



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15513 of 2026

V.Suyamburaj
S/o.Lingam,
Residing at No.104,
VTC, Velliampathy,
Athiyur Post, Avinasi,
TIRUPPUR DISTRICT - 638 103.

..Petitioner(s)

Vs

1. The Superintendent Of Police (SP),
Superintendent Of Police (SP) Office,
Tiruppur District.
2. The Inspector Of Police,
Kunnathur Police Station,
Kunnathur, Tiruppur District.
Cr.No.18/2022.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, 2023 to direct the 2nd Respondent herein to Defreeze the petitioner's Savings bank Account in Account No.203100710400550 with Tamilnadu Mercantile Bank Ltd, Kunnathur Branch and Account No.35203847027 with State Bank of India, Kunnathur Branch by Frozen in connection with Cr.No.18 of 2022 on the file of the 2nd respondent police by considering the petitioner representation dated 10.01.2026.

For Petitioner(s):

Mr.S.Vinoth Kumar

For Respondent(s):

Mr.R.Rajasekaran
Govt.Advocate (Crl.side)



ORDER

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The petitioner is shown as accused in Crime No.18/2022 and case was registered on 21.01.2022 for offences under sections 6 (b) and 24(1) of Cigarette and other Tobacco Products Acts 2003.

2.The case projected against the petitioner is that on 21.02.2022 at about 6.00p.m. the respondent police searched the petitioner's shop namely Athiyur Vishnu shop. At that time, the petitioner was found to be in possession 5 pockets of Hans for sale, which is a prohibited items.

3.The learned counsel appearing for the petitioner submitted that the case was registered against the petitioner for possession of 5 pockets Hans, which was seized in the presence of one Anandan and Venkatraman, the police constables and Sub Inspector of Police, Duraisamy, who registered and investigated the case. In the meantime, the petitioner's bank managers, namely, Tamil Nadu Mercantile bank Ltd., Kunnathur Branch and State Bank of India, Kunnathur Branch, informed the petitioner that they have received instructions from the Kunnathur Police station to freeze the petitioner's bank Accounts No.203100710400550 on 01.07.2022 and Account No.35203847027 on 12.07.2022 respectively.

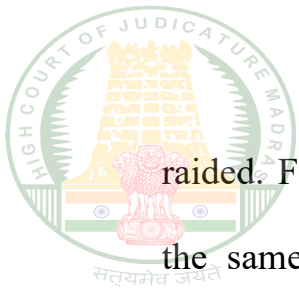


4. Further, the learned counsel for the petitioner submitted that after investigation, charge sheet made ready on the same day i.e. on 21.01.2022.

Later, it was filed before the District Munsif cum Judicial Magistrate on 15.02.2022. The petitioner appeared before the Magistrate and pleaded guilty on 18.05.2022 and the petitioner was imposed with a fine of Rs.200/- and the same was paid. Thereafter, the petitioner approached the banks but it was informed that the freezing instructions given by the respondent police is still in force. Thereafter, the petitioner sent a representation to the Superintendent of Police, Tiruppur as well as to the Inspector of Police, Kunnathur, on 10.01.2026 and the same was received on 16.01.2026 but the respondent police have so far not taken any steps. Hence filed this present petition.

5. The learned Govt. Advocate (Crl.side) appearing for the respondents fairly submitted that petitioner's representation dated 10.01.2026 was received by the respondent police on 16.01.2026. Thereafter, it was not acted upon. This court is not appreciative of the manner in which the respondent police acted after receipt of representation. In this case, the learned Govt. Advocate (Crl.side) had also not disputed the above submission of the petitioner.

6. Considering the submissions made and on perusal of the materials available on record, it is seen that on 21.01.2022, the petitioner's shop was

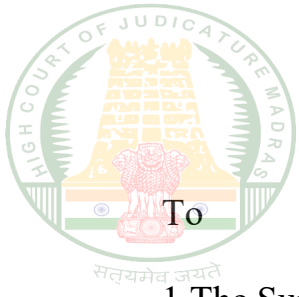


raided. Five packets of Hans were seized and the petitioner was arrested. On the same day, after registration of FIR, charge sheet also made ready, no individual examined. The three witnesses cited are police personnel. It is further seen that instructions were issued to freeze the petitioner's bank accounts. However, the same was not informed to the Court, which is a mandatory requirement. The respondent police not followed the same. Further, the charge sheet does not disclose any trail of amount or justification for issuance of freezing instructions.

7. In view of the above, this Court finds that the act of the respondent police is arbitrary and high-handed. Hence, the freezing instruction given by the respondent police to the branch Managers of Tamil Nadu Mercantile Bank Ltd., Kunnathur Branch and State Bank of India, Kunnathur Branch, dated 01.07.2022 and dated 12.07.2022 are hereby set aside and the bank managers namely, Tamil Nadu Mercantile Bank Ltd., Kunnathur Branch and State Bank of India, Kunnathur Branch, are directed to permit the petitioner to operate his bank accounts namely No.203100710400550 and No.35203847027 respectively. Accordingly, the criminal original petition is allowed.

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms

19-06-2026



To

1. The Superintendent Of Police (SP),
Superintendent Of Police (SP) Office,
Tiruppur District.
2. The Inspector Of Police,
Kunnathur Police Station,
Kunnathur, Tiruppur District.
Cr.No.18/2022.
3. The Manager,
Tamil Nadu Mercantile Bank Ltd.,
Kunnathur Branch, Kunnathur.
4. The Manager,
State Bank of India,
Kunnathur Branch, Kunnathur.
5. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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