



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 13794 OF 2026 (GM-RES)

BETWEEN:

1. SHIVANAND N. BHATKAL
SON OF SHIVANAND NARAYAN BHATKAL
AGED ABOUT 66 YEARS
RESIDING AT NO. 10/3 2ND FLOOR
GURUPRASAD, P G HALLI MAIN ROAD
NEAR DATTATREYA TEMPLE
MALLESHWARAM, BANGALORE NORTH
KARNATAKA 560003

...PETITIONER

(BY SRI: ARUNACHALAM S, ADVOCATE)

AND:

1. KOTAK MAHINDRA BANK
MAKAM PLAZA, 3RD MAIN ROAD
18TH CROSS ROAD, MALLESWARAM
BENGALURU-560055
2. STATE OF ANDHRA PRADESH
BY CYBER CRIME POLICE STATION
DISHA MAHAILA PS, 1ST FLOOR
YENDADA, VISAKKHAPATNAM CITY
PIN 530045

...RESPONDENTS

(BY SMT: SREEDEVI, ADV FOR
SRI: JAI M. PATIL, ADV FOR R1;
NOTICE TO R2 IS D/W V/O DTD. 12.5.2026)



THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO DIRECT RESPONDENT NO.1 TO DEFREEZE THE PETITIONERS BANK ACCOUNT BEARING ACCOUNT NO. 3011219591 AND ETC.,

THIS WP, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs:

"Wherefore, the petitioner most respectfully prays that this Hon'ble Court may be pleased to:

a) Issue a writ of Mandamus or any other appropriate writ, order or direction, directing respondent No.1 to defreeze the petitioner's bank account bearing Account No.3011219591.

b) Pass such other order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice and equity."

2. Learned counsel for the petitioner submits that under identical circumstances in the case of **Mr K Nanda Kishore Vs State Bank of India and Others** [Writ Petition No.30887 of 2024 and other connected matters DD



14.11.2025], the co-ordinate Bench of this Court has passed the following order:

"The petitioners seek directions to the respective Banks to de-freeze their corresponding accounts and to permit them to operate their bank accounts. This Court has heard not just Sri Akash B Shetty, the learned counsel who is on record for the petitioners but also the learned counsels for the respective Banks and Sri H.V. Bhanu Prakash, the learned Additional Advocate General, Sri P. Prasanna Kumar and Sri Shanti Bhushan H, the learned amici curiae, who are assisting this Court in disposal of similar matters.

2. The petitioners' common grievance is because the corresponding Banks have frozen their respective accounts. The Banks have frozen their accounts because of communications from the different Police Officers as mentioned in each of these petitions. Sri Akash B Shetty submits, with the advantage of the arguments that have been advanced on the larger question on whether the account holders must receive due information about the amounts marked for lien on receipt of a complaint, that the grievance of these petitioners would be addressed if this Court disposes of the petitions with directions to the corresponding Banks to limit freezing to the amounts marked for lien by the concerned Police and permit them to operate the accounts beyond the amount marked for lien.



3. Sri H.V. Bhanu Prakash and Sri Shanthi Bhushan H are categorical that instructions have been issued to all the Banks to limit the de-freezing to the amounts marked for lien and not restrict the accounts holders from operating the accounts beyond the amount marked for lien. In fact, Sri H.V. Bhanu Prakash invites this Court's attention to the Circular dated 20.07.2024 and the Standing Order No.1041 dated 18.03.2025 to emphasize that the Police Investigation Authorities within the State have been called upon not to issue any directions to freeze the bank accounts without justifiable reasons and if an account has to be frozen, it should only be to the extent of the suspected transaction. The relevant part of the Circular reads as under:

"ಯಾವುದೇ ತನಿಖೆ ಸಂಬಂಧ ಆರೋಪಿತ ವ್ಯಕ್ತಿ ಅಥವಾ ಇತರೆ ಯಾವುದೇ ವ್ಯಕ್ತಿಗಳ ಅಥವಾ ಸಂಸ್ಥೆಗಳ ಬ್ಯಾಂಕ್ ಖಾತೆಗಳಲ್ಲಿ ತನಿಖೆಗೆ ಸಂಬಂಧಿಸಿದ ಮೊತ್ತ ಜಮೆ ಆಗಿದ್ದಲ್ಲಿ ಅಥವಾ ಇತರ ಸಂದರ್ಭಗಳಲ್ಲಿ ಈ ಕೆಳಗಿನ ಕ್ರಮಗಳನ್ನು ಅನುಸರಿಸತಕ್ಕದ್ದು.

