



W.P.Crl.(MD)No.2005 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **03.06.2026**

CORAM:

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

W.P.Crl.(MD)No.2005 of 2026

Varshan

... Petitioner

Vs.

1. The State of Utter Pradesh,
The Inspector of Police,
Cyber Crime Control Unit,
Lucknow West, Utter Pradesh.

2. The Branch Manager,
Tamilnadu Mercantile Bank Ltd.,
Door No. 25, Sigil Raja Veedhi,
1st Floor, Ramanathapuram District,
Tamil Nadu- 623501.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd respondent Bank to defreeze the petitioner Savings Account No. 131100050314140 and allow the petitioner to operate the same as usual by considering the petitioner representation dated 14.02.2026 within the time stipulated by this Court.

For Petitioner : Mr.K.Dinesh

For Respondents : No appearance



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ORDER

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This petition has been filed seeking for a direction to the 2nd respondent Bank to defreeze the petitioner Savings Account No. 131100050314140 and allow the petitioner to operate the same as usual by considering the petitioner's representation dated 14.02.2026 within the time stipulated by this Court.

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

(a) The petitioner is holding a saving account bearing A/c No. 131100050314140 at Tamilnadu Mercantile Bank Ltd., Sigil Raja Veedhi, 1st Floor, 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.



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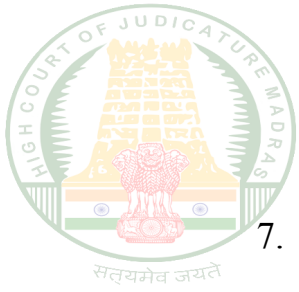
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4. Heard the learned counsel for the petitioner and perused the materials placed before this Court. Though notice has been duly served on R2, none appears on behalf of R2. Considering the nature of the order to be passed in this petition, notice to R1 is dispensed with.

5. On perusal of the records, the fact is that the 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.”



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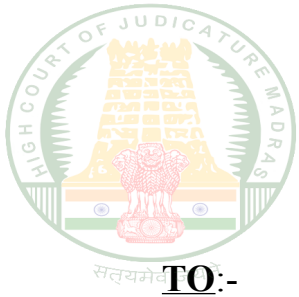
7. Accordingly, this writ petition is disposed of on the following directions:

(a). The second respondent / Bank shall mark a lien only for the quantified sum 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.

03.06.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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1. The Branch Manager,
Tamilnadu Mercantile Bank Ltd.,
Door No. 25, Sigil Raja Veedhi,
1st Floor, Ramanathapuram District,
Tamil Nadu- 623501.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.Crl.(MD)No.2005 of 2026

Dated
03.06.2026