



WEB COPY

WP No. 16696 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30-03-2026**

CORAM

**THE HON'BLE MR JUSTICE M.DHANDAPANI**

**WP No. 16696 of 2024**

**AND**

**WMP NO. 18364 OF 2024**

S.Jeevanantham

Jeevan Agency, Shop No.10, Door No.402,  
Perumanallur Road, Kunnathur Bus Depot,  
Kunnathur, Tamil Nadu-638 103.

..Petitioner(s)

Vs

1. State Of Karnataka  
Vidhana Soudha, Dr.Ambedkar Bheedhi,  
Bengaluru-560 001, Rep. By Its Chief  
Secretary.  
(R1- Dismissed As Per Order Dated 26.6.2024  
In Wp.16696/2024 By Asmj)
2. The Station House Officer / Inspector Of  
Police,  
C.E.N. Crime Police Station, District Police  
Office, Champion Reefs, Kolar Gold Fields,  
Karnataka-563 117.
3. State Bank Of India  
Rep. By Its Manager, 614, Uthukuli Road,  
Kunnathur, Uthukuli Taluk, Tirupur, Tamil  
Nadu-638 103.

..Respondent(s)

(i)Quash the notice dated 27.11.2023 bearing crime No.105/2023 issued by respondent No.2 to respondent No.3 and consequently direct respondent No.3 to defreeze the petitioners Account i.e., Savings Bank Account No.31725729983 from the date of this order (ii) directing the respondents jointly and severally to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) as compensation/ damages on account of the immense trauma, suffering, hardship, loss of business, loss of reputation and standing faced by the petitioner on account of the illegal acts committed by the respondents



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For Petitioner(s):

M/s.R.Balaguruswamy,

For Respondent(s):

Mr.V.Meghanathan,  
Govt. Advocate (Crl.Side) for R2  
M/s. S.R.Sumathy For R3

### **ORDER**

Challenge in this writ petition is to the impugned notice dated 27.11.2023 bearing crime No.105/2023 issued by the respondents 2 and 3 and consequently direct the 3<sup>rd</sup> respondent to defreeze the petitioners Account i.e., Savings Bank Account No.31725729983 from the date of this order (ii) directing the respondents jointly and severally to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) as compensation/ damages on account of the immense trauma, suffering, hardship, loss of business, loss of reputation and standing faced by the petitioner on account of the illegal acts committed by the respondents.

2. The learned counsel appearing for the petitioner would submit that the petitioner is a licenced Stamp Vendor in the State of Tamil Nadu, having licence No.5/2008 / Gobi dated 29.12.2008. The petitioner is maintaining bank account with the 3<sup>rd</sup> respondent bank. While so, the 3<sup>rd</sup> respondent received a Notice under Section 91 and 102 CrPC dated 27.11.2023 stating that a complaint was received from one Mr.A.Arul Joseph, who is maintaining account with the Canara Bank, that the petitioner made fraudulent transfer of amount of Rs.7,71,671/- from the account of the said Arul Joseph to the



petitioner account and requested the 3<sup>rd</sup> respondent to freeze the bank account of the petitioner till the investigation is completed. While that being so, the petitioner presented a cheque bearing No.50821, drawn on the 3<sup>rd</sup> respondent bank from the petitioner's account for a sum of Rs.6,98,920/- favouring Sub Treasury, State of Tamil Nadu. However, the 3<sup>rd</sup> respondent sent a communication to the petitioner stating as if the petitioner's bank account was freezed on the basis of the request made by the 2<sup>nd</sup> respondent to the 3<sup>rd</sup> respondent as if there was a fraudulent transactions in the petitioner's bank account by unknown persons. Hence, the present writ petition is filed by the petitioner.

3. Heard the learned counsel for the parties and perused the materials.

4. This Court, by its order dated 16.03.2026 directed the respondents 2 and 3 to file a report before this Court as to whether any amount is transferred from the complainant's account to the petitioner's account and directed the listing of the matter on 25.03.2026. Since the said order was not complied with, this Court, vide order dated 25.03.2026 issued a direction to the law enforcement agency to ensure the appearance of the 3<sup>rd</sup> respondent before this Court. Accordingly, the Manager of the 3<sup>rd</sup> respondent Bank appeared before this Court today and he fairly submitted that there is no illegal transaction between the complainant and the petitioner bank account and only on the basis



of the communication received by the 2<sup>nd</sup> respondent, the bank account of the petitioner was frozen.

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5. Admittedly, there is no fraudulent transaction from the complainant's account to the bank account of the petitioner, maintained with the 3<sup>rd</sup> respondent bank. Hence, there shall be a direction to the 3<sup>rd</sup> respondent to defreeze the bank account of the petitioner maintained in the 3<sup>rd</sup> respondent bank. This Court is also inclined to bring to the notice of the 3<sup>rd</sup> respondent that in future, if any communication is received from the law enforcement agency with regard to freezing of bank account of any account holder, they shall not mechanically act upon the said communication and only on proper verification as to whether there is any illegal or fraudulent transactions being done and only on being satisfied that illegal transactions occurred, they shall proceed with the freezing of the bank account of the customer concerned.

6. With the above directions, this writ petition stands disposed of. No costs. WMP.No.18364 of 2024 filed to dispense with the production of the impugned notice is ordered.

**30-03-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

JVM



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To

1. The Station House Officer / Inspector Of  
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C.E.N. Crime Police Station, District Police  
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**M.DHANDAPANI J.**

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