



Criminal Original Petition No.7893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Criminal Original Petition No.7893 of 2023

K.Nagamuthu Manickam
S/o. Kannivel

Petitioner

Vs

1.The Superintendent of Police,
Economic Offence Wing-II,
Ashok Nagar Camp, Chennai.

2.The Additional Superintendent of Police,
Economic Offence Wing-II,
Ashok Nagar Camp, Chennai.

3.The Branch Manager,
Ujivan Small Finance Bank Limited,
E-Raja Street, Big Kancheepuram.

Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure directing the respondents to de-freeze the petitioner's current Account in A/c.No.1647120020000145 in Ujivan Small Finance Bank Limited, E-Raja Street, Big Kancheepuram.

For Petitioner : Ms.T.Gnana Banu

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor [R1 & R2]
Mr.S.Sheik Ismail [R3]



Criminal Original Petition No.7893 of 2023

WEB COPY

ORDER

This Criminal Original Petition is filed seeking for a direction directing the respondents to de-freeze the petitioner's current Account in A/c.No.1647120020000145 in Ujivan Small Finance Bank Limited, E-Raja Street, Big Kancheepuram.

2. The learned counsel for the petitioner submitted that the petitioner is maintaining a current Account bearing A/c.No.1647120020000145 with the 3rd respondent Bank for the past five years. The petitioner and his brother namely Rajasenthamarai jointly running a business in the name of GKM Catering Service, GKM Subha Magalam Tour and Travel Limited, and GKM Impex Pvt. Ltd. There were regular transactions in the above said account. During their transactions, they were in continuous withdrawal and deposit in the aforesaid Bank account and the petitioner also paying the necessary taxes for the aforesaid income of the above said credits. While so, all of a sudden, the petitioner's account was frozen by the 3rd respondent. Hence the petitioner had filed the present petition to de-freeze the petitioner's current Account maintained with the 3rd respondent-Bank.



WEB COPY

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the case in EOW-II, Chennai in Cr.No.07 of 2022 under Section 420, 406, 409, 204, 201, 120(B), 109, 34 IPC and Section 5 of TNPID Act 1997 and Sec 3, 5, 21(1), 21(2), 21(3), 23 & 25 of BUDS Act 2019 was registered based on the complaint of Deputy Superintendent of Police, EOW, Chennai on 20.05.2022 involving financial fraud, cheating, criminal breach of trust, collection of unregulated deposits, wherein 40 persons have been arrayed as accused and the petitioner's brother namely Rajasenthamarai, was arrayed as A23. During investigation, it was found that there were huge amount of transactions between first accused company namely Aarudhra Trading Pvt. Ltd., and the petitioner's Bank account. The petitioner had received a sum of Rs.3.27 crores from the Bank account of the first accused Company, namely Aarudhra Trading Pvt. Ltd., in suspicious manner. Therefore, the petitioner's Bank account has been freezed, on the request made by the first and second respondents. Further, he would submit that the best part of investigation is completed and final report is yet to be filed. Therefore, he prayed for dismissal of the present petition.



Criminal Original Petition No.7893 of 2023

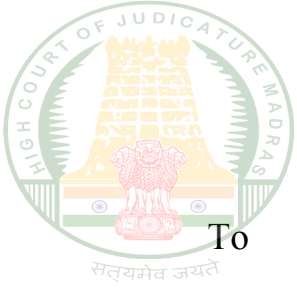
4. Heard both sides and perused the materials available on record.

5. Upon considering the submissions made by the learned counsel on either side, it appears that the petitioner's brother has been arrayed as A23 in Crime No.7 of 2022, and there were huge transactions between the petitioner's Bank account and the first accused Company. The petitioner's Bank account was freezed on account of suspicious transactions. Taking note of the serious allegations levelled in this case, this Court is of the view that the prayer sought for by the petitioner to de-freeze the Bank account of the petitioner maintained with the 3rd respondent-Bank cannot be granted.

6. Accordingly, the Criminal Original Petition is dismissed.

26.02.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
jd



Criminal Original Petition No.7893 of 2023

To

WEB COPY

1.The Superintendent of Police,
Economic Offence Wing-II,
Ashok Nagar Camp, Chennai.

2.The Additional Superintendent of Police,
Economic Offence Wing-II,
Ashok Nagar Camp, Chennai.

3.The Branch Manager,
Ujivan Small Finance Bank Limited,
E-Raja Street, Big Kancheepuram.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



Criminal Original Petition No.7893 of 2023

G.K.ILANTHIRAIYAN, J

jd

Criminal Original Petition No.7893 of 2023

26.02.2025