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W.P.Crl.No.185 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.(Crl.)No.185 of 2026

Nihar Nanji Nandu

... Petitioner

Vs.

1. The Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District,
Kallakurichi – 606 213.
2. The Inspector of Police,
Cyber Crime Police Station,
Kallakurichi – 606 202.
3. The Branch Manager,
HDFC Bank Ltd.,
Jawahar Nagar Branch,
Goregaon West,
Mumbai – 400 104.

... Respondents

PRAYER: Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or direction in the nature of writ, to direct the second respondent to defreeze the Savings Bank Account of the petitioner bearing Account No.50100338482771, maintained with HDFC Bank, Jawahar Nagar Branch, Goregaon West, Mumbai, based on the petitioner's representation forthwith.



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For Petitioner : Mr.S.Saran Prasad
For R1 & R2 : Mr.K.M.D.Muhilan
Additional Public Prosecutor
For R3 : Mr.C.Mohan
for M/s.King & Partridge

ORDER

The present Writ Petition (Criminal) has been filed seeking a direction to the second respondent to defreeze the petitioner's Savings Bank Account maintained with the HDFC Bank, Jawahar Nagar Branch, Goregaon West, Mumbai, in Account No.50100338482771.

2. Mr.K.M.D.Muhilan, learned Additional Public Prosecutor, takes notice on behalf of respondents 1 & 2. Mr.C.Mohan, learned counsel representing M/s.King & Partridge, takes notice for the third respondent.

3. In view of the consent expressed by the learned counsel on either side, this Writ Petition (Criminal) is taken up for final disposal at the admission stage itself.

4. The submissions of the learned counsel appearing for the petitioner are as follows:-



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4.1. The petitioner, who is running his business, is holding a savings bank account with the third respondent bank.

4.2. During the course of his business, the petitioner applied for a loan from an online portal for a sum of Rs.15,000/- for which, he received a sum of Rs.10,282/-.

4.3. Expect for the aforesaid transaction, the petitioner has not been involved in any other criminal activity. However, based on the instructions by the second respondent, stating that one Aasifa had given a complaint alleging that she was cheated by online fraudsters to the tune of several lakhs of rupees and that a sum of Rs.10,282/- has been transferred to the petitioner's account, the account of the petitioner has been frozen by the third respondent.

4.4. Other than the amount of Rs.10,282/-, the petitioner has not received any other amount and even the said amount was also transferred back to the portal itself. However, the petitioner's account has been unnecessarily frozen.

4.5. Hence, the petitioner has sent a representation dated 18.09.2025 to respondents 1 and 2 seeking to defreeze his account. Since no action has been taken on the petitioner's representation, the present petition has been filed.



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5. Learned Additional Public Prosecutor, appearing for respondents 1 & 2, submitted that one Aasifa had given a complaint, alleging that she was cheated to the tune of Rs.6,95,000/- by online fraudsters and during the course of investigation, it came to light that a sum of Rs.10,282/- has been transferred to the account of the petitioner herein through Layer-2 and hence, on the direction given by the second respondent, the account of the petitioner was frozen by the third respondent. He further reiterated that only a sum of Rs.10,282/- has been transferred to the account of the petitioner.

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

7. Admittedly, the amount transferred to the petitioner's account is Rs.10,282/- and there is no other complaint pending against the petitioner. In such view of the matter, the entire account of the petitioner cannot be frozen, except to the extent of marking a lien of Rs.10,282/-.

8. In view of the above, the third respondent is directed to mark a lien of Rs.10,282/- in the petitioner's account and defreeze the



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petitioner's account within a period of **two weeks** from the date of receipt of a copy of this order. The petitioner shall be permitted to operate his account maintained with the third respondent, subject to aforesaid lien.

9. Accordingly, this Writ Petition (Criminal) stands allowed.

No costs.

02.02.2026

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Neutral Citation: Yes/No

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi District,
Kallakurichi – 606 213.
2. The Inspector of Police,
Cyber Crime Police Station,
Kallakurichi – 606 202.
3. The Branch Manager,
HDFC Bank Ltd.,
Jawahar Nagar Branch,
Goregaon West,
Mumbai – 400 104.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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