



W.P.No.5272 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5272 of 2025
and W.M.P.No.5843 of 2025

Noorunnisa Zakir Hussain

... Petitioner

Vs.

1. ICICI Bank Limited,
Nandambakkam Branch,
DLF IT SEZ park,
Block -12, No.1/2A,
Shivaji Gardens,
Nandambakkam,
Chennai – 600 089.

2. The Station House Officer,
Central CEN Crime Police Station,
Halasurgate Sub-Division,
Bengaluru City,
Karnataka.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to defreeze the Saving Bank account No.154701519220 of the petitioner, which is being maintained by the petitioner with the first respondent Bank namely ICICI Bank, Nandampakkam Branch forthwith, frozen at the instances of the second respondent and permit the petitioner to operate the same.



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For Petitioner : Mr.Prakash Adiapadam
For Respondents
For R1 : Mr.M.Anthony Moses
For M/s. Acuity Law Associates
For R2 : No appearance

ORDER

This writ petition has been filed to defreeze the Saving Bank account No.154701519220 of the petitioner, which is being maintained by her with the first respondent Bank.

2. The petitioner is having saving bank account No.154701519220 with the first respondent for the purpose of crediting her salary through her employer. Even after quitting her job, she continued with the operation of the said account and all the transactions have been done only through the said account. While being so, at the request made by the second respondent, the first respondent had frozen the account in pursuant to the registration of FIR in Crime No.592 of 2024 for the offences under Section 66-D of the Information Technology Act and Section 318 of the BNS.



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3. Heard the learned counsel appearing on either side and perused the materials placed before this Court. Though notice served on the second respondent, no one is appeared before this Court either by person or through pleader.

4. It is seen that the petitioner is not an accused in this case. Further on the request made by the second respondent, the first respondent had frozen the account and did not permit the petitioner to operate the account. On the legal notice issued by the petitioner, the second respondent replied that the FIR has been registered with regard to fraudulent transaction from the complainant's account to the accused's account and the amount involved in the complaint is Rs.2,91,59,047/- However, the second respondent did not say anything about the petitioner's account and the connection between the petitioner's account and accused's bank account. Thereafter, the second respondent sent an E-mail dated 07.03.2025 thereby directed the first respondent bank to keep a sum of Rs.2,50,000/- as lien mark in respect of the FIR in Crime No.592 of 2024 registered on the file of the second respondent and also permit the petitioner to operate the same. That apart, the E-mail sent by the second respondent dated 07.03.2025, nothing mentioned about the



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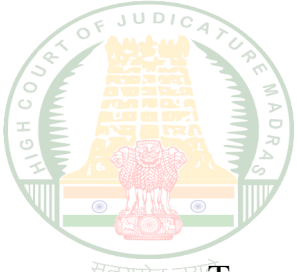
connection between the petitioner and the accused persons. Further the petitioner is not an accused. Now a sum of Rs. 3,66,630.24 is lying in the petitioner's account.

5. Considering the above facts and circumstances, the petitioner's Saving Bank account No.154701519220 is hereby defreezed and the first respondent is directed to permit the petitioner to operate her account. Accordingly, the Writ Petition stands allowed. Consequently, connected miscellaneous petitioner is closed. There shall be no order as to costs.

18.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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To
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2. The Station House Officer,
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Karnataka.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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