



W.P.Crl.(MD)No.1373 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **04.06.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.1373 of 2026

M.Dheenathayanathan

... Petitioner

Vs.

1. The Regional Director,
Reserve Bank of India,
South Regional Head Office,
16, Rajaji Salai,
Fort. Glacis, Chennai- 600001.
2. The Branch Manager,
Indian Overseas Bank,
Nainarkovil Branch,
Ramanathapuram District.
3. State of Gujarat,
Rep. by its Inspector of Police,
Cyber Crime Police Station,
1st Floor, Office No. 105,
Near Sanjari Masjid, Jamnagar Road,
Police Head Quarters, Rajkot City, Rajkot,
Gujarat – 360 001.
4. The State of Tamilnadu,
The Inspector of Police,
Cyber Crime Police Station,
Ramanathapuram,
Ramanathapuram District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent bank herein to forthwith de-freeze the petitioner Savings account in Account No. 072901000025427, IFSC No.IOBA0000729 with the 2nd respondent bank and to allow the petitioner to operate the same by considering the petitioner's representation dated 12.02.2026 within the period that may be stipulated by this Court.

For Petitioner : Mr.J.Krishnakannan

For Respondents : Mr.K.R.Laxman (R1)

Mr.C.Deepak (R2)

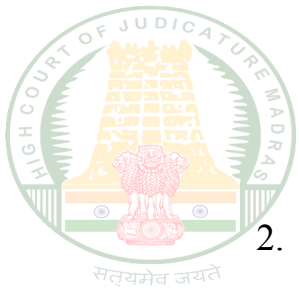
No appearance (R3)

Mr.S.Arun Arockiasamy (R4)

Counsel for State of TN (Crl.Side)

ORDER

This petition has been filed seeking for a direction to the 2nd respondent bank herein to forthwith de-freeze the petitioner Savings account in Account No.072901000025427, IFSC No.IOBA0000729 with the 2nd respondent bank and to allow the petitioner to operate the same by considering the petitioner's representation dated 12.02.2026 within the period that may be stipulated by this Court.



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

(a) The petitioner is holding a savings account bearing A/c No. 072901000025427 at Indian Overseas Bank, Nainarkovil Branch, Ramanathapuram District.

(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 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 due to some illegal transactions and strongly objected for the relief sought for in this petition.

5. Heard the learned counsel on either sides and carefully perused the materials placed before this Court.



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6. On perusal of the records, the fact is that the account has been frozen and the petitioner is unable to operate the account.

7. 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.”

8. 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 and permit the petitioner to operate the account forthwith.

(b). The petitioner is at liberty to move to the concerned Jurisdictional



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Magistrate for recall of the lien marked over the quantified amount, if he is so

advised.

04.06.2026

NCC : Yes / No

Index : Yes / No

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TO:-

1. The Branch Manager,
Indian Overseas Bank,
Nainarkovil Branch,
Ramanathapuram District.
2. The Inspector of Police,
Cyber Crime Police Station,
Ramanathapuram,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.Crl.(MD)No.1373 of 2026

Dated
04.06.2026