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W.P.No.1196 of .

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1196 of 2026

T. Vadamalai

...Petitioner

Vs.

1.The Inspector of Police,
Crime Branch,
Ahemedabad City,
Gujarat State.

2.The Inspector of Police,
Cyber Crime Police Station,
Kallakurichi.

3.Union Bank of India,
Rep. by its Branch Manager,
Chinnasalem Branch,
Salem Main Road,
Chinnasalem,
Kallakurichi District.

...Respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the respondents to de-freeze the petitioner's Savings Bank A/c. bearing No.520101026060732 maintained with the 3rd respondent bank by considering the petitioner's representation dated 08.09.2025 within a stipulated period fixed by this Court.

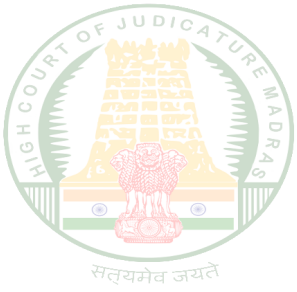
For Petitioner : Mr. C.Samivel

For Respondents : Mr. L.Baskar
Government Advocate
(Criminal Side)

ORDER

This writ petition is filed for the following relief:

“To direct the respondents to de-freeze the petitioner's Savings Bank account bearing No.520101026060732 maintained with the 3rd respondent bank by considering the petitioner's representation dated 08.09.2025 within a stipulated period fixed by this Court.”



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2. The petitioner would submit that he was involved in an online gambling in the year of 2024 for which payments have been paid by him, however, he was not aware of terms and conditions of the game. The petitioner used his savings bank account bearing A/c.No.520101026060732, Union Bank of India, Chinnasalem Branch, Chinna Salem, the 3rd respondent herein and the said account also used for his usual transactions.

3. The petitioner would submit that on 15.12.2024, when he went to withdraw the amounts, he came to learn that his bank account had been frozen. Therefore, he approached the 3rd respondent bank and they replied that, a case in Acknowledgment No.31111240183166 dated 16.11.2024 has been registered against the petitioner and others.

4. The petitioner would submit that his bank account was frozen without prior notice to him. He would further submit that during fraudulent online transaction only a sum of Rs.20,910/- (Rs.10,450/- + Rs.10,460/-) alone credited to the petitioner's account. However, the



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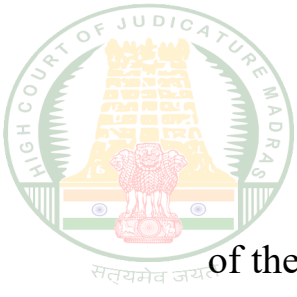
bank has proceeded to freeze his entire account. Therefore, the petitioner is before this Court.

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5. Heard the learned counsels on the either side and perused the records.

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 cannot be done by the Bank. 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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It is seen that before freezing an account on the communication of the Cyber Crime Wing the petitioner has not been put on notice.

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

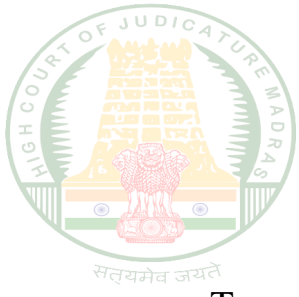
(a). The respondent / Bank shall mark a lien only for a sum of Rs.20,910/- (Rs.10,450/- + Rs.10,460/-) and permit the petitioner to operate the account forthwith:

(b). The petitioner is at liberty to move the concerned Jurisdictional Magistrate for recall of the lien marked over the said amount of Rs.20,910/- (Rs.10,450/- + Rs.10,460/-), if he is so advised.

8. No costs.

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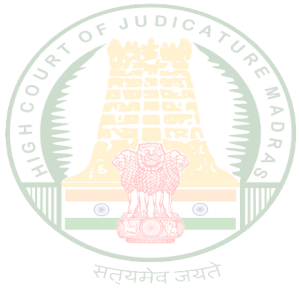
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To

1.The Inspector of Police,
Crime Branch,
Ahemedabad City,
Gujarat State.

2.The Inspector of Police,
Cyber Crime Police Station,
Kallakurichi.

3.Branch Manager,
Union Bank of India
Chinnasalem Branch,
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