

Alocius, vs Manager,

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Court : Kerala

Decided On : Mar-01-2024

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/5266/2024

Appellant : Alocius,

Respondent : Manager,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 1ST DAY OF MARCH 2024 / 11TH PHALGUNA, 1945 PETITIONER: ALOCIUS, AGED 22 YEARS, S/O VARGHESE P.V, PANTHALOOKARAN HOUSE, MELUR, K KUNNU, MUKUNDAPURAM, THRISSUR, PIN - 680311. BY ADV AMRIN FATHIMA RESPONDENTS:

1 MANAGER, THE FEDERAL BANK LTD, CHALAKUDY NORTH BRANCH, CHAKKALAMATTATH TOWER, CCMK JUNCTION, CHALAKUDY, THRISSUR, PIN - 680307. 2 MANAGER, THE FEDERAL BANK LTD, MELOOR BRANCH, HAT COMPLEX, PALLINADA

JUNCTION, MELOOR, THRISSUR, PIN - 680311. 3 NATIONAL CYBER CRIME REPORTING PORTAL, 5TH FLOOR, NDCC-II BUILDING, JAI SINGH ROAD, NEW DELHI, PIN - 110001 4 THE ASSISTANT COMMISSIONER OF POLICE, REGIONAL OFFICE, CID, FLAT NO. 11-05-152, RED HILLS, HYDERABAD, TELENGANA, PIN - 500004. BY ADV K.K.SETHUKUMAR S.MANU, DSGI SRI.MOHAN JACOB GEORGE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

JUDGMENT

The facts involved in this case are covered by the judgment of this Court in Dr.Sajeer v. Reserve Bank of India [2024 (1) KLT 826]. Since the learned counsel for the parties are ad idem on this, I allow this writ petition in terms of the said judgment. Consequently, I order this Writ Petition with the following directions:

(a) The respondent Bank arrayed in this case, is directed to confine the order of freeze against the accounts of the petitioner, only to the extent of the amounts mentioned in the order/requisition issued to them by the Police Authorities. This shall be done forthwith, so as to enable the petitioner to deal with his account, and transact therein, beyond that limit. -3-

(b) The respondent - Police Authorities concerned are hereby directed to inform the Bank

as to whether freezing of accounts of the petitioner in this Writ Petition will require to be continued even in the afore manner; and if so, for what further time, within a period of eight months from the date of receipt of a copy of this judgment.

(c) On the Bank receiving the afore information/intimation from the Police Authorities, they will adhere to the same and complete necessary action - either continuing the freeze for such period as mentioned therein; or withdrawing it, as the case may be.

(d) If, however, no information or

intimation is received by the Bank in terms of directions (b) above, the petitioner will be at full liberty to approach this Court again; for which purpose, all his contentions in this Writ

-4- Petition are left open and reserved to him, to impel in future. Sd/- DEVAN RAMACHANDRAN JUDGE akv -5- APPENDIX OF WP(C) 5266/2024 PETITIONER EXHIBITS EXHIBIT P1 A TRUE COPY OF THE LETTER DATED 16.05.2023 ISSUED BY THE 1ST RESPONDENT EXHIBIT P2 COPY OF THE NOTICE DATED 06.09.2023 ISSUED BY THE 2ND RESPONDENT EXHIBIT P3 TRUE COPY OF THE JUDGMENT DATED 19.01.2024 IN WP(C) NO. 23057/2023

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