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CrI.O.P.No. 6902 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM:

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

CrI.O.P.No.6902 of 2025

Naveen Kumar

... Petitioner

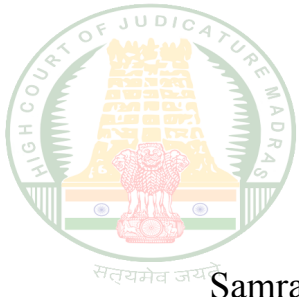
Vs.

1.State rep by
The Inspector of Police,
D-2, Pallapatty Police Station,
Salem City,
Salem District.
(Crime Nos.1292/2023 and 429/2024)

2.The Branch Manager,
The Karnataka Bank Ltd.,
Samraj Nagar Branch,
Bangalore,
Karnataka State.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the first respondent herein to immediately defreeze the petitioner's Bank account of M/s.Sri Shiva Logistics, in Account No.0582000100181801, Karnataka Bank,



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Samraj Nagar Branch, Bangalore, Karnataka State, frozen in connection with Crime Nos.1292 of 2023 and 429 of 2024, on the file of the first respondent police.

For Petitioner : Mr.J.Jayan
For R1 : Mr.A.Gopinath,
Government Advocate (crl.side).

ORDER

This Criminal Original Petition has been filed seeking a direction to the first respondent to de-freeze the petitioner's bank account maintained in the name of M/s. Sri Shiva Logistics, bearing Account No. 0582000100181801 at Karnataka Bank, Samraj Nagar Branch, Bangalore, Karnataka State, which was frozen in connection with Crime Nos. 1292 of 2023 and 429 of 2024.

2. The petitioner is the accused in two criminal cases registered in Crime No.1292 of 2023 and Crime No.429 of 2024, both pending investigation on the file of the first respondent police. The petitioner, a resident of Bangalore and the proprietor of M/s. Sri Shiva Logistics, was



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allegedly found in possession of 501 kilograms of tobacco in Crime No.1292 of 2023 and 252½ kilograms of tobacco in Crime No.429 of 2024. It is alleged that the petitioner was involved in the illegal transportation of tobacco products. Based on the investigation, the first respondent requested the second respondent to freeze the petitioner's bank account, suspecting illegal financial transactions related to the alleged offences. Accordingly, the bank account in question has been frozen. Hence, this petition.

3. The learned counsel for the petitioner submitted that the freezing of the bank account has seriously affected the petitioner's business operations and day-to-day financial commitments. It was contended that the petitioner is ready to cooperate with the investigation and hence, a direction may be issued to de-freeze the bank account to avoid hardship and prejudice caused to the petitioner during the pendency of investigation.

4. The learned Government Advocate (crl.side) appearing for the



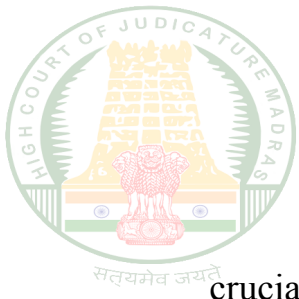
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first respondent submitted that the freezing of the bank account was necessary in view of the ongoing investigation into the illegal possession and transportation of tobacco products by the petitioner. It was further submitted that significant deposits were found in the said account, raising suspicion about the proceeds of crime. The freezing was done in compliance with the procedure laid down under Section 106 of the Bharatiya Nagarik Suraksha Sanhita, 2023. As the investigation is still pending, any premature direction to de-freeze the account would hamper the ongoing probe.

5. Heard both sides and perused the materials placed before this Court.

6. On careful consideration of the submissions and the materials available on record, it is evident that the freezing of the petitioner's bank account was done at the instance of the first respondent in connection with two criminal cases involving the alleged illegal possession and transportation of large quantities of tobacco. The investigation is still at a



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crucial stage, and the account has been frozen in accordance with the statutory provisions under Section 106 of BNSS, 2023. The petitioner has not made out a case of arbitrariness or illegality in the action taken by the police authorities. At this stage, when the investigation is yet to be completed and the financial transactions in the account are under scrutiny, no direction can be issued to de-freeze the account, as it may affect the course of investigation.

7. In view of the above, this Criminal Original Petition stands dismissed.

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Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

shk

To

1. The Inspector of Police,
D-2, Pallapatty Police Station,
Salem City,
Salem District.

2.The Branch Manager,
The Karnataka Bank Ltd.,
Samraj Nagar Branch,
Bangalore,
Karnataka State.

3. The Public Prosecutor,
High Court, Madras.

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