



*Crl.O.P.No.9347 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 28.03.2025

CORAM:

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

Criminal Original Petition No. 9347 of 2025

Murugesan

.. Petitioner

Versus

1.State rep by its,  
The Inspector of Police,  
Thakkolam Police Station,  
Ranipet District.  
(Crime No.132 of 2024)

2.The Manager,  
Indian Bank,  
Kammavarapalayam Branch Main Road,  
Kammavarapalayam – 631502,  
Kancheepuram District.

.. Respondents

Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the Respondent Police to defreeze the bank account maintained by the petitioner with Indian Bank, Account No.957262265 in I.F.S.C:IDIB000K011, Kammavarapalayam Branch at Kancheepuram District.

For Petitioner : Mr. Dayalan

For Respondents : Mr. A. Gopinath  
Government Advocate (Criminal Side) for R1



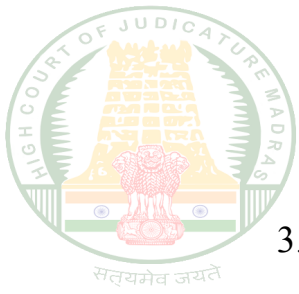
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## **ORDER**

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This Criminal Original Petition has been filed to direct the respondent Police to defreeze the bank account maintained by the petitioner with Indian Bank, Account No.957262265 in I.F.S.C:IDIB000K011, Kammavarapalayam Branch at Kancheepuram District.

2. On 10.08.2024, while the respondent Police was on routine patrol, they intercepted the petitioner and found that he was in illegal possession of 6 bottles of Monitor Brandy, each containing 180 ml, for sale. Out of the 6 bottles, two bottles were in opened condition. Hence, a case was registered for the alleged offences punishable under Sections 4(1)(C) & 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act, 2024 as against the petitioner. Upon registration of the case, the petitioner was arrested and remanded to judicial custody and subsequently, he was let on bail. In the meantime, during investigation, the respondent found that the petitioner is maintaining a bank account with Indian Bank and it was directed to be freezed by the second respondent on the ground that the ill gotten money are being deposited into the said account by the petitioner. Seeking to de-freeze the bank account, the petitioner has come up with this petition.



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3. The learned counsel for the petitioner submitted that the son of the petitioner has no bank account and therefore, the loan amount of Rs.1,00,000/- availed by the petitioner's son under SMFG Gramshakthi Scheme has been deposited into the bank account of the petitioner. Alleging that the sum of Rs.1,00,000/- was illegally procured amount by the petitioner, the first respondent directed the second respondent to freeze the account, with the result, the petitioner's son, who is in no way connected with the offence, could not utilize the loan amount availed for house development. The learned counsel for the petitioner therefore prayed this Court to issue appropriate direction to the respondents to de-freeze the account of the petitioner.

4. On instructions, the learned Government Advocate (Criminal side) appearing for the first respondent submitted that the petitioner is a habitual offender and he has more than eight cases, out of which, in four cases, he was convicted and the remaining four cases are under trial.

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

6. On perusal of records, it shows that the petitioner is having a bank account in Indian Bank vide Account No.957262265 with the second



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respondent herein. During the course of investigation in Crime No. 132 of WEB C 2024, alleging that some illegally earned money out of commission of the aforesaid offences under TNP Act have been deposited by the petitioner in his account maintained with the second respondent, the first respondent directed the second respondent to freeze the account. Accordingly, the second respondent had frozen the petitioner's account, with the result, the petitioner could not operate the account.

7. Having regard to the fact that the loan amount of Rs.1,00,000/- availed by the petitioner's son has been credited to the loan account of the petitioner, the second respondent is directed to release only a sum Rs.1,00,000/- from the petitioner's account. The second respondent is directed not to release any amount over and above Rs.1,00,000/- from the account of the petitioner to facilitate the on-going investigation conducted by the first respondent.

8. With the above direction, this Criminal Original Petition stands disposed of.

28.03.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
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1. The Inspector of Police,  
Thakkolam Police Station,  
Ranipet District.
2. The Public Prosecutor,  
High Court, Madras.



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**G.K.ILANTHIRAIYAN, J.**

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