IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2026

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THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No. 6237 of 2026

Mr.K.Mohan ..Petitioner

Vs.

1. State rep. by its
   The Inspector of Police,
   Central Crime Branch,
   Avadi City,
   (CCB Cr.No. 133 of 2025).

2. The Manager,
   State Bank of India,
   Aminjikarai Branch,
   Chenna I – 600 029. ..Respondents

Prayer: Criminal Original Petition filed under Section 528 of BNSS to direct the respondents to defreeze the petitioner's bank account bearing SB A/c. No. 30138476015 being maintained in the 2nd respondent bank within the stipulated time as this Hon'ble Court may deem fit and proper.

For Petitioner	::	Mr.E.K. Vinod
For Respondents	::	Mr.A. Amarnath Counsel for Govt. of Tamil Nadu (Crl.Side) for R1 Mr.Nithyaesh Natraj for R2

ORDER

This criminal original petition is filed seeking a direction to the respondents to defreeze the petitioner's bank account bearing SB A/c. No. 30138476015 maintained in the 2nd respondent bank within a stipulated time.

2. The petitioner is an Advocate by profession. According to the petitioner, he was the legal advisor for A1, Arivu Nambi, in his criminal case and the said Arivu Nambi, had been paying fees to him regularly by crediting to his bank account bearing No. 30138476015 maintained with State Bank of India, Aminjikarai Branch. A sum of Rs.2,31,750/- has been received towards his fees from 20.03.2025 to 05.12.2025. However, this amount has been projected as though the petitioner has received the ill-gotten money from the accused. Further, according to the petitioner, in this case, before freezing the petitioner's bank account, the procedure contemplated under Section 107 Cr.P.C. has not been followed.

3. Counter affidavit has been filed by the learned Government Counsel for the 1st respondent and the same is scanned and reproduced below:

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Original Jurisdiction)
Crl.O.P.No. 6237 of 2026
In
Cr.No.133 of 2025
(On the file of the Inspector of Police, Avadi City CCB, Avadi)

K.Mohan, M/A-37
S/o. Kuppan,
No.29/12, Vaithiyanathan street,
Shenoy nagar,
Chennai- 600030. … Petitioner

-Vs-

State Rep By,

The Inspector of Police,
Avadi City CCB,
Avadi.
Crime No.133 of 2025] …Respondent/Complainant

COUNTER AFFIDAVIT FILED BY SAHAYA SELVIN, INSPECTOR OF POLICE, CENTRAL CRIME BRANCH, LD- V TEAM, AVADI COMMMISSIONERATE, CHENNAI.

1. It is submitted that I am presently working as Inspector of Police, Central Crime Branch, LD-V Team, Avadi Commissionerate, Chennai. I am the Investigation Officer of this case and also the Respondent herein. As I am well acquainted with the facts and circumstances of this case, I am filing this counter affidavit for direction petition to defreeze the petitioner's bank account, before this Honourable High Court, Madras.

2. It is further submitted that the case of the prosecution is that the de-facto complainant namely

G.R. Sahaya Selvin.
Inspector of Police,
Central Crime Branch,
Avadi Commissionerate

Tr. Rajkumar lodged a complaint by stating that he saw the advertisement with regard to the rental/lease for residential house, based on the advertisement he approached one Arivunambi on 13.09.2025 at KP Facility Management office located at Thulasidoss nagar 3rd street, Poonamallee at that time the said Arivunambi informed that he was the owner of the house and asked to pay the lease amount of Rs.2,00,000/-. Based on his sweet coated words, the de-facto complainant had given Rs.2,00,000/-,made lease agreement and occupied the house. Meantime, one Chandrasekaran came to his residential home, informed that the monthly rent has not paid to him on routine and hence he asked to vacate the house. Immediately, the de-facto complainant called the said Arivunambi over phone and asked to settle the lease amount and Arivunambi agreed to repay the lease amount. But Arivunambi has not returned the lease amount to the de-facto complainant till date also cheated him. Further the de-facto complainant added that the above said Arivunambi has collected lease amount around 58,75,000/- from 11 innocent victims thus cheated them and requested to take action. Hence, the complaint was registered.

