



WEB COPY

WP CrI. No. 451 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 451 of 2026

Alagu Pon Saraswathi

..Petitioner(s)

Vs

1. Addl.Director General of Police
Cyber Crime -III,
Dr.Natesan Road,
Police Training College Campus,
Third Floor, Cyber Crime Wing,
Ashok Nagar, Chennai 600 083.
2. Equitas Small Finance Bank Limited
Plot No. 1072, D.No. 32,
Munusamy Salai,
K.K.Nagar West,
Chennai - 600 078.
3. The Superintendent of Police
Cyber Crime -III,
Dr.Natesan Road,
Police Training College Campus,
Third Floor, Cyber Crime Wing,
Ashok Nagar, Chennai 600 083.

..Respondent(s)

Writ Petition (Criminal) is filed under Article 226 of the Constitution of India, to direct the second respondent to defreeze the petitioner's equitas bank account bearing A/c No. 100007050163 and IFSC Code ESFB0001131 and release the entire amount held by the second respondent.

For Petitioner(s): Mr.R.Harinath

For Respondent(s): Mr.Leonard Arul Joseph Selvam,
Addl. Public Prosecutor for R1 & R3

**ORDER**

This Writ Petition (Criminal) has been filed seeking a direction to the second respondent to defreeze the petitioner's bank account bearing A/c No. 100007050163, IFSC Code ESFB0001131 and to release the entire amount lying to the credit of the said account.

2. The case of the petitioner is that he is maintaining a bank account with the second respondent bank. It is submitted that without issuing any prior notice, the second respondent bank froze the petitioner's account, thereby, paralysing his day-to-day financial transactions. The petitioner, thereafter, made a representation through e-mail requesting the second respondent bank to defreeze the account. However, the second respondent vide reference letter dated 31.07.2025 bearing No.202507300003556760, informed that the account had been frozen pursuant to a Cyber Police complaint in C.S.R.No.1088 of 2025, on the allegation that certain amounts were fraudulently transferred to the petitioner's account.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 3 submitted that based on a complaint received from one Nithish, C.S.R.No.1088 of 2025 were assigned and pursuant thereto, the petitioner's bank account was frozen. He further submitted that the Cyber Crime



Police have subsequently received a communication from the said complainant dated 12.03.2026 stating that the amount lost by him has been recovered and that he is no longer interested in pursuing the complaint. In view of the same, the Cyber Crime Police have addressed a communication to the second respondent bank to defreeze the petitioner's account. A scanned reproduction of the said communication is as follows:

UNFREEZE the Account - EQUITAS Bank/CSR NO. 109B/2025 Inspector Cyber Crime TSD/Chennai

TO: The Head of Cyber Crime Police Station, Chennai

FROM: The Head of Cyber Crime Police Station, Chennai

DATE: 12.03.2025

12.03.2025

TAMIL NADU POLICE DEPARTMENT

Notice: UN/96A/100/0055

Dated: 12.03.2025

Respected Sir,

Sub: UNFREEZE the Account - EQUITAS Bank/CSR NO. 109B/2025 Inspector Cyber Crime TSD/Chennai

Ref: CSR: 10582012/Inspector of Cyber Crime TSD/Chennai

NCRP: 24905201045405

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We, the Cyber Crime Police Station of Chennai District, received a complaint from a victim regarding online banking and money transactions and registered the complaint at Cyber Crime TSD, Chennai District U/S 404 IPC/2005/25446405. In this regard, we have requested the concerned bank to freeze the account of the victim. On the basis of investigation, the victim, holder of the frozen account is a genuine and verified. In Documents of records submitted by him, there is a copy of the account number and the statements received from the account holder, we hereby request you to unfreeze the below mentioned account and remove the Un/Block Marked in the account and the status of the account after unfreeze them.

ACCOUNT NUMBER: 140407056163

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Important note: This unfreeze request for Bindu Cyber Crime complaint only. If you have received any other freeze or block request from other police T.F.A and NCRP, don't open the account.

दि आपको अन्य पुलिस स्टेशन या एलईडी से कोई अन्य रोकथाम अधिकार अनुमति प्राप्त हुआ है, तो खता न खोलें।

Only sent as the confirmation mail to our official mail id: chennai@dpd.mca.gov.in

For Cyber Crime Police Station

Superintendent of Police

Deputy Police Officer

Endorsement

Digital - 0.54994

g:\mail\gov.in\bank\all5_210-00_up-202000_mhcc\all5_210-printed_covid-19



4. This Court has considered the submissions made on either side and perused the materials available on record. It is not in dispute that the petitioner's bank account was frozen pursuant to the complaint registered in C.S.R.No.1088 of 2025. It is also brought to the notice of this Court that the complainant has received the amount and has expressed his intention not to proceed further with the complaint.

5. In such circumstances, the continuation of the freeing of the petitioner's bank account would serve no useful purpose. Further, the action of freezing the account, without affording an opportunity to the petitioner, has resulted in undue hardship, affecting his normal financial activities.

6. Accordingly, this Court directs the second respondent to defreeze the petitioner's bank account bearing A/C.No.100007050163, IFSC Code: ESFB0001131 and permit the petitioner to operate the same, forthwith.

7. With the above directions, this Writ Petition (Criminal) stands disposed of. No costs.

26-03-2026

Index: Yes/No
VKR



To

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4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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