



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-02-2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP CrI.(MD) NO. 440 of 2025

K. Thangavel

Petitioner(s)

Vs

1. The Secretary to the Government of India
Ministry of Home Affairs North Block
New Delhi-110 001.
India.

2. The Regional Director
Reserve Bank of India
Fort Glascis
No.16, Rajaji Salai
Chennai-600 001.

3. State of Tamilnadu
Rep. by The Superintendent of Police
Ramanathapuram District
Ramanathapuram.

4. The Inspector of Police
Cyber Crime Police Station
Ramanathapuram
Ramanathapuram District.

5. The Additional Commissioner of Police
South West - Delhi
Safdarjung Enclave
Opposite Rajendra Dhaba
New Delhi-110 029.

6. The Inspector of Police
Cyber Crime Police Station



South West-Delhi
Safdarjung Enclave
Opposite Rajendra Dhaba
New Delhi-110 029.

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7. The Branch Manager
State Bank of India
ACB Branch
Post Box NO.1
Mela Vanier Street
Paramakudi
Ramanathapurak District.

Respondent(s)

For Petitioner(s): Mr.T. Veerakumar

For Respondent(s): Mr.M.Kannan for R1

Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.side) For R3 & R4
Mr K.R.Laxman for R2
Mr.G.Radhakrishnan for R7

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 7th respondent to defreeze the petitioner's Bank Account vide A/c.No.10747795877 maintained at State Bank of India, ACB Branch, Mela Vanier Street, Paramakudi, Ramanathapuram District, by considering the petitioner's representation dated 07.04.2025, 28.04.2025 and 02.07.2025.

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 7th respondent to defreeze the petitioner's Bank Account vide A/c.No. 10747795877 maintained at State Bank of India, ACB Branch, Mela Vanier Street, Paramakudi, Ramanathapuram District, by considering the petitioner's representation dated 07.04.2025, 28.04.2025 and 02.07.2025.



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. 10747795877 at State Bank of India, ACB Branch, Mela Vanier Street, Paramakudi, 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 7th 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 Cyber Police, the 7th respondent was obliged to obey the directions, the 7th 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 7th respondent would submit that the account of the petitioner was frozen on the basis of the communication from the Cyber Police.

5. On perusal of the records, it is clear that there is nothing on record to show that the Cyber Police had requested the 7th 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 7th respondent is directed to defreeze the account after obtaining clearance from the 6th respondent and the 6th respondent may indicate the lien amount.
- (b)The 7th respondent / Bank shall mark a lien only for the quantified sum and permit the petitioner to operate the account forthwith.
- (c). 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.

The above said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



8. With the above observations and directions, this Writ Petition is disposed of. No costs.

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02-02-2026

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To

1. The Superintendent of Police
Ramanathapuram District
Ramanathapuram.

2. The Inspector of Police
Cyber Crime Police Station
Ramanathapuram
Ramanathapuram District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.