



WP CRL.(MD). No.865 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.865 of 2026

P.Silambarasi,

... Petitioner

Vs.

1. State of Telangana

Rep by the Inspector of Police,
Zaheerabad Town Police Station,
Sangareddy District.

2. State Bank of India

Bypass Branch Madurai,
Madurai District.
Tamil Nadu

... Respondents

PRAYER :- This Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to defreeze the petitioner's primary Saving Bank Account No.67050745107 of Bypass Branch, Madurai, Tamilnadu, forthwith and allow the petitioner to operate the account regularly without any hindrance by considering petitioner's representation.

For Petitioner : Mr.S.Harish

For Respondents : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side) for R1)



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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the second respondent to defreeze the petitioner's bank account bearing Account No.67050745107.

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. 67050745107 at Bypass branch, Madurai, 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 second 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 1st respondent, the second respondent was obliged to obey the directions, the second respondent ought to have informed the petitioner about the action taken thereon; and that having failed to do so, it has breached the contract with the petitioner.



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4. The learned Counsel appearing for the 1st respondent would submit that the account of the petitioner was frozen on the basis of the case was registered in Crime No.295 of 2024.

5. On perusal of the records, it is clear that there is nothing on record to show that the 1st respondent 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. 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.”



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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.8,000/- 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 (Criminal) is disposed of.

17.02.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes

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Note : Issue order copy on 19.02.2026



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To

1. The Inspector of Police,
Zaheerabad Town Police Station,
Sangareddy District.
2. The State Bank of India
Bypass Branch Madurai,
Madurai District.
Tamil Nadu
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

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