3. It is further submitted that based on above complaint, a case was registered in T12 Poonamallee Police Station Cr.No.885/2025, U/s. 316(2), 318(2) BNS against the accused person on 07.12.2025 at about 12.00 hours and taken for investigation.

G.R. Sahaya Sefrin.
Inspector of Police,
Central Crime Branch,
Avadi Commissionerate

4. Further it is submitted that during the investigation, the accused A1 Arivunambi and A2 Mohana have been arrested on 07.12.2025 and sent for judicial custody by Poonamallee Police on the same day.

5. It is further submitted that during the investigation, many victims have filed petition against the accused A1 Arivunambi with regard to the cheating of the rental/lease amount and as the same is more than 50 lakhs, the case diary was transferred to the Central Crime Branch, Avadi Police Commissionerate on pecuniary jurisdiction for further investigation.

6. It is respectfully submitted that based on the instructions of the superior officers, a case was re-registered in CCB Cr.No.133/2025, u/s. 316(2) and 318(2) BNS on 15.12.2025 and further investigation was taken up.

7. It is further submitted that during the course of investigation, the respondent Police examined the de-facto complainant and other witnesses and recorded their statements.

8. It is submitted that for investigation purpose the said accused A1 Arivunambi and A2 Mohana were taken for police custody investigation from 19.12.2025 to 21.12.2025, their confessions were recorded, and after the completion of police custody investigation they were sent to judicial custody on

G.R. Sahaya Sefrin.
Inspector of Police,
Central Crime Branch,
Avadi Commissionerate

22.12.2025. The Investigation reveals that th accused conspired with each other, collected th details of the rental house owners, received th homes for rents, made false lease agreement with tenants, collected the huge lease amount from them, failed to give the rents properly to the house owners by committing the offence of attaining wrongful gain and also caused irreparable loss to 159 victims to the tune of Rs.6.91 crores.

9. It is further submitted that the accused A1 Arivunambi was detained under Act-IV vide BDGISSV No. 03/2026 on 09.01.2026 and till now he is in Puzhal Jail.

10. It is further submitted that the specific overt act of the accused persons are listed below:

Accused Name & Rank	Overt act	Remand detail
Arivunambi A1	He was running a firm in the name of K.P. Facility Management, conspired with A2 Mohana, collected the details of the rental house and owners name and etc., made false lease agreement with tenants, collected the huge lease amount from them, failed to give the rents properly to the house owners, cheated the tenants as well as house owners, attained wrongful gain and also caused irreparable loss to 159 victims to the tune of Rs.6.91 crores.	The accused arrested 07.12.2025, ta for police cust investigation from 19.12.20 to 21.12.20 and sent judicial cust on 22.12.202 He was detair under Act-IV 09.01.2026 vi BDFGISSV N 03/2026.

A.R. Sahaya Sefrin
Inspector of Po
Central Crime Br
Avadi Commissic

Mohana A2	She was employee of the said KP Management, colluded with accused A1, collected money from the victims and cheated.	She was arrested on 07.12.2025 and was released on bail.

11. It is further submitted that during the investigation the bank account transaction details of the accused A1 Arivunambi has been collected from the Tamil Nadu Mercantile Bank Madambakkam Branch account No.445538888888888 IFSC Code TMBL0000445 for the period from 1st Jan'2025 to 16th Dec'2025.

12. Further it is submitted that on perusal of the statement of Tamil Nadu Mercantile Bank Madambakkam Branch account No.445538888888888, it is clearly shown that the following money transactions have been made from the accused A1 Arivunambi's account to the petitioner's State Bank of India, Aminjikarai branch savings Account No.30138476015 to the tune of Rs.2,31,750/- (Two lakhs thirty one thousand and Seven Fifty Rupees)

S.No	Date	Amount - Rs.
1	20.03.2025	5000
2	20.06.2025	12000
3	20.06.2025	3000
4	30.06.2025	5000
5	01.07.2025	8000
6	31.07.2025	3000
7	22.11.2025	2000
8	24.11.2025	15000
9	24.11.2025	21000
10	24.11.2025	2000

