



WP.Crl.(MD).No.1027 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP.Crl.(MD).No.1027 of 2026

SRI. Sankari

...Petitioner

Vs

1. The Branch Manager,
Indian Overseas Bank, Geethalaya Building,
Chairman Shanmuga Nadar Road,
Sivakasi, Virudhunagar District,
Tamil Nadu.
2. The Inspector of Police Cum Station House Officer,
Narol Police Station,
Ahmedabad City,
Gujarat.

Respondent(s)

For Petitioner(s):

Mr.R.Jegadeeswaran

For Respondents : Mr.N. Dilip Kumar, for R-1

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to defreeze the petitioner's bank accounts, Indian Overseas Bank at Sivakasi Branch Account bearing No. 008501000033822 based upon the petitioner's letter dated 15.05.2025.



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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus directing the 1st and 2nd respondents to defreeze the petitioner's bank accounts, Indian Overseas Bank at Sivakasi Branch Account bearing No. 008501000033822 based upon the petitioner's letter dated 15.05.2025.

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

(a) The petitioner is holding a Bank Account bearing No. 008501000033822 at 1st respondent's bank .

(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 1st respondent bank 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 1st respondent was obliged to obey the directions, the 1st 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 respondents would submit that the account of the petitioner was frozen on the basis of the communication from the 2nd respondent.

5. On perusal of the records, it is clear that there is nothing on record to show that the 2nd respondent 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, 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 1st respondent / Bank shall keep only a lien amount of Rs.2,800/- 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.

24.02.2026

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To
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1. The Branch Manager,
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Sivakasi, Virudhunagar District,
Tamil Nadu.
2. The Inspector of Police Cum Station House Officer,
Narol Police Station,
Ahmedabad City,
Gujarat.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J

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