



Crl.O.P.No.5319 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.5319 of 2025

K.Kubendran

... Petitioner

Vs

1. The State Rep By,
The Inspector of Police,
Ammamet Police Station,
Salem District.
(Cr.No.1684 of 2024)

2. The Manager,
Indian Bank Main Branch,
Salem.

3. Kannan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the second respondent through first respondent to defreeze the saving Account No.742431477, Indian Bank, Salem Main Branch, pending in Cr.No.1684 of 2024 on the file of the first respondent.

For Petitioner : Mr.B.Vetrivel

For R1 : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER



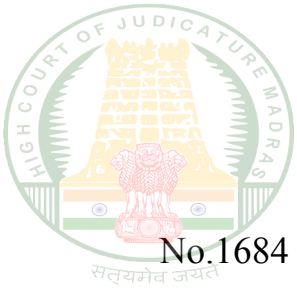
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This petition has been filed to direct the second respondent through first respondent to defreeze the saving Account No.742431477, Indian Bank, Salem Main Branch, pending in Cr.No.1684 of 2024 on the file of the first respondent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.side) for the first respondent and perused the materials placed on record.

3. The petitioner's son-in-law is an accused in Crime No.1684 of 2024 registered for the offence punishable under Section 318(4) of BNS, 2023 and Section 5, 7(3) of Lotteries Regulation Act, 1998. Pursuant to the registration of FIR, the account of the petitioner has been frozen on the request made by the first respondent, on the ground that deposits have been made by the accused in the account of the petitioner from the ill-gotten money. It is nothing but crime proceeds and as such, necessarily it has to be frozen and the investigation to be conducted in this regard. That apart, the first respondent also complied with the provision under Section 104 of Cr.P.C.

4. However, the petitioner is also an accused for the similar offence and he has 26 previous cases. Though the petitioner is not an accused in Crime



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No.1684 of 2024, the ill-gotten money was transferred to the petitioner's account by his son-in-law who is an accused in the said crime. Now, the investigation is pending.

5. Therefore, the direction sought for in this petition cannot be considered. Accordingly, this Criminal Original Petition is dismissed.

26.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Inspector of Police,
Ammamet Police Station,
Salem District.
(Cr.No.1684 of 2024)
2. The Manager,
Indian Bank Main Branch,
Salem.
3. The Public Prosecutor,
High Court, Madras.

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