



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 23929 of 2025

1. THIRUMALAI

S/o. Subramanian

Petitioner(s)

Vs

1. The General Manager

Reserve Bank Of India,

Kamarajar Salai, Chennai 600 001.

2.The Inspector Of Police

D-4 Zam Bazar Police Station,

Greater Chennai City,

Chennai 600 014.

3.The Branch Manager

HDFC Bank South Boag Road Branch,

Chennai 600 017.

Respondent(s)

PRAYER

To direct the respondents to de-freeze the petitioner's salary Account No. 50100036865841 with the 3rd respondent Branch, retaining a lien of



Rs.48,079.25/- as security, and permit him to operate the account and receive future salary credits.

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For Petitioner(s): Mr.N.Vijayaraj

For Respondent: Mr.C.Mohan,
Ms.Rexy Josephine Mary,
for M/s.King & Partridge for R1 & 3
Mr.L.Baskaran,
Government Advocate (Crl side) for R2

ORDER

The writ petition has been filed for the issue of a writ of mandamus directing the respondents to de-freeze the petitioner's salary Account No. 50100036865841 with the 3rd respondent Branch and permit him to operate the bank account.

2. When the writ petition was taken up for hearing today, the status report of the 2nd respondent was placed before this Court. The relevant portions are extracted hereunder,

“ 2. It is submitted that the case of the prosecution is that on 17.11.2022 at about 12.00hours, when Tr. Loganathan, Sub Inspector of Police was in a station duty at that time he received the secret information about illegal transportation of contraband. Thereafter he along with police personnel team went to the JJ.Khan Road near the Peter's Road Junction. At that time the accused persons namely A1/Sham Sudhar, A2/ Thirumalai were standing in suspicious manner. Thereafter the



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respondent police conducted search on them and found that the accused person A1/ having a possession of 1.200 Kilograms Ganja and A2 having the possession of 1.100 Kilograms of Ganja. Thereafter the respondent police seized the Ganja totally the respondent police seized 2.300 Kilograms of Ganja from the accused persons along with 2 bikes and a sum of Rs.10200. Thereafter the respondent police arrested the accused person A1&A2 and also seized the above said contraband along with property under the cover of seizure mahazar in the presence of witnesses. Thereafter the accused persons along with the seized contrabands and properties were taken to the respondent police station. Hence the complaint.

3. It is further submitted that based on the above, a case was registered in D-4 Zam Bazaar in Cr.No. 177 of 2022 u/s.8(c) r/w 20 (b) (ii) (B) (1) NDPS Act and against the accused persons A1-A2 on 17.11.2022 at about 12.00 hours by Tr. Rajesh Kanana, the then Inspector of Police and he took up the case for further investigation.

4. It is further submitted that on the same day (i.e.) 17.11.2022, the then Inspector of Police have produced the arrested accused person A1-A2 along with the seized contraband before the IInd Metropolitan Magistrate, Egmore and remanded them into judicial custody.

5. It is further submitted that during the course of investigation, the then Inspector of Police have produced the seized contraband along with seized property before the Principal Special Court Under EC



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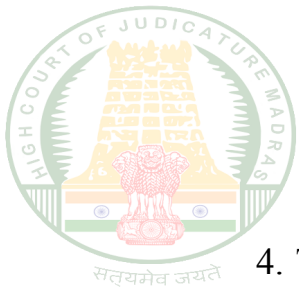
& NDPS Act, Chennai and the same was taken on file A.No. 958 of 2022 and B.No.428 of 2022 dated 08.12.2022.

7. It is further submitted that during the course of investigation through proper channel, the then Inspector of Police have sent the sample of seized contraband to the Forensic Science Laboratory for Chemical analysis, at Chennai vide NAR No:1110/2022 and the report was obtained on 30.12.2022.

8. It is further submitted that during the course of investigation on 18.11.2022 the then Inspector of Police gave the requisition letter to the Bank Managers of the HDFC Bank, South Boage Road, T.Nagar for freezing the account of the accused person/A2. On the same day the account was frozen by a sum of Rs. 44,689/-.

9. It is further submitted that after completion of detailed and elaborate investigation the then Inspector of Police filed a final report before the Principal Special Court Under EC & NDPS Act, Chennai and the same was taken on file C.C.No.955 of 2023 dated 21.11.2023. The next date of hearing is on 25.08.2025 for framing of charges.”

3. Heard Mr.N.Vijayaraj, the learned counsel for the petitioner and Mr.C.Mohan, Ms.Rexy Josephine Mary, the learned counsel appearing on behalf of the respondents 1 and 3, Mr.L.Baskaran, the learned Government Advocate (Crl side) for the 2nd respondent.



4. The 2nd respondent has sought for freezing of the bank account of the petitioner with the 3rd respondent bank to the tune of Rs.48,079.25/-. The petitioner is inclined to keep this amount in lien and he wants this Court to permit him to operate the bank account for all other purposes.

5. Considering the claim made by the petitioner, and taking note of the status report filed by the 2nd respondent, there shall be a direction to the 3rd respondent to keep in lien a sum of Rs.48,079.25/- in the bank account of the petitioner and permit the petitioner to operate the bank account for all other purposes.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

03-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 23929 of 2025



To
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1. The General Manager



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Reserve Bank Of India, Kamarajar
Salai, Chennai 600 001.

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2.The Inspector Of Police

D4 Zam Bazar Police Station, Greater
Chennai City, Chennai 600 014.

3.The Branch Manager

Hdfc Bank South Boag Road Branch,
Chennai 600 017.



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N.ANAND VENKATESH J.

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