



WP CRL.(MD). No.1253 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **27.02.2026**

CORAM

THE HONOURABLE **MRS. JUSTICE S.SRIMATHY**

WP CRL.(MD). No.1253 of 2026

Kavithanchali

... Petitioner

Vs.

1.State of Rajasthan rep. by its,
The Inspector of Police,
Mansarovar Police Station,
Mansarovar Commissionerate,
Jaipur, Rajasthan-630211.

2.The Branch Manager,
Canara Bank,
Madurai Main Road,
Andipatti, Theni.

3.The Cyber Crime Police Station,
District Police Office Campus,
Theni District,
Theni.

... Respondents



WP CRL.(MD). No.1253 of 2026

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PRAYER :- This Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to defreeze the petitioner's personal savings account in Account No.4742101000713 maintained on the second respondent bank by considering the petitioner's representation dated 04.02.2026 forthwith.

For Petitioner : Ms.K.Pandi Priya

For Respondents : Mr.A.S.Abul Kalaam Azad, (for R3)
Government Advocate (Crl. Side)

Mr.V.Balasubramanian (for R2)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to defreeze the petitioner's personal savings account in Account No.4742101000713 maintained on the second respondent bank by considering the petitioner's representation dated 04.02.2026 forthwith.



WP CRL.(MD). No.1253 of 2026

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

- (a) The petitioner is holding a personal savings account in Account No.4742101000713, Canara Bank, Andipatti Branch, Theni 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 though pursuant to the alleged communication sent by the third respondent, the 2nd respondent was obliged to obey the directions, the 2nd 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..



WP CRL.(MD). No.1253 of 2026

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

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

(a). The 2nd respondent / Bank shall keep only a lien amount of



WP CRL.(MD). No.1253 of 2026

Rs.55,000/- and permit the petitioner to operate the account forthwith

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(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.

27.02.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes

vsg

To

- 1.The Inspector of Police,
Mansarovar Police Station,
Mansarovar Commissionerate,
Jaipur, Rajasthan-630211.
- 2.The Branch Manager,
Canara Bank,
Madurai Main Road,
Andipatti, Theni.
- 3.The Cyber Crime Police Station,
District Police Office Campus,
Theni District,
Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



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WP CRL.(MD). No.1253 of 2026

S.SRIMATHY,J

vsg

WP CRL.(MD) No.1253 of 2026

27.02.2026