

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 32492 of 2025

AND

WMP NO. 36417 OF 2025

1. B.Seenivasan
s/o. G Balakrishnan, No. 249d
F2 first floor, Lakshmi Varsha
Apartment, Ram nagar, 2nd
street, Velachery,
Chennai 600042.

Petitioner(s)

Vs

1. National Cyber Crime
Centre, Rep By Secretary,
Ministry Of Home Affairs,
Government Of India,
New Delhi 110 001.

2.The Authorised Officer
Banking Customer Help Desk
Hdfc Bank ltd, 1st Floor, Empire
Plaza 1 LBS Marg, Chandan
Nagar, Vikhroli West,
Mumbai 400 083.

3.Assistant Vice President
Branch Manager
Hdfc Bank Ltd, Sivakasi Branch
Madurai Circle, No. 5
Velayutham Road, Sivakasi,
Tamilnadu 626 123.



4.The Inspector Of Police
CCD 1 Chennai South, Chennai
600 016.

5.The Inspector Of Police
Cyber Crime Police Station,
Lucknow, Utar Pradesh 226 010.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the 3rd respondent bank to hold a sum of Rs 6,19,351 (Rupees Six lakhs nineteen thousand three hundred fifty one only) until the guidelines are framed by the 1st respondent and consequently restrain the 3rd respondent from transferring a sum of Rs.1,58,319/- (rupees one lakh fifty eight thousand three hundred nineteen only) to the account of one N Chandramani with IDBI Bank as per his letter dated 18.08.2025 and pass orders.

For Petitioner(s): Mr.C.Santhosh Kumar
For Mr.K.Ramana moorthy
Respondent(s): Senior Panel counsel for R1
Mr.V.Meganathan
Government Advocate [Cr
side] for R4 and R5

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 3rd respondent to hold a sum of Rs.6,19,351/- and not to transfer a sum of Rs.1,58,319/- as per the directions issued



by the Chief Judicial Magistrate, Customs, Lucknow.

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2. Heard Mr.C.Santhosh Kumar, learned counsel for the petitioner and Mr.K.Ramana moorthy, learned Senior Panel counsel for 1st respondent and Mr.V.Meganathan, learned Government Advocate [Crl side] for respondents 4 and 5.

3. This Court had an occasion to deal with the case of the petitioner in WP No.24931 of 2025 and this writ petition was disposed of by an order dated 07.08.2025 in the following terms:-

4.It is clear from the above that the bank account of the petitioner has been frozen only based on the request received from the Cyber Crime Police Station, Uttar Pradesh, Goa, West Bengal and Tamil Nadu.

*5.The learned counsel for the petitioner brought to the notice of this Court the judgment of the Delhi High Court in **Neelkanth Pharma Logistics Pvt. Ltd., vs. Union of India and Another** reported in **2025 SCC Del 1055**. The Delhi High Court after taking into consideration the fact that such freezing of bank accounts takes place regularly across the country and there are no proper guidelines to follow an uniform procedure, directed the Ministry of Home Affairs, Government of India, to take proactive steps and to formulate guidelines.*

6.The Central Government Standing Counsel appearing on behalf of the 1st respondent submitted that pursuant to the orders passed by the Delhi High Court, a Committee has already been



formed and the draft guidelines have been prepared and has been placed before the Competent Authority in the Ministry of Home Affairs.

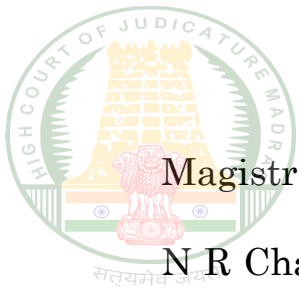
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7. The learned counsel for the petitioner also brought to the notice of this Court, the order passed in WP.No.25631 of 2024, dated 10.9.2024. Even in that case, this Court found that there are no proper guidelines dealing with the freezing of bank accounts. This Court considering the facts and circumstances of the case directed the bank to keep a sum of Rs.2,50,000/- as a lien and permitted the petitioner therein to operate their account subject to the condition that he will always keep a minimum balance of Rs.2,50,000/-.

8. It is also brought to the notice of this Court that pursuant to the earlier order passed by this Court on 24.7.2025, a lien has been created only insofar as Rs.6,19,351/- and the petitioner has withdrawn the balance out of the total amount of Rs.10,87,263/-.

9. Considering the above, the petitioner shall be permitted to operate the bank account by the 2nd respondent. The petitioner shall ensure that at any given point of time, a sum of Rs.6,19,351/- is available in the bank account. If ultimately, there is absolutely no progress and the situation continues, it is left open to the petitioner to approach to this Court and seek for appropriate directions.

4. Pursuant to the above order, the petitioner was retaining a balance of Rs.6,19,351/- in the bank account and was operating the bank account. However, the petitioner received a communication dated 18.08.2025 from the 3rd respondent bank informing the petitioner that a direction has been issued by the Chief Judicial



Magistrate, Lucknow for transferring a sum of Rs.1,58,319/- to one N R Chandramani with IDBI bank. It is under these circumstances, the present writ petition has been filed before this Court.

5. In the considered view of this Court, the 3rd respondent bank is under an obligation to comply with the direction issued by the Chief Judicial Magistrate, Lucknow. If this Court restrains the 3rd respondent from transferring the money, it will virtually amount to staying the order passed by the learned Chief Judicial Magistrate, Lucknow. In such an eventuality, the 3rd respondent bank will be caught between the Madras High Court on the one hand and the Chief Judicial Magistrate, Lucknow, on the other.

6. In any event, this Court while exercising jurisdiction under Article 226 of the Constitution of India cannot indirectly stay the proceedings of the Chief Judicial Magistrate, Lucknow. If any such order has been passed, the petitioner has to challenge the same before the concerned Court. Except giving this clarity and liberty, no further order can be passed in this writ petition.

7. This writ petition is disposed of in the above terms. No



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costs. Consequently, the connected miscellaneous petition is closed.

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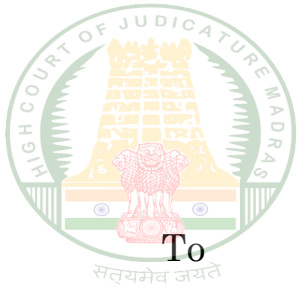
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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Centre, Rep By Secretary,
Ministry Of Home Affairs,
Government Of India, New Delhi
110 001.

2.The Authorised Officer
Banking Customer Help Desk
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