



W.P.(MD)No.3263 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.3263 of 2025

M.Nagaraj

... Petitioner

Vs.

1. Reserve Bank of India
Rep. by its Regional Director
Fort Glacis, No.16, Rajajai Salai
Chennai- 600 001
2. Deputy General Manager cum Principal Nodal Officer
Indian Overseas Bank, Central Office
763, Anna Salai
Chennai- 600 002
3. Chief Manager
Cyber Cell Department
Indian Overseas bank, Central Office
763, Anna Salai
Chennai- 600 002
4. The Manager
Indian Overseas Bank
Ambalpuram Branch
Pudukottai – 622 005
5. Superintendent of Police
Tirupathi District
Prakasam Road, Near Town Club
Tirupathi, Andhra Pradesh- 517501



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6. The Inspector of Police
Alipiri Police Station
Tirumala Bypass Road, Near Prakasam Park
Srinivasa Nagar, Ramchandra Nagar
Tirupati, Andhra Pradesh- 517 501

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus directing the fourth respondent to de-freeze the petitioner's bank account no.230301000014114 in the fourth respondent branch bearing IFSC IOBA0002303 and release the funds of the petitioner forthwith.

For Petitioner	: Mr.R.R. Ashwin Bala Someshwarar
For Respondents	: No appearance for Rrs1 to 3
No.4	: Mr. N.Dilip Kumar Standing Counsel
No.5 and 6	: Mr. R.M.Anbunithi Additional Public Prosecutor

ORDER

The prayer sought for in the present writ petition is to direct the the fourth respondent to de-freeze the petitioner's bank account no. 230301000014114 in the fourth respondent branch bearing IFSC IOBA0002303 and release the funds of the petitioner forthwith.



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2. The learned counsel appearing for the petitioner would submit that the petitioner is having a account in Indian Overseas Bank, Ambalapuram Branch with account No.230301000014114 and he has given a sum of Rs.30,000/- to his friend Saravanan for interest purpose and the said Saravanan also paid a sum of Rs.1200/- per week and the same was credited in the petitioner's account. Whiles in the month of August 2023 when he attempted to draw money from the bank he came to know that the account was frozen. Thereafter he was informed by the bank officials that based on the information given by the Cyber cell, Alipiri Police Station, Tirupathi District with regard to the Crime No.288 of 2023 his account was frozen. Therefore he made a representation dated 02.09.2023 to the fourth respondent to defreeze the bank account, but no response till date. Therefore he approached the sixth respondent and there is no proper respondent, hence his account has to be defreezed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents 5 and 6 would submit that based on the request of the respondents 5 and 6 the bank account of the petitioner was freezed, therefore the petition is liable to be dismissed.



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4. Heard both sides and perused the materials available on record.

5. According to the petitioner his amount is lying in Indian Overseas Bank, Ambalapuram Branch with account No. 230301000014114 and his account was frozen at the request of the respondents 5 and 6 for a sum of Rs.2400/- The petitioner has not stated about the quantum of amount lying in the petitioner's account and he stated about the disputed amount of Rs.2400/-. While so it is appropriate to direct the fourth respondent bank to defreeze the account of the petitioner with some conditions. At this juncture, the learned counsel appearing for the petitioner relied on the judgment passed by this Court in the case of Mohammed Saifullah .vs. Reserve Bank of India, Rep. by its Governor, Head Office at 16th Floor, Central Office Building, Shahid Bhagat Singh Road, Mumbai- 400 001, wherein this Court after referring to the circular issued Commissioner of Police, Greater Chennai directed the respondents to de-freeze the account and keep a lien over the disputed amount and the petitioner shall operate his account subject to the condition that he shall ensure that the account shall always



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minimum balance of disputed amount. In this case the disputed amount is Rs.2400/-. Therefore the fourth respondent bank is directed to defreeze account forthwith and keep lien over the disputed amount of Rs.2400/-. Further the petitioner is also directed to ensure that the account shall always have a minimum amount of Rs.2400/-

6. With the above direction, the Writ Petition stands disposed of.

No costs.

03.03.2025

NCC : Yes / No
Index : Yes / No
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To

1. Superintendent of Police
Tirupathi District, Prakasam Road, Near Town Club
Tirupathi, Andhra Pradesh- 517501
2. The Inspector of Police
Alipiri Police Station
Tirumala Bypass Road, Near Prakasam Park
Srinivasa Nagar, Ramchandra Nagar
Tirupati, Andhra Pradesh- 517 501
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL, J.

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