



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2025

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THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL OP No. 12399 of 2025

1. Manabhanjan Padhi
S/o. Ramaballacha Padhi,
No.153, Housing Board,
Housing Board Periyar Nagar,
Tamabram, Chennai.

Petitioner(s)

Vs

1. The State rep.by
The Inspector of Police
E-10, Kayar Police Station, Chengalpattu
District.

2.The Branch Manager
HDFC Bank Limited, Padur Branch, No.136,
Ground Floor,
Old Mahabalipuram Road,
Padur Chengalpet District-603103.

3.The Branch Manager
Axis Bank, Kelambakkam Branch, No.2/21,
Susheela Nagar,
Rajive Gandhi Salai,
Old Mahabalipuram Road, Chennai 603103.

Respondent(s)



PRAYER This Criminal Original Petition is filed under Section 528 of BNSS, to direct the 1st respondent to defreeze the petitioner's bank account bearing Account No. 50100606550093 maintained in the 2nd respondent bank, bearing Account No. 917010032508949 maintained in the 3rd respondent bank within the stipulated time.

For Petitioner(s): Mr.S.Sathish

For R1: Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

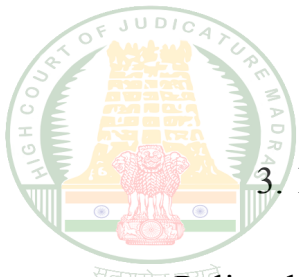
For R2 Mr.C.Mohan and
A.Rexy Josephine Mary
For M/s.King and Partridge

For R3 No appearance

ORDER

This Criminal Original Petition has been filed seeking direction to the first respondent-Police to defreeze the petitioner's bank accounts bearing Account No. 50100606550093 maintained in the second respondent Bank and bearing Account No. 917010032508949 maintained in the third respondent Bank within the stipulated time.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent-Police and perused the materials available on record.



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3. Learned counsel for the petitioner submitted that the first respondent -Police has not following the mandatory provision of Section 102 of the Cr.P.C., to freeze the petitioner's bank account. The Investigating Officer without sufficient material, had frozen the petitioner's account. Hence, the petitioner seeking a direction to the first respondent-Police to de-freeze the petitioner's bank maintained in the second and third respondent Banks.

4. Earlier, when the matter came up for hearing on 19.6.2025, the petitioner has stated that no intimation with regard to freezing of the petitioner's account was sent to the Court concerned. Hence, this Court vide order dated 19.6.2025 called for the report from the learned District Munsif cum Judicial Magistrate, Tiruporur as to whether the freezing of the petitioner's bank account was reported to the Magistrate or not. The learned Magistrate has sent a report, wherein it has been stated that the first respondent-Police had sent a request to the second and third respondents Bank for freezing the petitioner's account maintained by the second and third respondents bank and the same was also intimated to the Magistrate.



5. Learned Government Advocate (Crl. Side) appearing for the respondent-Police submitted that the petitioner involved in the criminal case.

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Due to pendency of investigation, charge sheet has not been filed before the Magistrate concerned.

6. Considering the above facts and circumstances, this Court is not inclined to grant the relief as sought for by the petitioner in this petition. In view of the same, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to work out his remedy, after filing of the charge sheet in the manner known to law before the jurisdictional Magistrate concerned.

17-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1. The Inspector of Police
E-10, Kayar Police Station,
Chengalpattu District.

2. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN J.

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