



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

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THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 3914 of 2025

1. M.Mohammed Idrishkhan
S/o Mohammed Ali Proprietor Of M/s Elco
Enterprises No 199, Hammeeda Building
Angappa Street, Chennai 600 001

Petitioner(s)

Vs

1. Union Of India
Represented By Its Secretary, Ministry Of
Home Affairs, New Delhi 110 001

2.Reserve Bank Of India
Represented By Its Governor Head Office,
Mumbai, Maharashtra 400 029

3.National Cyber Crime Reporting Portal
Represented By Its Director, National
Highway 8, Mahipalpur, New Delhi
Pin 110 037

4.Staion House Officer
Cyber Crime Police Station, Ganga Nagar,
Rajasthan

5.The South Indian Bank
Represented By Chief Manager No 64 Catholic
Centre, Armanian Street, Chennai 600 001

Respondent(s)



PRAYER

This Writ Petition has been filed under Article 226 of the Constitution of India, pleaded to direct the 5th respondent to marked the lien amount of Rs.1,90,526/- towards the Rs.9,60,259/- credited in petitioner current account in A.c. No 0042073000005384 maintained in 5th respondent Bank.

For Petitioner(s): Mr. G.Pugazenthi
for Mr. K.J.SHIVA ARUDHRA

For Respondent(s): Mr. J.Madhanagopal Rao
Senior Panel Counsel for R1, R3
P.Ambili Menon for R5

ORDER

This petition has been filed for a direction to direct the 5th respondent to mark the lien amount of Rs.1,90,526/- from the total amount of Rs.9,60,259/- credited in petitioner's current account in A.c. No.0042073000005384 maintained with the 5th respondent's Bank.

2. The petitioner/ Mr. M. Mohammed Idrishkhanin is the proprietor of M/s. Elco Enterprises, which sells electrical goods such as Air condition machines, Televisions and etc. The petitioner received a sum of Rs.9,90,000/- from selling these goods, which is lying with the account maintained with the 5th respondent's bank. However, the account was suddenly frozen without notice, causing shock and surprise to the petitioner. Despite repeated requests, the 5th respondent's bank. Later, the bank informed that the account was freezed due to a cyber complaint filed by an unknown person. Hence, the present petition.



3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

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4. Though notice was served to the 4th respondent and name printed in the cause list, no one is appeared before this Court either on person or through pleader.

5. That apart on perusal of the records reveals that based on the request made by the 4th respondent, the 5th respondent marked a lien amount as Rs.6,80,254/-. However, according to the petitioner, the disputed amount involved in the complaint is Rs.1,90,526/- which is lying in the petitioner's account. The Commissioner of Police, Chennai issued a circular in C.No.131/COP, GCP/Camp/2021, dated 24.06.2021 that if the account holder is a third party and not the accused, they should be summoned, examined and freezing of the account should be finalized promptly. Admittedly, as the petitioner is not an accused, the 5th respondent bank froze the account solely based on the request of the 4th respondent. The petitioner is now willing to hold the amount involved in the cybercrime complaint, which is Rs.1,90,526/-.

6. In view of the above facts and circumstances of the case and the circular in C.No.131/COP, GCP/Camp/2021, dated 24.06.2021, issued by the Commissioner of Police, Chennai, the lien amount marked by the 5th respondent on the petitioner's account is hereby defrozeed. The petitioner is permitted to



operate his current account in A/c.No.0042073000005384, maintained with the 5th respondent, except for the disputed amount of Rs.1,90,526/-, which shall remain under lien, from the date of receipt of a copy of this order.

7. With the above observations and directions, the Writ Petition stands disposed of. No costs.

18-03-2025

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

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To

1.Union Of India, Represented By Its Secretary,
Ministry Of Home Affairs, New Delhi 110 001.

2.Reserve Bank Of India, Represented By Its Governor Head Office,
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3.National Cyber Crime Reporting Portal, Represented By Its Director,
National Highway 8, Mahipalpur, New Delhi Pin 110 037

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