G.R. Belvin
Inspector of Polic
Central Crime Branc
Avadi Commissioner

	25.11.2025	
11	26.11.2025	1000
12	26.11.2025	15000
13	27.11.2025	1000
14	27.11.2025	1500
15	27.11.2025	250
16	28.11.2025	14000
17	28.11.2025	1000
18	29.11.2025	15000
19	29.11.2025	1000
20	29.11.2025	400
21	30.11.2025	18000
22	01.12.2025	17000
23	01.12.2025	15000
24	01.12.2025	1500
25	01.12.2025	500
26	02.12.2025	1200
27	02.12.2025	5000
28	02.12.2025	1800
29	03.12.2025	20000
30	03.12.2025	1500
31	04.12.2025	300
32	04.12.2025	4000
33	05.12.2025	1800
34	05.12.2025	15000
35		3000
		2,31,750

13. It is further submitted that during t[...] course of investigation, on 24.12.2025, a requisiti[...] has been sent to the concerned bank to freeze t[...] petitioner's bank account No. 445538888888888. Bas[...] on the requisition, the concerned bank authori[...] froze the petitioner's said bank account f[...] investigation purpose only. Likewise, totally 32 ba[...] accounts have been frozen for investigation purpos[...] those who have received money from the accused [...] Arivumambi's Tamil Nadu Mercantile Bank Account

G.R. Sahaya

Inspector of Polic[...]
Central Crime Branc[...]

14. It is further submitted that aggrieved over the above freeze of bank account, the Petitioner has filed this direction petition to defreeze his bank account before the Hon'ble High Court only to drag on the investigation proceedings.

15. It is further submitted that at this stage, if the petitioner's account is defrozen, the all others persons cited above also would file a petition to defreeze their bank accounts. If their bank accounts also would have defrozen, justice will be under questionable to the innocent victims. Therefore, I strongly object for the above direction petition filed by the Petitioner.

It is therefore prayed that this Hon'ble Court may be pleased to accept this counter affidavit and dismiss the above direction Petition as devoid of merits and thus render justice.

Dated at Chennai that this 23 day of March'2026.

S.R. Sahaya Selvin.
23/03/26

Inspector of Police,
Central Crime Branch,
Avadi Commissionerate
Avadi, Chennai - 54.

[S.R.SAHAYA SELVIN],
INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, LD- V,
AVADI COMMMISSIONERATE,
CHENNAI.

4. Learned counsel for the 2nd respondent submitted that on the instructions of the 1st respondent, the petitioner's bank account has been freezed.

5. Heard the learned counsel for the parties.

6. From the counter, it is seen that the petitioner has periodically received amounts on 35 occasions between 20.03.2025 and 05.12.2025. The petitioner explanation is that it is the fee paid by A1 Arivu Nambi to him for the legal services rendered. However, learned Government Counsel for the 1st respondent would submit that A1 is a regular offender having cheated several persons and he has cheated 159 victims so far. The said Arivu Nambi has been detained under Goondas Act. He further submitted that investigation is in progress and totally 32 bank accounts of various persons have been frozen for investigation purpose and the petitioner's bank account has also been frozen only for the purpose of investigation.

7. Considering the submissions made and the disputed amount lying in petitioner's account is Rs.2,31,750/-, the said amount can be kept on lien and the petitioner can be permitted to operate his bank account.

8. Hence, the criminal original petition is disposed of directing the 2nd respondent to keep a lien over the disputed amount of

Rs.2,31,750/- said to have been received from A1 and defreeze the account of the petitioner bearing SB A/c. No. 30138476015 maintained with the 2nd respondent Bank, Aminjikarai Branch, so that the petitioner can operate his bank account.

02.06.2026

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To

The Inspector of Police,
Central Crime Branch,
Avadi City,
(CCB Cr.No. 133 of 2025).

2. The Manager,
State Bank of India,
Aminjikarai Branch,
Chenna I – 600 029.

3. The Public Prosecutor,
High Court, Madras.

M. NIRMAL KUMAR,J.

nv

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