement Wing,
Uthamapalayam.

3.The Branch Manager,
Canara Bank, Cudaloor Branch,
Theni District.

... Respondents

(2nd respondent amended vide order, dated 12.09.2024
in WMP(MD)No.18193/2024 in WP(MD)No.19449/2024)

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 the impugned proceeding, dated 03.12.2023 passed by the second respondent in connection with Crime No.911 of 2023 on the file of the second respondent and quash the same and consequently, direct the respondents to defreeze the petitioner's



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account in A/c.No.1055101029011 maintained by him with the third respondent.

For Petitioner : Mr.S.Bharathi

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor,
for R1 & R2.

ORDER

The Writ Petition is directed against the impugned proceeding, dated 03.12.2023 passed by the second respondent in connection with Crime No.911 of 2023 on the file of the second respondent and consequently, direct the respondents to defreeze the petitioner's account in A/c.No.1055101029011 maintained by him with the third respondent.

2. It is not in dispute that the case came to be registered in Crime No.911 of 2023 for the alleged offences under Sections 8(c), 20(b)(ii) (A) of NDPS Act 1958, against the petitioner for possessing 820 grams of Ganja; that after registration of FIR, the petitioner was arrested and released on bail. Meanwhile, the second respondent has issued proceedings to freeze the bank accounts of the petitioner, vide letter, dated 04.12.2023.



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3. The learned Additional Public Prosecutor appearing for the State would submit that since the petitioner was charged with the offence possessing 820 grams of Ganja and that the investigation is almost completed, they have no objection to defreeze the petitioner's bank account.

4. Recording the submission made by the learned Additional Public Prosecutor, the second respondent is directed to sent a letter to the third respondent to defreeze the bank account of the petitioner.

5. With the above direction, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

12.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No
das



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K.MURALI SHANKAR, J

das

To

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Inspector of Police,
Prohibition Enforcement Wing,
Uthamapalayam.
- 3.The Branch Manager,
Canara Bank, Cudaloor Branch,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.19449 of 2024
and
W.M.P(MD)Nos.16520 and 16521 of 2024

Dated : 12.09.2024