

Eyas Ma vs Idfc First Bank Represented by Its Branch Manager

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Court : Kerala

Decided On : Nov-22-2023

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/37282/2023

Appellant : Eyas Ma

Respondent : Idfc First Bank Represented by Its Branch Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN WEDNESDAY, THE 22ND DAY OF NOVEMBER 2023 / 1ST AGRAHAYANA, 1945 WP(C) NO. 37282 OF 2023 PETITIONER: EYAS M.A, AGED 31 YEARS, S/O ABDUL SALAM 10 1542 THAMARAPARAMBU, FORT KOCHI, COCHIN, PIN - 682005 BY ADVS. IPSITA OJAL P.K.ANIL RESPONDENTS: 1 IDFC FIRST BANK REPRESENTED BY ITS BRANCH MANAGER GROUND FLOOR, NO.1335/1, TELSTAR BUILDING, RAVIPURAM, M.G. ROAD, ERNAKULAM, PIN - 682016 2 THE REGIONAL MANAGER, RESERVE BANK OF INDIA THIRUVANANTHAPURAM BRANCH OFFICE, BAKERY JUNCTION, NANDAVANAM, PALAYAM,

THIRUVANANTHAPURAM, KERALA, PIN - 695033 3 MINISTRY OF FINANCE (REPRESENTED BY SECRETARY) 3RD FLOOR, JEEVAN DEEP BUILDING SANSAD MARG, NEW DELHI, PIN - 110001 4 STATION HOUSE OFFICER, SOUTH EAST CEN CRIME POLICE STATION, HSR LAYOUT BANGALORE CITY, KARNATAKA STATE, PIN - 560102 5 STATION HOUSE OFFICER, SOUTH CEN CRIME POLICE STATION (CEN SOUTH BANASHANKARI) ABOVE BANASHANKARI POLICE STATION, THYGARAJA NAGAR, BANASHANKARI STAGE-II BANGALORE CITY, KARNATAKA STATE - 560070 6 STATION HOUSE OFFICER, SECTOR 36 POLICE STATION, CHANDIGARH, PIN - 160036 7 STATION HOUSE OFFICER, CYBER CRIME POLICE STATION, L.B. STADIUM ROAD, BAND COLONY, ADARSH NAGAR, HYDERABAD CITY, TELANGANA STATE, PIN - 500004 THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The facts involved in this case are covered by the judgment of this Court in W.P.(C).No.12960/2023 and connected matters. 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.

(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 Petition are left open and reserved to him, to impel in future. Sd/- RR DEVAN RAMACHANDRAN JUDGE APPENDIX OF WP(C) 37282/2023 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE BANK STATEMENT OF THE PETITIONER WITH THE IDFC BANK Exhibit P2 THE TRUE COPY OF THE COMMUNICATION GIVEN

TO THE PETITIONER FROM HIS BANK ON 17-08Exhibit P3 THE TRUE COPY OF COMMUNICATION RECEIVED FROM THE SOUTH EAST CEN CRIME PS, BANGALORE CITY WITH THE COMPLAINT DATED 31-7-2023 Exhibit P4 THE TRUE COPY OF COMMUNICATION RECEIVED FROM THE SOUTH CEN CRIME PS, BANGALORE CITY WITH THE COMPLAINT DATED 6-8-2023 Exhibit P5 THE TRUE COPY OF COMMUNICATION RECEIVED FROM THE SECTOR 36 POLICE STATION CHANDIGARH WITH THE COMPLAINT DATED 11-08Exhibit P6 THE TRUE COPY OF COMMUNICATION RECEIVED FROM THE CYBER CRIME HYDERABAD CITY, TELANGANA STATE WITH THE COMPLAINT DATED 11-08-2023

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