



Crl. O.P. No. 7084 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 7084 of 2025

P. Geethanjali

... Petitioner

Vs

1.State represented by,
The Inspector of Police,
Peelamedu Police Station,
Coimbatore.

2.The Inspector of Police,
Central Crime Branch,
Coimbatore.

3.The Branch Manager,
State Bank of India,
Vellalur Branch – 15900,
No.1/7, L.G. Nagar Phase-2
Vellalur Main Road, Vellalur,
Coimbatore – 641 111.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to direct the first respondent and second respondent to defreeze the bank account maintained by the petitioner with the third respondent bearing Account No. 40657842192 and Locker No. B28.



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For Petitioner : Mr. K. Balasubramaniam

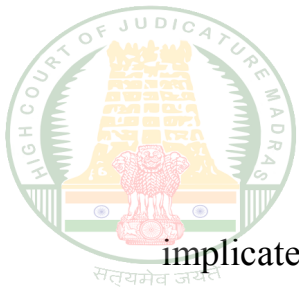
For Respondents : Mr. A. Gopinath, for R1 & R2
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed for a direction to direct the respondents 1 and 2 to de-freeze the bank account of the petitioner maintained with the third respondent bearing Account No. 40657842192 and Locker No. B28.

2. The petitioner is an accused in Crime No.546 of 2023 registered for the offences punishable under Sections 406, 420, 120B, 294(b), 506(ii) IPC on the file of the second respondent. After registration of FIR, the second respondent sent a communication to the third respondent to freeze the account maintained by the petitioner.

3. The case of the prosecution is that, the first accused involved in the business of selling yarn in the name and style of M/s. Flavio Tex Innovations. The first accused had contacted the defacto complainant to supply yarn to the his company. The petitioner being the daughter of the first accused has been



implicated as an accused and she repeatedly contacted the defacto complainant for supply of yarn. Thereafter, the first accused had visited the office of the defacto complainant and placed order for supply of yarn to the tune of Rs.62,71,650/-.

4. Accordingly, the defacto complainant had supplied yarn on condition that the payment should be made within a period of 5-7 working days from the date of purchase order. Though the first accused transferred Rs.4,00,000/- in favour of the defacto complainant, balance amount was not paid. Thereafter, the defacto complainant supplied yarn to the tune of Rs.1,08,10,144/-. However, so far the defacto complainant received only Rs.57,04,500/- and for the balance amount, the first accused issued two cheques each for a sum of Rs.15,00,000/-. However, the said cheque was returned dishonoured for the reason “payment stopped by drawer”. Therefore, there was outstanding of Rs.48,05,644/- on 21.04.2022. When it was asked by the defacto complainant, the A1 and A2 threatened him with dire consequences.

5. Therefore, it is completely commercial transaction between the accused and the defacto complainant and even though, the second respondent



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registered the FIR for the offences punishable under Sections 406, 420, 120B, 294(b), 506(ii) IPC, in pursuant to the registration of FIR, the second respondent also requested the third respondent, who is being the banker of the petitioner to freeze the account of the petitioner. In fact the FIR was also challenged before this Court in Crl. O.P. No. 22861 of 2023 and the same has been stayed by an order dated 22.01.2024.

6. In view of the above, this Court finds infirmity in the action taken by the second respondent to freeze the account of the petitioner with the third respondent.

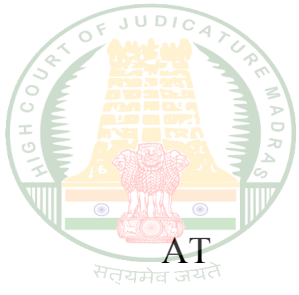
7. In view of the above, the third respondent is directed to de-freeze the petitioner's account bearing Account No. 40657842192 and Locker No. B28 and permit the petitioner to operate the said account.

8. With the above direction, the Criminal Original Petition stands allowed.

12.03.2025

Index: Yes/No

Neutral Citation : Yes/No



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To

- 1.The Inspector of Police,
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Coimbatore.
- 2.The Inspector of Police,
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Coimbatore.
- 3.The Branch Manager,
State Bank of India,
Vellalur Branch – 15900,
No.1/7, L.G. Nagar Phase-2
Vellalur Main Road, Vellalur,
Coimbatore – 641 111.
- 4.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

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