

Sandeep S vs State of Kerala

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Court : Kerala

Decided On : Dec-22-2023

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/41597/2023

Appellant : Sandeep S

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 22ND DAY OF DECEMBER 2023 / 1ST POUSHA, 1945 WP(C) NO. 41597 OF 2023 PETITIONER: SANDEEP S AGED 25 YEARS S/O SAJEEVKUMAR G KOLLASSERIL, CHERUTHANA, ALAPPUZHA, PIN - 690817 BY ADV. SRI.V.VISAL AJAYAN RESPONDENTS:

1 STATE OF KERALA REPRESENTED BY THE HOME SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA, PIN - 695001 2 NATIONAL CYBER CRIME REPORTING PORTAL REPRESENTED BY ITS

DIRECTOR, NATIONAL HIGHWAY-8 MAHIPALPUR, NEW DELHI, PIN - 110037 3 THE STATION HOUSE OFFICER SSP PATIALA, PUNJAB CYBERCRIME CELL, PATIALA, SSP OFFICE, B BLOCK, MINI SECRETARIAT, PATIALA, PUNJAB - 147001 4 THE RESERVE BANK OF INDIA REPRESENTED BY ITS GOVERNOR, HEAD OFFICE, MUMBAI, MAHARASHTRA, PIN - 400039 5 MINISTRY OF HOME AFFAIRS NORTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI REPRESENTED BY IT'S SECRETARY, PIN - 110001 6 FEDERAL BANK LTD CHERUTHANA BRANCH SAMEENA BUILDING, NEAR HSS AYAPARAMPU, CHERUTHANA, ALAPPUZHA - 690517 REPRESENTED BY IT'S MANAGER BY ADVS. SRI.MOHAN JACOB GEORGE - SC SRI.S.MANU - DSGI THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION

ON 22.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2:

JUDGMENT

It is without doubt, and as is unequivocally admitted by the parties, that the issues involved in this case have already been answered by this Court in WPC No.12960 of 2023 and connected matters. In the afore circumstances, and since the learned counsel for the parties are ad idem as above, I allow this writ petition in terms of the afore judgment in the following manner: a. The respondent Bank, is directed to confine the

order of freeze against the account of the petitioner,

only to the extent of the amount 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 the freezing of the account 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.

:3: 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, 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 be impelled in future. Sd/- DEVAN RAMACHANDRAN JUDGE anm :4: APPENDIX OF WP(C) 41597/2023 PETITIONER EXHIBITS Exhibit P1 A TRUE COPY OF THE ACCOUNT PASS BOOK OF THE PETITIONER OPEN DATED 28.11.2014 Exhibit P2 TRUE COPY OF THE LETTER GIVEN BY THE BANK TO THE PETITIONER DATED 21.11.2023 RESPONDENTS' EXHIBITS : NIL.

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