

Crl.O.P.(MD)No.486 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.06.2026

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THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.(MD)No.486 of 2023

Karumarikani

.. Petitioner

Vs.

**1. The Superintendent of Police
Virudhunagar District
Virudhunagar**

**2. The Inspector of Police
District Crime Branch Police Station,
Virudhunagar**

**3. The Branch Manager,
Tamil Nadu Mercantile Bank,
Allimpatti Branch
Kamarajar Byepass Road,
Virudhunagar**

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
to direct the respondents 1 and 2 to defreeze the bank account maintained
by the petitioner bearing Current Account No. 369150050800139 with the
third respondent bank, frozen on the instruction of the second respondent
police in Crime No.18 of 2021.



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For Petitioner : Mr.R.Chandrasekar
For R-1 : Mr.N.Balasubramanian
Counsel for the State of Tamil Nadu (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to defreeze the bank account maintained by the petitioner bearing Current Account No. 369150050800139 with the third respondent bank, frozen on the instruction of the second respondent police in Crime No.18 of 2021.

2. According to the petitioner he is the business man running grocery trading business in the name of M/s.Karthigasri Traders and he is having account with the third respondent bank in A/c.No. 369150050800139. The respondent police roped the petitioner in the criminal case registered in Crime NO. 18 of 2022 for the offences under Sections 409,420,465,468,471 and 506 (i) of IPC on the file of the second respondent police. The allegation as against the petitioner is that he received goods procured from the defacto complainant through A1 who acted like a government servant working as an incharge of Kishan Ration Scheme which is a Central Government Scheme and this petitioner was arrayed as eighth accused as per the statement of the co-accused. The



petitioner also repaid the entire amount for the goods procured from the defacto complainant. Thereafter when he approached the third respondent bank he came to know that his account was frozen. Freezing of the bank account of the petitioner is illegal, contrary to Section 102 of Cr.P.C., and mandatory procedures under Section 102(3) of Cr.P.C., have not been followed, thereby filed the present petition to defreeze the bank account.

3. The learned counsel appearing for the respondents 1 and 2 filed counter denying the averments made in the petition and according to the respondents the defacto complainant lodged complaint stating that on 18.03.2021 one Murugesan and another approached her and told that they are purchaser incharge of Kishan Ration Shop , Government of India and sell the same through ration shop to the general public at subsided price and they are in need of around 500 tons of pulses per month and that if she supplies groceries payment shall be made within two days. On 20.03.2021 they came along with one Jayaganesh and Pandiarajan who are said to be Chairman and Managing Director and they stated that Kissan Ration Shop duly recognized by the Government of India and carry on business of procuring groceries from open market and sell the same to public at subsidized rates and that payment shall be made from M/s.Jaya Traders..



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Believing the above said words, the complainant supplied grains and pulses to the tune of Rs.5,01,07,400/-. In turn the accused paid only a sum of Rs.1,25,00,000/- from the accounts of M/s.Kishan Ration Shop and a sum of Rs.90,00,000/- was paid from M/s.Jaya Traders and totally paid a sum of Rs.2,86,07,400/-. When the defacto complainant along with her husband went to Kishan Ration Shop near Kallikudi and demanded Pandiarajan for the outstanding amount he criminally intimidated them with dire consequences. Therefore based on the said complaint a case has been registered in Crime No.18 of 2021 for the offences under Sections 409,420,465,468,471 and 506(i) of IPC. During investigation they came to know that this petitioner also involved in the occurrence and he was arrayed as an accused for the reason that they are running grocery shop in the name of Karthiga Sritraders and obtained groceries from the Kisan Ration Shop by paying less amount and sold the same for higher amount for his personal enrichment. He was arrested on 13.07.2022 and remanded to judicial custody. Since the amount involved in the criminal transaction was remitted in the account held in the name of the petitioner's company in current account No.369150050800139 and ASA Arumugam Dhall Mill account No.369700150950002 with the Tamil Nadu Mercantile Bank , Virudhungan, he made request to the bank officials to freeze the amount



thereby the account was freezed, therefore prayed to dismiss the petitioner.

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4. Heard both sides and perused the materials available on records.

5. In this case based on the complaint lodged by the defacto complainant a case has been registered against one Jeyaganesh and others and during investigation this petitioner was arrayed as eighth accused for the reason that he also purchased groceries for the lesser amount by knowing well that the accused are not Government workers nor they run kishan ration shop. There is a dispute between two private individual in respect of supplying of goods for that the account of the petitioner has been frozen by the respondent police. The petitioner is not the name accused in the First Information Report and the defacto complainant himself had money dealings with the named accused in the FIR and they have not repaid the money after procuring the goods from the defacto complainant and there is no direct contact between the defacto complainant and this petitioner. There are no materials that the petitioner had dealing with the defacto complainant. Moreover according to the petitioner already he repaid the money and therefore the account of the



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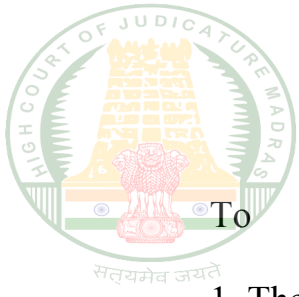
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petitioner need not be frozen. There are no materials produced to prove that the petitioner cheated money and further the amount has not been quantified by the prosecution, therefore freezing the entire account is not permissible. Since the transaction is in respect of sale of goods and there is no direct negotiation between the petitioner and the defacto complainant and without any quantifying amount it is not proper to freeze the account of the petitioner. Since the account of the petitioner has been utilized for the business transaction the petitioner is permitted to operate the bank account on condition that the petitioner shall execute a own bond for the sum of Rs.1,00,000/- before the learned Judicial Magistrate concerned as security. On execution of bond, the third respondent is directed to defreeze the account of the petitioner forthwith

6. With the above direction, the Criminal Original stands allowed.

24.06.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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Virudhunagar District
Virudhunagar

2. The Inspector of Police
District Crime Branch Police Station,
Virudhunagar

3. The Branch Manager,
Tamil Nadu Mercantile Bank,
Allimpatti Branch
Kamarajar Bypass Road,
Virudhunagar

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL,J.

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