

IN THE COURT OF SESSION, THALASSERY

Present :- Smt. Ruby K Jose, Addl. Sessions Judge-III
Friday, the 15th day of May, 2026/25th Vaisakha, 1948.

Crl.M.P. No.6/2026 in S.C No.354/2025
(Crime No.1207/24 of Thalassery Police Station)

Petitioner/Accused:

Sajeer.P.C., Ammed.P.C., Aged 28 years, Pannikodan
(Panniyodan) House, Thettamala(PO), Wayanad District.

V/s.

Respondent/Complainant:

State (SHO, Thalassery PS), Represented by Public
Prosecutor, Thalassery.

Petition to defreeze account bearing No.40981892063
maintained by the petitioner.

This petition coming on this day for hearing before me in the
presence of Sri.K.Viswan, Advocate for the petitioner/accused and the
Addl. Public Prosecutor for the State/Respondent and having stood
over for consideration till this day, the court passed the following:

ORDER

This is an application filed by the petitioner/accused seeking
defreezing of the bank account maintained by him at State Bank of
India, Panoor Branch.

2. The above crime has been charge sheeted alleging commission
of offences punishable under Sections 340(2), 336(3) and 316(5) of the
BNS, 2023.

3. The case of the petitioner is that during the course of
investigation, the Investigating Officer issued a memo to the Manager,
State Bank of India, Panoor Branch, directing freezing of Account No.
40981892063 maintained by the petitioner. It is submitted that the

petitioner is entitled to receive Provident Fund amount in the said account. The balance available in the account is stated to be Rs.44,380.01/-. According to the petitioner, the subject matter involved in the crime has no connection with the aforesaid bank account. It is further submitted that investigation in the case is already over and the final report has been filed before the court. Hence, the petitioner seeks defreezing of the account.

4. Heard both sides.

5. The learned Addl. Public Prosecutor opposed the application and filed report.

6. On perusal of the records, it is seen that the investigation in the case has already been completed and the final report has been laid before this Court. The prosecution has no case that the amount lying in the account constitutes the proceeds of crime or that the said account was directly used for commission of the alleged offences. No material has been placed before this court to establish any direct connection between the disputed transactions and the bank account sought to be defreezed.

7. Freezing of a bank account during investigation is only a temporary measure intended to aid effective investigation and to preserve material evidence. Once investigation is completed and the final report is filed, continued freezing of the account cannot be permitted in the absence of compelling reasons. The petitioner cannot be deprived of operating his personal bank account indefinitely, especially when the account is stated to contain his legitimate earnings and Provident Fund amount.

8. Further, the balance available in the account is comparatively meagre and continued freezing of the account would cause undue hardship and prejudice to the petitioner in conducting his ordinary

financial affairs. In the absence of any material showing that retention of the freeze order is necessary for the purpose of trial or recovery, this Court is of the view that the petitioner is entitled to get the account defreezed.

In the result, the petition is allowed. The Investigating Officer/Station House Officer concerned shall forthwith issue necessary communication to the Manager, State Bank of India, Panoor Branch, for defreezing Account No.40981892063 maintained by the petitioner and permit him to operate the same in accordance with law.

(Dictated to the Confidential Assistant, typed by her directly to the computer, corrected and pronounced by me in open Court, on this the 15th day of May 2026).

ADDL. SESSIONS JUDGE-III

PM.

Fair/Copy of order in
CMP No.6/2026
in S.C.No.354/2025.

Dated: 15-05-2026.