



W.P.(MD).No.18098 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.18098 of 2025

Murugan.M

... Petitioner

Vs.

1.The Reserve Bank of India,
Fort Glacis,
No.16, Rajaji Salai,
Chennai - 600 001.

2.The Branch Manager,
Canara Bank,
Kayatharu Branch,
Thoothukudi District.

3.State of Tamilnadu,
Represented by the Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to the Canara Bank, Kayatharu Branch to defreeze the petitioners bank account bearing petitioner's account No.1051103021201 (NRI Account) in Canara Bank, Kayatharu Branch by considering petitioner's representation dated 25.06.2025 within a stipulated time as fixed by this Court.



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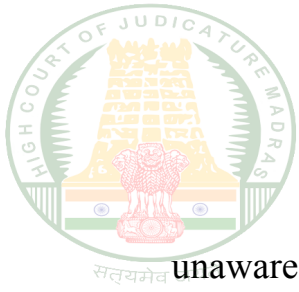
W.P.(MD).No.18098 of 2025

For Petitioner : Mr.K.Suyambulingabharathi
For R2 : Mr.V.Balasubramanian
Standing Counsel
For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned counsel for the respondent Nos.2 and 3.

2. The Petitioner's son namely Kombaiah Pandian is arrayed as second accused in First Information Report in Crime No.189 of 2025, dated 27.04.2025 for the alleged offences under Sections 8(c), 20(b)(ii)(B), 25, 29(1) and 27A of NDPS Act. The petitioner claims to have returned from Kuwait, where he was working as JCB operator and he maintained a bank account (ie) NRI account with the second respondent. It is submitted that although criminal case has been filed against the petitioner's son, wherein, the petitioner's son / accused appears to have violated the provision of NDPS Act, along with three others namely A1, A3 and A4, it is submitted that no part of the proceeds of the crime has been credited to the petitioner's account. It is submitted that the petitioner is also



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unaware of the same, since the petitioner returned from abroad only on 04.04.2025. It is noticed that date of occurrence of the aforesaid offence in the FIR is 27.04.2025.

3. The learned counsel for the second respondent confirms that sum of Rs.4,36,939.22/- that is lying to the credit of the petitioner's account maintained with the second respondent Bank and all the deposits are only from outside the country.

4. The learned counsel for the second respondent also confirms that there are no records to indicate that the aforesaid amount is the proceeds of crime allegedly committed by the petitioner's son, who has been arrayed as the second accused in Crime no.189 of 2025, dated 27.04.2025.

5. Having considered the submissions made by the learned counsel for the petitioner and the learned counsel for the respondent Nos.2 and 3 and I am of the view that there is no justification in freezing the petitioner's account maintained with the second respondent merely because the petitioner's son is the accused of crime in Crime No.189 of 2025 for the offences under provisions



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of NDPS Act before the third respondent Police Station. Unless there are indications that the amount was transferred by the petitioner's son or others, who are accused in Crime No.189 of 2025 to the petitioner's account, there cannot be any justification of freezing of petitioner's account merely because the petitioner is father of the second accused in Crime No.189 of 2025, dated 27.04.2025.

6. Under these circumstances, there shall be a positive direction to the second respondent to defreeze the account of the petitioner, which is maintained with the second respondent Bank within a period of one week from the date of receipt of copy of this order. However, liberty is given to the second respondent to revisit the issue that in case, there any suspicious transaction of crediting or withdrawal of amount in the petitioner's account, the second respondent shall inform to the third respondent for appropriate action.

7. With the above said direction and liberty, this Writ Petition stands disposed of. No costs.

03.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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