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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 35613 of 2024

K.Sekar

Petitioner(s)

Vs

The Bank Manager
Indian Overseas Bank,
Saligramam, Chennai 600093.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records to Impugned Order passed by the respondent dated 25.10.2024 and also further direction to de-freeze the saving bank account in Acc.No. 067601000066226.

For Petitioner(s): Mr.T.Balachandran

For Respondent(s): Mr.Rahul Jain



ORDER

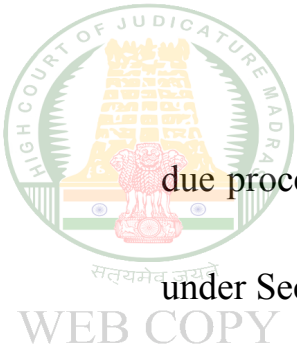
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This writ petition has been filed challenging the freezing of the bank account of the petitioner maintained before the respondent Bank.

2. Heard Mr.T.Balachandran, learned counsel appearing on behalf of the petitioner and Mr.Rahuljain, learned counsel appearing on behalf of the respondent.

3. The petitioner's Bank account was freezed mainly on the ground that an FIR came to be registered against the petitioner in Crime No.349 of 2024 for offence under the Cigarettes and Other Tobacco Products Act, 2003. The respondent has stated in the counter affidavit that the bank account was not freezed unilaterally by the respondent and they were asked to freeze the bank account by the Sub Inspector of Police, K-10, Koyambedu Police Station.

4. In the considered view of this Court, the police cannot direct the respondent Bank to straight away freeze the bank account without following the



due process. That apart, the police will have to necessarily follow the mandate under Section 102 of Cr.P.C.,

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5. In the light of the above discussion, there shall be a direction to the respondent bank to defreeze the bank account and permit the petitioner to operate the bank account.

6. This writ petition is disposed of with the above directions. No Costs.

11-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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The Bank Manager
Indian Overseas Bank,
Saligramam, Chennai 600093.



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N.ANAND VENKATESH J.

SSR

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