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Crl.R.C.No.2394 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL.R.C.No.2394 OF 2025

Shanthi
D/o.Mani,
W/o.Paulraj,
New No.87, Old No.40,
Parameshwari Nagar 2nd Street,
Adyar, Chennai – 600 020.

..Petitioner

Vs.

The State rep.By
Inspector of Police,
Central Crime Branch-I,
EDF-II Wing, Beta – 5,
Vepery, Chennai – 600 007.
(Crime No.213/2024)

..Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS to call for the records relating to the order dated 23.09.2025 passed in Crl.M.P.No.12140 of 2025 by the learned Metropolitan Magistrate, For Exclusive Trial of CCB Cases (Relating to Cheating Cases in Chennai), and CBCID Metro Cases, Egmore, Chennai – 08 and set aside the same.



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For Petitioner :: Mr.K. Thenrajan
For Respondent :: Mr.R. Vinothraja
Govt. Advocate (Crl.Side)

ORDER

The petitioner challenges the dismissal of her application to de-freeze her account and the accounts of her relatives including her children, which were frozen during the course of investigation in Crime No.213 of 2024.

2. The case of the prosecution is that the petitioner was working as an Assistant Accountant in the office of the de facto complainant; that she was entrusted with the administrative work such as maintaining of one time password; E-mails, Salary, GST filing and other payments; that taking advantage of the information, she had conspired with other accused and misappropriated company's funds since 2022 to the tune of Rs.1,73,02,268/- and thus committed the offences under Sections 408, 420, 477(A), 109 and 120(B) IPC.

3. During the course of investigation, six accounts belonging to the petitioner and that of her children were frozen by the Investigating Officer. The petitioner sought for de-freezing of the accounts



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before the learned Magistrate by filing Crl.M.P.No.12140 of 2025 which came to be dismissed by the impugned order.

4. The learned counsel for the petitioner would submit that the respondent Police have no jurisdiction to freeze the bank accounts since the amount lying in the Bank is neither stolen property nor does it create a suspicion of commission of any offence and therefore, Section 102 Cr.P.C./Section 106 of BNSS ought not to have been invoked.

5. Learned Government Advocate (Crl.Side), per contra, would submit that the petitioner had transferred the misappropriated funds into six accounts, which were frozen and therefore, Section 102 Cr.P.C/106 of BNSS was rightly invoked by the Investigating Officer and there is no infirmity in the action taken by the Investigating Officer. However, he would fairly concede that the total amount lying to the credit of the frozen accounts is only Rs.50,000/-.

6. Considering the fact that the amount lying to the credit of the accounts frozen is only Rs.50,000/-, without going into the merits of the contentions raised by the learned counsel for the petitioner and the learned Government Advocate (Crl.Side), this Court is of the view that the accounts can be directed to be de-frozen as the freezing of accounts would be of no avail to the prosecution. Hence, the bank accounts of the petitioner



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SUNDER MOHAN,J.

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and her children, detailed in the revision petition, which have been frozen are directed to be de-frozen with liberty to the respondent to attach any property of the petitioner under Section 107 of BNSS provided the conditions stipulated therein are satisfied.

7. With the above observation, the revision is allowed.

03.02.2026

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To

1.Metropolitan Magistrate, For Exclusive Trial of
CCB Cases (Relating to Cheating Cases
in Chennai), and CBCID Metro Cases,
Egmore, Chennai – 08.

2.Inspector of Police,
Central Crime Branch-I,
EDF-II Wing, Beta – 5,
Vepery, Chennai – 600 007.
(Crime No.213/2024)

3.The Public Prosecutor,
High Court, Madras.

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