



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.396 OF 2026

VADIVEL P

... PETITIONER

Versus

STATE OF GOA THROUGH PUBLIC
PROSECUTOR AND 2 ORS

... RESPONDENTS

Mr. Prasad Kholkar, Advocate for Petitioner.

Mr. Pravin Faldessai, Additional Public Prosecutor for
Respondent Nos.1 and 2/State.

M. Priyanka Kamat, Advocate ...

CORAM:- S. G. CHAPALGAONKAR, J.

DATED :- 9th October, 2026

P.C.

1. The Petition is filed with following prayers :

(a) Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction thereby quashing and setting aside the Order dated 30/01/2025 and Order dated 05/01/2026 passed by the Learned Additional Sessions Judge, Mercers-Goa in Special Criminal Case (NDPS) No. 01/2021;

(b) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing Respondent No.3 Bank to immediately de-freeze the Savings Bank Account bearing No.

520291015884282 standing in the name of the Petitioner;

2. The Petitioner stood surety for accused in Special Criminal Case (NDPS) No. 01/2021. Since accused failed to appear before Special Court, Petitioner was served with notice being surety. On failure of Petitioner to bring accused before the Court, surety is forfeited, and further directions are given to Respondent no. 3-bank to freeze savings account of Petitioner.

3. Indisputably, the Court received a demand draft of Rs.50,000/- and same has been forfeited as surety amount.

4. In this background, this Court finds that order directing freezing of Petitioner's savings account cannot be sustained in law.

5. In result, Writ Petition succeeds and allowed in terms of prayer clause (a). The Respondent no. 3-bank shall de-freeze the Petitioner's savings account bearing no. 520291015884282.

6. Writ Petition stands disposed of in aforesaid terms.

S. G. CHAPALGAONKAR, J.