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Crl.O.P.(MD) No.16719 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16719 of 2023

KNR.Muruggan

...Petitioner

VS

**1.The Inspector of Police,
Economic Offence Wing (EOW),
Trichy.**

**2.M/s.Indian Overseas Bank,
Abishekapuram Branch,
represented by its Manager,
Illupur Main Road,
Mannarpuram, Trichy – 620 020.**

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the 1st Respondent Police to defreeze the Cash Credit Account bearing A/c.No.023602000001460 maintained with the 2nd Respondent Bank and consequently, to direct the 2nd Respondent Bank to permit the Petitioner to continue and operate the above mentioned account.

For Petitioner	: Mr.S.I.Muthiah
For R1	: Mr.T.Senthil Kumar Additional Public Prosecutor
For R2	:Mr.N.Dilip Kumar



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ORDER

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The learned Counsel for the Petitioner submitted that they filed this Petition seeking to defreeze the bank account by the respondents. The petitioner claimed that he is a Real Estate Contractor and that freezing of bank accounts affects his business.

2.The learned Additional Public Prosecutor vehemently objected to the submission of the learned Counsel for the Petitioner stating that the Petitioner is facing criminal case registered by the first Respondent in Cr.No.2 of 2023 in which, the Petitioner and other accused are alleged to have defrauded the depositors to the tune of Rs.89 lakhs. As per the status report filed by the first Respondent, they continue to receive complaints against the Petitioner and other accused in this case. Therefore, the learned Additional Public Prosecutor seeks to dismiss this petition. If the petitioner has any grievance, he shall approach the Special Court under TANPID Act, Madurai and seeks his remedy.



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3.Considering the fact that the Petitioner is arrayed as A2 in Cr.No.2 of 2023 and the fact that the case had been registered under TANPID Act, it is not a fit case for issuing a direction under Section 482 of Cr.P.C. The Petitioner shall approach the Special Court under TANPID Act, Madurai or the competent authority, since the charge sheet is yet to be filed under TANPID Act for any settlement in the course of investigation.

Accordingly, this ***Criminal Original Petition*** is dismissed.

Internet:Yes./No

03.01.2024

Index:Yes/No

cmr

To

The Inspector of Police,
Economic Offence Wing (EOW),
Trichy.



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SATHI KUMAR SUKUMARA KURUP, J.

cmr

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