

Crl.OP.No.25053 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.25053 of 2025
and Crl.M.P.No.27008 of 2025

Paavan Nanda

... Petitioner

Vs.

The Inspector of Police,
Cyber Crime Wing,
Tambaram City Police,
Chennai-600 059.

... Respondent

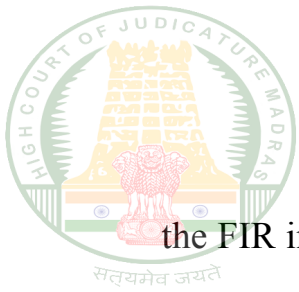
Prayer: Petition filed under Section 528 of BNSS, to call for the records in Crime No.106/2024 (CCD-1) registered on 17.10.2024, on the file of the respondent herein and quash the undated notice issued under Section 35(3) of the BNSS by the respondent.

For Petitioner : Mr.Abhishek Malhotra, Sr. Counsel
Asst. by Mr.A.R.Pradeep &
Mr.Angad S Dugal

For Respondent : Mr.R.Vinothraja, GA (Crl. Side)

ORDER

Challenging the undated Notice issued under Section 35(3) of the BNSS by the respondent herein and also calling for the records pertaining to



Crl.OP.No.25053 of 2025

the FIR in Crime No.106/2024 (CCD-1) registered on 17.10.2024 on the file

of the respondent, the present Criminal Original Petition has been filed by the petitioner.

2. Heard the learned Senior counsel for the petitioner as well as the learned Government Advocate (Crl. Side) appearing on behalf of the respondent.

3. The learned Senior counsel for the petitioner submitted that the undated notice issued under Section 35(3) to the petitioner is unsustainable, as the petitioner's name was not found place in the FIR and the alleged FIR in Crime No.106 of 2024 has no nexus with the petitioner's frozen account. Hence, the impugned notice issued under Section 35(3) has to be quashed.

4. In furtherance, he contended that the respondent without any notice, jurisdiction and following any mandatory safeguards of BNSS, had frozen the bank account of the petitioner maintained with the HDFC Bank. He further submitted that the petitioner had made detailed representations to the respondent herein, Bank as well as to the Director General of Police, Chennai; the Assistant Commissioner of Police, Chennai; the Deputy



Commissioner of Police, Tambaram and the the Deputy Commissioner of

Police, Cyber Crime Bureau, Chennai for de-freezing the said account but there was no action on the part of the police officials. He also seeks intervention of this Court to issue a direction to the respondent concerned to de-freeze the petitioner's account so that the petitioner can access and operate the same rescuing him from insurmountable operational impediments and other consequences.

5. Per contra, the learned Government Advocate submitted that based on the on-line crime, a case has been registered against two accused and they were arrested. On the confession of one of the accused, it came to focus that certain amounts have been transferred by the accused to the petitioner. He submitted that the account of the petitioner is a 9th layer account which has only a lien over amount of Rs.230/-. He further submitted that the petitioner has not been arrayed as an accused in the FIR as on date and moreover, due to certain facts revealed by the other accused, the respondent had issued notice calling upon the petitioner for enquiry along with relevant documents.



Crl.OP.No.25053 of 2025

WEB COPY

6. In such view of the matter, this Court directs the petitioner to appear before the respondent with relevant documents and co-operate for investigation. The respondent police is directed to complete the investigation within a day or two. This Court is of the opinion that since the petitioner's account is a 9th layer account, there is no financial implications for the HDFC Bank to de-freeze the petitioner's account. The respondent shall keep the lien over amount of Rs.230/- and permit the petitioner to operate the balance amount by de-freezing the subject account. Accordingly, the petitioner is permitted to access and operate the balance amount apart from the lien over amount of Rs.230/-. In view of the aforesaid reasons, there shall be a direction to the respondent herein to issue necessary instructions to the concerned Bank in this regard.

7. With the above directions, the Criminal Original Petition stands closed.

11.09.2025

Index: Yes/No
NCC : Yes/No
DP

Page 4 of 6



WEB COPY



Crl.OP.No.25053 of 2025

To

1.The Inspector of Police,
Cyber Crime Wing,
Tambaram City Police,
Chennai-600 059.

2.The Public Prosecutor,
Madras High Court.



WEB COPY



Crl.OP.No.25053 of 2025

N.SATHISH KUMAR.J.

DP

Crl.O.P.No.25053 of 2025
and Crl.M.P.No.27008 of 2025

11.09.2025