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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

Case QR

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THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

CRL OP No.29624 of 2026

CNR: {HCMA012393152026}

Banumathi ..Petitioner

Vs

1. The Inspector of Police,
   SPE CBI ACB,
   Chennai.

2. The Branch Manager,
   Tamil Nadu Mercantile Bank Limited,
   Ammapalayam Branch,
   Tiruppur-641 652. ..Respondents

PRAYER: Criminal Original Petition is filed Section 482 of Cr.P.C. of BNSS praying to call for the records relating to the order dated 19.08.2026 passed in C.M.P.No.23 of 2026 in R.C.No.032/2020/A0017/2020 CBI/ACB/Chennai on the file of the Learned II Additional District Judge (CBI Cases), Coimbatore, Set aside the same and consequently direct the respondents to return/release locker Key Nos.32/384 and 52/384 pertaining to Locker Nos.51 and 71 maintained at Tamil Nadu Mercantile Bank Limited, Ammapalayam Branch, Tiruppur by de-freezing the said lockers and permitting the petitioner to operate the same, subject to any further conditions.

For Petitioner : Ms.S.Syba

For Respondents : Mr.K.Srinivasan,
Special Public Prosecutor For R1 (CBI Cases)
Mr.V.Chandrasekaran For R2

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ORDER

Heard Ms.S.Syba for the petitioner, Mr.K.Srinivasan, learned Special Public Prosecutor for CBI cases, for the first respondent and Mr.C.Chandrasekaran for the second respondent.

2. The petitioner challenges the order passed by the learned II Additional District Judge for CBI Cases, Coimbatore, in dismissing the petition filed under Sections 451 and 457 of the Cr.P.C., wherein she sought a direction to return the locker keys bearing Nos.32/384 and 52/384, maintained with the second respondent bank. She also sought a direction to defreeze the aforesaid lockers.

3. The petitioner's son-in-law and daughter were directors of a company under the name and style of M/s.Aegan Industries Pvt. Limited. The company was arrayed as A1, her son-in-law, T.Arun Kumar Thyagarajan as A2, and her daughter, Bhadra Devi as A3. They were accused in a complaint lodged by the State Bank of India of having entered into a criminal conspiracy with unknown public servants to cheat and avail various credit facilities fraudulently. During the course of the investigation, search was conducted by the first respondent. They came across the locker keys standing in the name of the petitioner at the residence of A2 and A3. Therefore, the locker was seized and freezing order was passed by CBI and notice under Section 102 of Cr.P.C was sent to the second respondent.

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4. The petitioner filed an application in CMP.No.23 of 2026 before the trail Court, stating that she has no connection with her son-in-law and daughter and that she requires the gold ornaments for the marriage of her grand daughter, who was born to her other daughter. The learned Trial Judge, after receiving counter from the first respondent, dismissed the petition. Hence, the present petition.

5. When the matter came up for admission today, I called upon Mr.K.Srinivasan, learned Special Public Prosecutor for CBI cases to get instructions and file a counter. As the Tamil Nadu Mercantile Bank has been arrayed as the second respondent, Mr.V.Chandrasekaran was directed to take notice on its behalf.

6. A perusal of the counter filed by the Deputy Superintendent of Police, CBI ACB cases indicates that till date, the prosecuting agency has not been able to uncover any evidence connecting the jewels in the locker of the petitioner with the accused. In other words, there is no evidence as on today that the gold jewels, etc., kept in the lockers are proceeds of crime. The relevant paragraph is extracted hereunder:

"It is submitted that as mentioned above, the investigation of the case has been concluded, except obtaining the Report on

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Letter Rogatory / MLAT from foreign countries i.e. Chia and Portugal, etc. Further, finalization of Charge Sheet is about to complete, by analysing / compiling voluminous documents and materials connected to the case, which were collected from various entities namely Banks, Government Authorities, Organizations, Ginning Factories located in different States, etc., However, sufficient evidence has not emerged during the investigation conducted so far, to establish that the crime proceeds has nexus with the Gold Jewels kept in the Lockers in order to conclude / decide, as to whether the Crime Proceeds were converted as Assests i.e. Gold Jewels by the accused persons Shri Arun Kumar (A-2) and Smt. Bhadra Devi".

That being the position, when the petitioner's jewels in the lockers are no way connected to the criminal case under investigation, retaining the freeze over the lockers cannot be treated as fair or even reasonable.

7. Consequently, the Original Petition is **allowed.** The impugned order is set aside. The locker keys shall be handed over to the petitioner. The second respondent shall permit the petitioner to operate the locker accounts. Needless to add, in the event the CBI finds any further evidence, it is always open to it to file an application under Section 173 (8) of Cr.P.C, secure permission and

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thereafter, seize the articles and seal the lockers again.

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17-11-2026

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

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To

1. The Learned II Additional District Judge (CBI Cases),
   Coimbatore.

2. The Inspector of Police,
   SPE CBI ACB,
   Chennai.

3. The Branch Manager,
   Tamil Nadu Mercantile Bank Limited,
   Ammapalayam Branch,
   Tiruppur-641 652.

4. The Public Prosecutor,
   High Court, Madras.

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V.LAKSHMINARAYANAN, J.

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