



CNR: KAHC010594192026

NC: 2026:KHC:54169
CRL.P No. 13290 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

CRIMINAL PETITION NO. 13290 OF 2026

BETWEEN:

SMT HASEENA KUNHAMOO AHMED ABDUL FATHAH,
W/O LATE AHMED ABDUL FATHAH,
AGED ABOUT 62 YEARS,
R/AT NO. 18/142, AZAD NAGAR,
1ST CROSS, MASTHIKATTE,
ULLAL, MANGALURU, D.K. 575 020.

...PETITIONER

(BY SRI ARUNA BANGERA,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
BY MANGALURU EAST POLICE STATION,
MANGALURU - 575 006,
REPRESENTED BY THE STATE PUBLIC PROSECUTOR,
HIGH COURT OF KARNATAKA,
BENGALURU 560 001.

2. THE STATE BANK OF INDIA,
ULLALA BRANCH, DAKSHINA KANNADA,
CHOTA- MANGALURU- 575020,
REPRESENTED BY THE BRANCH MANAGER.

...RESPONDENTS

(BY SRI M V ANOOP KUMAR, ADDL. SPP FOR R1,
R2 - SERVICE OF NOTICE IS DISPENSED WITH
V/C/O DATED 29.09.2026)

THIS CRL.P IS FILED U/S 482 CR.PC (FILED U/S 528
BNNS) BY THE ADVOCATE FOR THE PETITIONER PRAYING
THAT THIS HONOURABLE COURT MAY BE PLEASED TO 1.SET

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ASIDE THE ORDER DATED 03.02.2026 PASSED BY THE COURT OF II ADDL.DIST. AND SESSIONS JUDGE, MANGALURU IN S.C.NO.43/2021 REJECTING THE PETITIONERS APPLICATION DATED 17.12.2025 FILED UNDER SEC.451 AND 457 CR.PC CONSEQUENTLY AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

Learned Additional State Public Prosecutor accepts notice on behalf of respondent no.1. Notice to respondent No.2 is dispensed with as no relief which affects the interest of respondent no.2 is sought as respondent no.2 is a bank in which the petitioner held an account.

2. The petition is filed to quash the order dated 03.02.2026 passed by Sessions Judge, Mangaluru in S.C. No.43/2021 in terms of which the petitioner's application dated 17.12.2025 filed under Section 451 and 457 of the Code of Criminal Procedure, 1973 is rejected.

3. Learned counsel for the petitioner would submit that the petitioner is not the accused but she is the mother of accused no.1. The accused No.1 and other accused are being

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tried for the offence under Section 341, 364(A), 365, 397, 346, 323, 324, 504 and 506 of Indian Penal Code, 1860 ('IPC').

4. In the complaint it is alleged that the accused have extorted Rs.14,40,000/- from the complainant and Rs.2,00,000/- is allegedly credited to the account of the petitioner/mother of accused No.1. Later, complainant's account is freezed. In addition to the locker attached to the said account is also freezed.

5. It is the contention of the learned counsel for the petitioner that the application for defreezing the bank account should have been allowed and could not have been rejected in terms of the impugned order.

6. Learned Additional State Public Prosecutor would submit that the account in case defreezed, the petitioner would withdraw the amount which is credited to the account of the petitioner by accused no.1. Thus, would defend the impugned order.

7. The Court has considered the contentions raised at the Bar and perused the records.

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8. From the materials placed on record, it is evident that there is an allegation of transfer of Rs.2,00,000/- to the account of the petitioner by accused no.1. That being the petition, the application should have been allowed in part directing the petitioner to maintain a minimum balance of Rs.2,00,000/- and directing a lien on the said account to the tune of Rs.2,00,000/-. Such an order would have balanced the equities and the conflicting claims.

9. It is also noticed that there is a locker attached to the said account and there is no allegation in the complaint that amount was kept in the locker.

10. In the aforementioned circumstances, the petitioner shall be permitted to operate the bank account with aforementioned lien of Rs.2,00,000/-. The petitioner shall be permitted to operate the bank account by keeping a minimum balance of Rs.2,00,000/-.

11. The petitioner is also permitted to operate the locker. However, before opening the locker inventory of the locker has to be conducted and list of articles if any in the

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locker and its approximate value shall be submitted to the trial Court by the bank officials.

12. Since, the notice to respondent No.2 is dispensed with, respondent No.2 is permitted to move the application before the Trial Court respondent No.2 has any claim about said bank account or the locker referred to above. Hence, the following:

ORDER

(i) Petition is ***allowed in part.***

(ii) The application filed by the petitioner before the Trial Court is also ***allowed in part*** and the impugned order dated 03.02.2026 is set-aside.

(iii) The Petitioner is permitted to operate the bank account No.10116598528 in State Bank of India, Ullal Branch with a lien of Rs.2,00,000/- as noted above.

(iv) The petitioner is also permitted to operate the locker after complying the directions referred to above in paragraph No.11.

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(v) The liberty is reserved to respondent No.2 to move necessary application before the Trial Court if it has any claim over the bank account and the locker referred to above.

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(ANANT RAMANATH HEGDE)
JUDGE

CHS
List No.: 2 Sl No.: 5
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