



WP CRL.(MD). No.379 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 27/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.379 of 2026

Noorul Hayathi

... Petitioner

Vs

1. The Branch Manager,
Indian Overseas Bank,
Thondi Branch,
Thiruvadanai Taluk,
Ramanathapuram District..

2. The Inspector of Police,
Cyber Crime Cell,
Swarghat Police Station,
Bilaspur District.
Himachal Pradesh.

... Respondents

PRAYER :- Writ Petition filed under article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to defreeze the bank account maintained by petitioner bearing Account No. 018401000051594 and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances.

For Petitioner : Mr. Yasar Arafath K
Advocate.

For Respondent No.1 : Mr.C.Deepak
Government Advocate (Crl.Side)



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to defreeze the petitioner's bank account bearing Account No. 018401000051594.

2. The facts leading to the filing of the petition are as follows:

(a) The petitioner is holding a current account bearing A/c No. 018401000051594 at Indian Overseas Branch, Thondi Branch, Thiruvadanai Taluk, Ramanathapuram District, Tamil Nadu.

(b) The petitioner came to know that his account had been frozen.

3. The learned Counsel appearing for the petitioner would submit that the petitioner is not an accused in any criminal case; the act of the fourth respondent freezing the entire account is illegal and violates the fundamental rights of the petitioner; that though pursuant to the alleged communication sent by the Cyber Police Coordination Cell, the fourth respondent was obliged to obey the directions, the fourth respondent ought to have informed the petitioner about the action taken thereon; and



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that having failed to do so, it has breached the contract with the petitioner.

4. The learned Counsel appearing for the respondents would submit that the account of the petitioner was frozen on the basis of the communication from the Cyber Police Coordination Cell.

5. On perusal of the records, it is clear that there is nothing on record to show that the Cyber Police Coordination Cell had requested the second respondent to freeze the entire account. The fact is that account has been frozen and the petitioner is unable to operate the account.

6. It is seen that in similar circumstances, this Court had observed that when the alleged fraudulent amount is quantified, the freezing of the whole account would not be justified. Similar view was taken by the learned Single Judge of this Court in W.P.(MD).No.15684 of 2024 dated 15.07.2024, wherein, it was held that:

“3. The respondent is permitted to retain the aforesaid sum by marking lien on the petitioner's account. Subject to such marking of lien, the petitioner is permitted to operate their bank account.



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The freezing effected on the petitioner's bank account is lifted to the aforesaid extent. This writ petition stands allowed . No costs. Consequently, connected miscellaneous petitions are closed."

7. Accordingly, this writ petition is disposed of on the following directions:

(a). The second respondent / Bank shall keep only a lien amount of Rs.17,500/- and permit the petitioner to operate the account forthwith

(b). The petitioner is at liberty to move to the concerned Jurisdictional Magistrate for recall of the lien marked over the quantified amount, if he is so advised.

8. With the above observations and directions, this Writ Petition is disposed of. No costs.

27.01.2026

TRP

Index : yes / No

Internet : yes / No

Note : Issue order copy on 03.02.2026

TO

1. The Branch Manager,

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Indian Overseas Bank,
Thondi Branch,
Thiruvadanai Taluk,
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2. The Inspector of Police,
Cyber Crime Cell,
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S.SRIMATHY,J

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