



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 1901 OF 2026 (GM-RES)

BETWEEN:

1. CHANNEKESHAHA D.R.
S/O RAMASWAMY
AGED ABOUT 44 YEARS,
RESIDING AT NO.18, DEVALAPUR,
NEAR DEVANAGONDI RAILWAY STATION,
DEVALAPURA,
BANGALORE RURAL KARNATAKA -560067

...PETITIONER

(BY SRI. RANGANATH M A.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED HEREIN BY THE STATE.
PUBLIC PROSECUTOR
BENGALURU,
KARNATAKA 560001
2. THE STATION HOUSE OFFICER
CYBER CRIME POLICE STATION
REPRESENTED BY,
INVESTIGATING OFFICER/ INSPECTOR,
NEAR VIJAY NAGAR SQUARE,
VIJAYANAGAR, INDORE,
MADHYA PRADESH 452010.
3. KARNATAKA BANK
REPRESENTED BY,
THE BRANCH MANAGER,





CITY CIVIL COURT BRANCH
BANGALORE, KARNATAKA-560009

...RESPONDENTS

(BY SRI. ADITYA DIWAKAR, AGA FOR R1
V/O DATED 28.01.2026 NOTICE TO R2 STANDS DEFERRED
FOR THE PRESENT
SRI. K.V. SHYAMPRASADA, ADVOCATE FOR R3 (VK NOT
FILED))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DIRECT THE RESPONDENT TO THE PETITIONER AND PERMIT
THE PETITIONER HEREIN TO USE AND OPERATE THE BANK A/C
NO. 1172500100575201 IFSC KARB0000117, MAINTAINED
WITH R3 KARNATAKA BANK LTD., KARNATAKA.

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed by a practicing
Advocate who is aggrieved by the action of respondent
No.3/Bank who has debit freezed the petitioner's account
on receipt of communication from Cyber Crime Police
Station, Madhya Pradesh.



2. Heard the learned counsel for the petitioner, the learned Additional Government Advocate appearing for respondent No.1–State, and the learned counsel appearing for respondent No.3-Bank. Having regard to the nature of the order proposed to be passed, notice to respondent No.2 is dispensed with, as this Court is not inclined to grant an order of absolute defreezing and the interests of the complainant are adequately safeguarded.

3. The petitioner, who is a practicing Advocate before this Court, asserts that the amount credited to his bank account represent legitimate professional fees earned for legal services rendered. It is the specific case that one Mr. Anoop Singh Tomar, a resident of Indore, had approached the petitioner, seeking legal assistance in proceedings before the Securities Appellate Tribunal at Mumbai. In that backdrop, the petitioner contends that the subject remittances were received towards professional engagement and not from any unlawful activity. However, it transpires that the very client has lodged a complaint



before respondent No.2, which in turn has triggered a communication to respondent No.3-Bank, resulting in debit freezing of the petitioner's accounts.

4. This Court is constrained to observe that freezing of a bank account is a serious and drastic measure, which has the effect of virtually paralyzing the financial autonomy of a citizen. Such an action, which trenches upon the fundamental right to carry on profession and to deal with one's property, cannot be resorted to either casually or mechanically. The primary object of directing debit freeze is to secure the alleged "proceeds of crime" or to preserve the subject matter of investigation in relation to a cognizable offence. Therefore, such power must necessarily be exercised only when there exists a live and proximate nexus between the funds in the account and the alleged criminal activity, ordinarily backed by the registration of a First Information Report and supported by some tangible material indicating involvement in a cognizable offence.



5. Of late, this Court notices an increasing tendency on the part of investigating agencies to invoke the mechanism of debit freezing as a matter of course, even in cases where there is not even a slender piece of evidence demonstrating that the amounts lying in the account constitute proceeds of crime. Such indiscriminate freezing, often without registration of an FIR or without any meaningful investigation, results in disproportionate hardship and amounts to an unwarranted invasion into the financial rights of citizens. The power to freeze, being drastic in nature, must be exercised with circumspection, guided by the principles of necessity, proportionality and procedural fairness.

6. In the present case, having regard to the fact that the petitioner is a practicing Advocate and asserts that the amounts represent professional fees, coupled with the absence of material placed before this Court demonstrating a clear linkage of the entire account balance with any cognizable offence, this Court is of the



considered view that the action of respondent No.3-Bank in completely freezing the account is disproportionate. At the same time, the interests of the complainant and the investigating agency require to be safeguarded by preserving the alleged disputed amounts by way of a limited lien.

7. Accordingly, this Court is satisfied that the case warrants partial interference under Article 226 of the Constitution of India, by balancing the competing interests of investigation and the petitioner's right to carry on his profession without undue hindrance.

8. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

- (i) The writ petition is ***allowed in part***;



(ii) Respondent No.3-Bank is directed to forthwith defreeze the petitioner's Bank Account bearing No.1172500100575201 and permit the petitioner to operate the same;

(iii) However, respondent No.3-Bank shall confine the lien on the said account strictly to a sum of Rs.60,000/-, representing the alleged disputed amount;

(iv) The petitioner shall be at liberty to operate the said bank account for all transactions beyond the aforesaid lien amount, and the Bank shall not impose any restriction on such operations;

(v) It is made clear that the continuation of lien shall be subject to further orders that may be passed by the competent Court or authority in accordance with law;

(vi) Having regard to the submission that the complaint is at a nascent stage, liberty is reserved to the petitioner to approach this Court for appropriate relief, in the event no First Information Report is registered or if the



investigation does not progress in accordance
with law within a reasonable time;

(vii) No costs.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

CA
List No.: 1 Sl No.: 0