



WP CrL No.175 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP CrL. No.175 of 2025

M/s.Cranio Facial Clinic Pvt. Ltd.,
Rep. By its Director Dr.S.Murukesan,
No.167, A-7 Rama Mahal Apartments,
Lloyds Road, Royapettah,
Chennai 600 014.

.. Petitioner

-VS-

1. The Deputy Director,
Directorate of Enforcement,
Government of India,
Chennai Zonal Office-II,
'B' Wing, 5th floor, Shastri Bhavan,
No.26, Haddows Road,
Chennai 600 026.

2. State Bank of India,
Rep. By its Branch Manager,
No.213, Royapettah High Road,
Chennai 600 014.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Mandamus directing the 1st respondent to remove



WP CrL No.175 of 2025

WEB COPY

the unlawful restriction/hold placed on the petitioner's Bank Current Account bearing Account No.37667048770 maintained with the 2nd respondent Bank.

For Petitioner : Mr.Manjunath Karthikeyan
For Respondents : Mr.P.Siddharthan
Spl. Public Prosecutor (ED),
for R-1
: Mr.K.Chandrasekaran, for R-2

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

It is unfortunate that despite predicate offences ending in acquittal and order passed on 22.10.2024 by the Appellate Tribunal under Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (in short 'SAFEMA') releasing the property from attachment and having attained finality, for the last one year, petitioner's bank account has remained frozen.

2. Learned counsel for the second respondent/bank would submit that the account had to be freezed because a communication was received from the first respondent on 27.07.2018 for freezing the



WP CrL No.175 of 2025

WEB COPY

account. Thereafter, no further communication has been received.

3. Learned counsel for respondent No.1 is unable to satisfy the Court as to why no communication has been sent with regard to further proceedings, including the order dated 22.10.2024.

4. Be that as it may, once the order of attachment is no longer in force and the order passed on 22.10.2024 has attained finality, there is no reason why the account of the petitioner should stand frozen. The bank is hereby directed to immediately de-freeze the account of the petitioner.

Petition is, accordingly, allowed. There shall be no order as to costs.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
03.12.2025

Index : Yes/No
Neutral Citation : Yes/No

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WP CrL No.175 of 2025



WEB COPY



WP CrL. No.175 of 2025

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

To

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Directorate of Enforcement,
Government of India,
Chennai Zonal Office-II,
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WP CrL. No.175 of 2025

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