IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLA No.413 of 2024

Antaryami Senapati ..... ***Appellant***
Represented by Adv. - Mr.
Santanu Kumar Sarangi, Sr. Adv.
Binaya Bhusan Routray

-versus-

State Of Odisha ..... ***Respondent***
Represented by Adv. –

Mr. P.P. Behera, ASC

CORAM:
MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
29.04.2026

Order No.

I.A. No.286 of 2026

23. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. This is an application at the instance of the Appellant with a prayer for modification of order dated 26.09.2025 passed by this Court in CRLA No.413 of 2024.

3. Mr. Sarangi, learned senior counsel appearing for the Appellant at the outset contended that the abovenoted appeal was filed by the Petitioner with a prayer to defreeze the bank account which was seized by the investigating agency in course of investigation.

4. Upon hearing learned counsels appearing for both side, this Court vide order dated 26.09.2025 passed an order directing defreezing of the main bank account in the letter dated 24.09.2025

subject to Appellant providing adequate property security of his own of his owner or any blood relative and thereafter he shall be allowed to operate such bank account.

5. After the aforesaid order dated 26.09.2025, the Petitioner has again moved this application with a prayer for modification of order dated 26.09.2025. A specific prayer was made by the learned senior counsel for the Petitioner that the fixed deposit account which has been created from the savings back account of the Petitioner be also included in the order dated 26.09.2025. He further contended that the linked fixed deposit account has not been de-freezed subject to order dated 26.09.2025.

6. Learned counsel for the State on the other hand obtained instruction from the DSP, EOW, CID, CB, Bhubaneswar vide letter dated 21.04.2026 and submitted before this Court that the fixed deposit accounts have been created by transfer of funds from the savings bank account which was used for collection of deposits from victim's buyers. In the said letter it has been requested that the fixed deposit account may not be defreezed. By passing order dated 26.09.2025, this Court had taken into consideration all factual aspects and subject to furnishing property security, permitted the Appellant to operate the bank account. Moreover, the savings bank account has already been included in the letter on the basis of which order dated 26.09.2025 was passed. Since the fixed deposit account are linked account of the savings bank account, this Court is of the view that the same are covered by order dated 29.09.2025 and no further order is required to be

separately passed for such deposit account.

7. Learned counsel for the State files an affidavit dated 05.03.2026 on the other hand objected to the following grounds in para 8 and 10:

> *"8. That it is humbly submitted that, the Fixed Deposit (FD) amount forms part of the suspected proceeds of crime and is subject matter of investigation. Premature defreezing of the FD may frustrate recovery proceedings.*
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> *xxx xxx xxx xxx xxx*
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> *10. That, it is humbly submitted that, the alleged withheld amount of approximately Rs.13,24,542/- is disproportionate to the transactions under investigation and requires detailed security. Releasing the fixed deposit at this stage may cause irreparable loss to the victims and prejudice restitution. Invest igation reveals that the fixed deposit of Rs.10,00,000/- in SBI A/C No.41207997367 (linked to A/C No.30214351862) was created on 19.08.2022 which is after receipt of the substantial portion of defrauded amount of Rs.33,61,700/-, allegedly obtained through fraudulent sale of landed properties using forged documents and impersonation. Therefore, the Petitioner is not entitled to release of the said amount."*

8. With the aforesaid clarification, the present I.A. application is being disposed of by reiterating the order date 26.09.2025 passed by this Court.

9. With the aforesaid observation, the I.A. stands disposed of.

(A.K. Mohapatra)
Judge