



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-02-2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP CrI.(MD) NO. 843 of 2026

S.Nirosha

Petitioner(s)

Vs

1. The Inspector of Police
Adarsh Nagar Police Station
Jaipur City (East)
State of Rajasthan.

2. The Branch Manager
Punjab National Bank
Singampunari Branch
36, Karaikudi Main Road
Sivagangai District.

Respondent(s)

For Petitioner(s): Mr.V.Vijayendiran

For Respondent(s): Mr.A.S.Abul Kalaam Azad,
Government Advocate (CrI.side) for R1

Mr.V.Veera Pandian, for M/s.Vast Law Associates for R2

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to defreeze the frozen account of the petitioner bearing Account No.1276101700008070, with in the time frame as may fixed by this Court.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 2nd respondent to defreeze the frozen account of the petitioner bearing Account No.1276101700008070, with in the time frame as may fixed by this Court.



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. 1276101700008070 at Punjab National Bank Singampunari Branch, Sivagangai.

(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 Cyber Police, 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.

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

5. On perusal of the records, it is clear that there is nothing on record to show that the Cyber Police 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 as Rs.62,000/-, 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.”

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

(a). The second respondent / Bank shall mark a lien only for the quantified sum of Rs. 62,000/- 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 of Rs.62,000/-, if he is so advised.

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



18-02-2026

Tmg

WEB COPY

To

1. The Inspector of Police
Adarsh Nagar Police Station
Jaipur City (East)
State of Rajasthan.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.