IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.3784 of 2025

R.JAYALAKSHMI ... Petitioner

Vs

1. THE SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION,
(ANTI-CORRUPTION BRANCH)
III FLOOR, SHASTRI BHAVAN,
NO. 26, HADDOWS ROAD,
CHENNAI -600 006.

2. THE ASSISTANT GENERAL MANAGER,
CANARA BANK (ERSTWHILE SYNDICATE BANK),
REGIONAL OFFICE-1,
NEW NO. 524, ANNA SALAI,
TEYNAMPET,
CHENNAI -600 018.

3. THE SENIOR BRANCH MANAGER,
CANARA BANK (ERSTWHILE SYNDICATE BANK,
KILPAUK BRANCH),
NO.10, VELLALA STREET,
PURASAWALKAM,
CHENNAI -600 084. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to de-freeze the petitioner's Savings bank Account bearing S/B Account No. 60432010002809, Canara Bank, Purasawalkam Branch (erstwhile Syndicate

Bank, Kilpauk Branch), Chennai 600 084 and consequentially to permit the Petitioner to withdraw the amount in Savings Bank Account bearing S/B Account No. 60432010002809, Canara Bank, Purasawalkam Branch (erstwhile Syndicate Bank, Kilpauk Branch),Chennai -600 084 within time stipulated by this Court.

For Petitioner	:	Ms.Y.Kavitha
For R1	:	Mr.K.Srinivasan Special Public Prosecutor

<u>ORDER</u>

This writ petition is filed to pray for de-freezing the petitioner's Savings Bank Account bearing S/B. Account No. 60432010002809, Canara Bank, Purasawalkam Branch (erstwhile Syndicate Bank, Kilpauk Branch), Chennai 600 084, and consequently to permit the petitioner to withdraw the amount in the said Savings Bank account.

2. The learned counsel appearing for the petitioner would submit that the petitioner's husband, namely Rajendran, is facing trial as Accused No. 1 in C.C. No. 11 of 2023 on the file of the XI Additional City Civil Court / Special Court for CBI Cases, Chennai (now transferred to the XXIV Additional City Civil Court / Special Court for CBI Cases, Chennai).

3. The contention of the learned counsel appearing for the petitioner is that, merely because her husband is being prosecuted, her account remains frozen. The respondents themselves know that several amounts were deposited even by her daughter, which were earned by her and deposited into the account. There is no justification for keeping the entire account frozen, and the money deposited by the daughter has no relevance to the said case.

4. In reply thereto, a detailed counter has been filed by the respondents, and it is essential to extract paragraph No. 7 from the same:-

> "*7. It is submitted that the averments made in Para 10 of the affidavit of the petitioner are false and hence denied. The perusal of the account statement of present petitioner account no 60432010002809 (D-13) maintained with Canara Bank had revealed that the said account was opened on 25/01/2011 and for the next 04 years i.e. till February 2015 the total deposit in the account was only approx. Rs 40,000/-. However, in the next 1 year 5 months till July 2016 approx Rs.7 lakhs were deposited in this account. Out of the said 7 lakhs deposited, Rs.4.68 lakhs were deposited during a period of 4 months from November 2015 till February 2016. Most of the cash deposits were made by Shri V.Rajendran (A-1) and Shri Leo Lawrance (A-3) (D-14 to D-28). During the same period, there is deposit of Rs.7 lakhs vide 04 entries in the account no 8652101025642 (D-42) of Ms Radhika daughter of Shri V Rajendran (A-1) in the month of October 2015 and Rs 1.5 lakhs in June 2015 (D-43 to D-47). All the cash*

deposits totalling Rs 8.5 lakhs were made by Shri Leo Lawrance (A-3). The contention of the petitioner that these amounts were her savings does not stand in the light of the evidence mentioned above.

5. Therefore, as per the prosecution, since the monies were deposited into the present account, which is the subject matter of the writ petition, vide D14 to D28, the said amount cannot be permitted to be withdrawn by the petitioner at this stage. However, the purpose of the prosecution is only to freeze the said money and the petitioner need not be permanently debarred from operating the said account, as it will not, in any manner, hamper the prosecution or the trial.

6. In view thereof, this writ petition is ordered on the following terms: -

(i) The first respondent shall issue communication for de-freezing the petitioner's account bearing bearing S/B Account No. 60432010002809, Canara Bank, Purasawalkam Branch (erstwhile Syndicate Bank, Kilpauk Branch), Chennai 600 084. However, the money alleged to have been deposited vide D14 to D28, being Rs.6,21,000/-, shall not be permitted to be withdrawn by the petitioner. There shall always be a minimum balance of the said sum of Rs. 6,21,000/-, which the bank shall not permit the petitioner to withdraw.

(ii) The petitioner shall be free to operate the account and withdraw any amount in excess of the said Rs. 6,21,000/-, pending the trial.

(iii) As for any other relief, it would be subject to the outcome of the trial and the petitioner shall be at liberty to make appropriate applications after the conclusion of the trial.

(iv) No costs.

04.07.2025

Neutral Citation: Yes/No
nsl

To

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   NO.10, VELLALA STREET,
   PURASAWALKAM,
   CHENNAI -600 084.

4. THE BRANCH MANAGER,
   CANARA BANK, PURASAWALKAM BRANCH,
   (ERSTWHILE SYNDICATE BANK, KILPAUK BRANCH),
   CHENNAI - 600 084.

D.BHARATHA CHAKRAVARTHY, J.

nsl

W.P.No.3784 of 2025

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