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Crl.R.C.No.106 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.106 of 2025

M.Keli Devi

W/o.Ashok Patel

... Petitioner

..VS..

1. The State
Rep by the Inspector of Police
C-3, Seven Wells Police Station
Crime No.158/2023
2. The Branch Manager
ICICI Bank, Old Washermenpet Branch
No.102/145, G.A.Road,
Old Washermenpet
Chennai-600 021.

... Respondents

Criminal Revision Case filed under Sections 438 of BNSS, 2023 read with 442 of BNSS,2023 to set aside the dismissal order in Crl.M.P.No.15333 of 2024 dated 11.12.2024 passed by the learned VIII Metropolitan Magistrate Court, George Town, Chennai and direct the respondents to De-freeze the bank account which was maintained by the petitioner in the 2nd respondent Bank.



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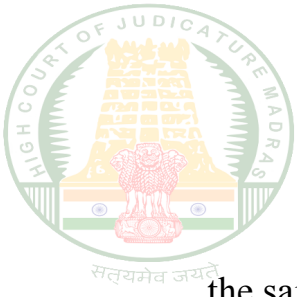
Crl.R.C.No.106 of 2025

For Petitioner : No appearance
For Respondents : Mr.S.Sugendran
Additional Public Prosecutor
for R1

ORDER

This Criminal Revision Petition is preferred against the order dated 11.12.2024 passed in Crl.M.P.No.15333 of 2024 by the learned VIII Metropolitan Magistrate, George Town, Chennai and direct the respondents to de-freeze the Bank account which was maintained by the petitioner in the second respondent Bank.

2. It is seen from the records that a case in Crime No.158 of 2023 was registered as against the petitioner's husband Ashok Patel for the offences under Section 328 IPC read with Section 24(1) of the Cigarettes and Other Tobacco Products Act, 2003. Pending investigation, the petitioner's Bank account, which was maintained with the second respondent-Bank was freezed by the first respondent – Police. Therefore, the petitioner filed a petition in Crl.M.P.No.15333 of 2024 before the Court below seeking to de-freeze the account of the petitioner. The learned Magistrate, after enquiry, *vide* order dated 11.12.2024 dismissed



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the said petition and as against the said order, the present revision petition has been filed by the petitioner.

3. There is no representation for the petitioner.

4. Learned Additional Public Prosecutor appearing for the first respondent–Police, on instructions submitted that during investigation, the respondent – Police suspected that the money earned by the petitioner’s husband through the illegal activities was deposited in the petitioner’s Bank account and that they freezed the Bank account of the petitioner. He further submitted that now the investigation is over and charge sheet has already been filed through e-filing on 14.02.2025 *vide* LTN No.20220002769/C20250009 before the VIII Metropolitan Magistrate, George Town, Chennai.

5. On a perusal of the records it is seen that at the time of filing of the petition before the Court below, the investigation was in initial stage, therefore, the learned Magistrate taking note of stage of investigation and dismissed the petition. However, from the submission of the learned



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Additional Public Prosecutor, it would reveal that now the investigation is over and charge sheet has already been filed before the Court below. Therefore, after trial only, it would come to light as to whether any money derived from illegal source was deposited in the petitioner's Bank account or not, but not at this stage. Hence, this Court does not find any reason to interfere with the order passed by the Court below and there is no merit in the revision petition. However, it is open to the petitioner to work out her remedy before the Court below, where the charge sheet was filed.

6. In view of the above, this Criminal Revision Petition is dismissed.

09.04.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation Case : Yes/No
ms



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To

1. The VIII Metropolitan Magistrate
VIII Metropolitan Magistrate Court,
George Town, Chennai.
2. The Inspector of Police
C-3, Seven Wells Police Station.
3. The Public Prosecutor
High Court, Madras.



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P.VELMURUGAN, J.

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