



WP CRL.(MD). No.1280 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.1280 of 2026

T.Selvakumar

... Petitioner

Vs.

1. The Branch Manager,

Indian Overseas Bank,

Karivalamvandanallur Branch,

Karivalamvandanallur,

Tenkasi District,

Tamil Nadu.

2.The Inspector of Police Cum Station House Officer,

Bidar CEN Crime Ps,

Bidar,

Bidar District,

Karnataka.

3.The Inspector of Police Cum Station House Officer,

Anand Cyber Crime Police Station,

Anand City,

Gujarat.



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4. The Inspector of Police Cum Station House Officer,
Thane City Cyber Police Station,
Thane,
Maharashtra.

... Respondents

PRAYER :- This Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to de-freeze the petitioner's bank account maintained in Indian Overseas Bank at Karivalamvandanallur Branch Account Bearing Account No. 022501000040799, based upon the petitioner's representation letters dated 22.06.2025 and 29.12.2025 forthwith or within the time stipulated by this Court.

For Petitioner : Mr.T.Veldurai
For Respondents : Mr.N.Dilipkumar (For R1)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to de-freeze the petitioner's bank account maintained in Indian Overseas Bank at Karivalamvandanallur Branch Account Bearing Account No.022501000040799, based upon the petitioner's representation letters dated 22.06.2025 and 29.12.2025 forthwith.



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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. 022501000040799, Indian Overseas Bank at Karivalamvandanallur Branch, Karivalamvandanallur, Tenkasi District, 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 respondents 2 to 4 freezing the entire account is illegal and violates the fundamental rights of the petitioner; that though pursuant to the alleged communication sent by the respondents 2 to 4, 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.

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



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5. On perusal of the records, it is clear that there is nothing on record to show that the respondents 2 to 4 had requested the first 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:



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(a). The 1st respondent / Bank shall keep only a lien amount of Rs.10,000/- 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.

27.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes
vsg



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To

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Bidar,
Bidar District,
Karnataka.
- 2.The Inspector of Police Cum Station House Officer,
Anand Cyber Crime Police Station,
Anand City,
Gujarat.
- 3.The Inspector of Police Cum Station House Officer,
Thane City Cyber Police Station,
Thane,
Maharashtra.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Branch Manager,
Indian Overseas Bank,
Karivalamvandanallur Branch,
Karivalamvandanallur,
Tenkasi District,
Tamil Nadu.



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S.SRIMATHY,J

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