1) ಮೊದಲನೆಯದಾಗಿ ಸಕಾರಣವಿಲ್ಲದೆ ಯಾವುದೇ ಬ್ಯಾಂಕ್ ಖಾತೆಗಳನ್ನು ಫ್ರೀಜ್ ಮಾಡತಕ್ಕದ್ದಲ್ಲ. ಒಂದು ವೇಳೆ ಫ್ರೀಜ್ ಮಾಡುವ ಸಂದರ್ಭ ಬಂದಲ್ಲಿ ಸಂಶಯಾಸ್ಪದ ಮೊತ್ತ (Lien Amount) ವನ್ನು ಮಾತ್ರ ಫ್ರೀಜ್ ಮಾಡತಕ್ಕದ್ದು. ಸಂಪೂರ್ಣ ಬ್ಯಾಂಕ್ ಖಾತೆಯನ್ನು ಫ್ರೀಜ್ ಮಾಡತಕ್ಕದ್ದಲ್ಲ.

2) ಒಂದು ವೇಳೆ ಸಂಪೂರ್ಣ ಖಾತೆಯನ್ನು ಫ್ರೀಜ್ ಮಾಡಬೇಕಾದಲ್ಲಿ ಸೂಕ್ತ ಸಮಾಜಾಯಿಷಿ ಮತ್ತು ಸಕಾರಣಗಳೊಂದಿಗೆ ತಮಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಪರ ಪೊಲೀಸ್ ಆಯುಕ್ತರು ರವರಿಂದ ಲಿಖಿತ ಅನುಮತಿ ಪಡೆದು ಫ್ರೀಜ್ ಮಾಡುವುದು.

3) ಯಾವುದೇ ಬ್ಯಾಂಕ್‌ನೊಂದಿಗೆ ಪತ್ರ ವ್ಯವಹಾರ ಮಾಡಿದಾಗ Bankers Books Evidence Act-1891 ನಲ್ಲಿ ನೀಡಿರುವ ಸೂಚನೆಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ಪಾಲನೆ ಮಾಡತಕ್ಕದ್ದು.

4) ಯಾವುದೇ ಬ್ಯಾಂಕ್ ಖಾತೆಗಳನ್ನು ಮತ್ತು ಖಾತೆಗಳ Lien Amount ಗಳನ್ನು ಫ್ರೀಜ್ ಮಾಡಿದಲ್ಲಿ. ಕೂಡಲೆ ಈ ಮಾಹಿತಿಯನ್ನು ಸಂಬಂಧಪಟ್ಟ ನ್ಯಾಯಾಲಯಕ್ಕೆ ಕಡ್ಡಾಯವಾಗಿ ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

5) ಈ ಸುತ್ತೋಲೆಯನ್ನು ಮೀರಿ ವರ್ತಿಸುವ ತನಿಖಾಧಿಕಾರಿಗಳ ವಿರುದ್ಧ ಸಹಾಯಕ ಪೊಲೀಸ್ ಆಯುಕ್ತರು/ ಉಪ ಪೊಲೀಸ್ ಆಯುಕ್ತರುಗಳು ಶಿಸ್ತಿನ ಕ್ರಮಕ್ಕಾಗಿ ವರದಿ ಸಲ್ಲಿಸತಕ್ಕದ್ದು."



In the light of this, the petitioners seek disposal of these petitions, with a direction to the corresponding Banks to limit the freezing to the amount marked for lien and this Court is of the view that the petitions, without prejudice to the petitioners' rights, otherwise must be disposed of directing the corresponding Banks to communicate the amount marked for lien as part of investigation and permit the petitioners to operate the accounts otherwise. As such, the following

ORDER

[i] The petitions are disposed of directing the respective Banks to communicate to the petitioners the amounts that are marked for lien by the authorities and also permit them to operate the accounts beyond the amounts marked for lien.

[ii] The petitioners are reserved with liberty to file a certified copy of this order within two [2] weeks from the date of receipt of a copy of this order and the corresponding Banks shall inform the amounts marked for lien and permit the petitioners to operate the accounts beyond such amounts forthwith.

[iii] It is needless to observe that if the authorities for reasons have not marked the amounts to be on lien, the petitioners must avail their remedy in accordance with law."



3. The aforesaid directions issued by the co-ordinate Bench of this Court in the aforesaid order were passed under identical circumstances, and as such, I am of the considered opinion that the present petition also deserves to be disposed off in terms of the aforesaid order.

4. In the result, I pass the following:

ORDER

The petition is disposed of in terms of aforesaid order passed in ***Mr K Nanda Kishore Vs State Bank of India and Others*** [Writ Petition No.30887 of 2024 and other connected matters DD 14.11.2025], by issuing the following directions:

- (i) The respective Banks are directed to communicate to the petitioner the amounts that are marked for lien by the authorities and also permit them to operate the accounts beyond the amounts marked for lien.
- (ii) The petitioner is reserved with liberty to file a certified copy of this order within two [2] weeks from the date of receipt of a copy of this order and the corresponding Banks shall inform the



amounts marked for lien and permit the petitioner to operate the accounts beyond such amounts forthwith.

(iii) It is needless to observe that if the authorities for reasons have not marked the amounts to be on lien, the petitioner must avail their remedy in accordance with law.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE