



2026:KER:63639

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM

MONDAY, THE 17TH DAY OF AUGUST 2026 / 26TH SRAVANA, 1948

WP(C) NO. 32809 OF 2025

PETITIONER:

**SAFWAN MUHAMED SHERIF
AGED 22 YEARS
S/O: MUHAMMED SHERIF,
K. V, KALLUVETTY,
TRIKKALANGODE, PO: KOOMANKULAM,
DIST: MALAPPURAM,
KERALA, PIN - 676123**

**BY ADVS.
SHRI.SADIQALI. M
SHRI.SHAMNAD.E.
SHRI.AJISH K BOSE
SHRI.MOHAMED SHAFI M.
SHRI.MUHAMMAD SABIK**

RESPONDENTS:

**1 FEDERAL BANK
 REPRESENTED BY ITS MNAGER,
 MANJERI BRANCH,**



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**1ST FLOOR, KORAMBAYIL CORPORATE MALL,
CENTRAL JUNCTION, MANJERI,
MALAPPURAM, KERALA, PIN - 676121**

**2 STATION HOUSE OFFICER
KOLLAM CITY CYBER CRIME POLICE STATION, DISTRICT
POLICE OFFICE COMPOUND,
KOLLAM CITY, KERALA, PIN - 691001**

**3 STATION HOUSE OFFICER
CEN CRIME POLICE STATION EAST DIVISION, BANAGLORE
CITY,
BROADWAY ROAD, SHIVAJI NAGAR,
KARNATAKA, PIN - 560051**

***4 STATION HOUSE OFFICER,
CYBER CELL,
SUPERINTENDENT OF POLICE OFFICE,
PRAKASAM RD,
NEAR TOWN CLUB,
TIRUPATI, ANDRA PRADESH, 517501.**

***(ADDL.R4 TO R6 IMPEADED VIDE ORDER
DATED 13-11-2025 IN IA 1/25 IN WP(C)32809/2025)**

***5 STATION HOUSE OFFICER
CYBER CELL, STATE CYBER CRIME POLICE STATION (HP
CYBER CELL),
NIGAM VIHAR CHOTTA SHIMLA,
SHIMLA, HIMACHAL PRADESH 171 002**

***(ADDL.R4 TO R6 IMPEADED VIDE ORDER
DATED 13-11-2025 IN IA 1/25 IN WP(C)32809/2025)**

***6 STATION HOUSE OFFICER,
CYBER CRIME POLICE STATION,**



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**VIRUDHUNAGAR,
KOORAIKUNDU,
TAMIL NADU 626002**

***(ADDL.R4 TO R6 IMPEADED VIDE ORDER DATED 13-11-2025 IN IA 1/25 IN WP(C)32809/2025)**

***7 STATION HOUSE OFFICER,
MANJERI POLICE STATION,
VAYAPPARAPADI, KACHERIPPADI,
MANJERI, KERALA - 676121.**

***(ADDL R7 IS IMPEADED AS PER ORDER DATED
29/01/26 IN IA/2/25)**

**BY ADVS.
SHRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHY (P-41)
SMT.REENA THOMAS
SMT.NIGI GEORGE
SHRI.ANANTHU V.LAL
SMT.SHERIN VARGHESE
SHRI.ANTONY THOMAS MOHAN
SMT.FABI ABDUL LATHEEF
SMT.MEENA P.
SRI. V.K. RAFEEK - SR.GP**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ORDERS
ON 17.08.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



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C.R.**JUDGMENT**

1. The Petitioner has filed this Writ Petition seeking direction to unfreeze the Account maintained by the Petitioner with the Respondent No.1/Bank.
2. The Respondent/Bank has filed a Counter Affidavit opposing the prayers in the Writ Petition, to which the Petitioner has filed a Reply Affidavit.
3. The learned Counsel for the Respondent/Bank submitted that the Bank has received five requisitions for debit freeze with respect to the Account of the Petitioner for a total amount of Rs.21,00,000/-. In the Counter Affidavit filed by the Respondent/Bank, it is stated that the Account of the



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Petitioner was opened in January 2023 and remained largely inactive, with only negligible low-valued transactions from the date of opening; that a sudden and abnormal spike in the Account activity was observed from 15.05.2023 onwards, during which a large number of high-valued credit and debit transactions aggregating to more than Rs.50 lakhs were routed through the Account within a period of approximately 15 days; and that the abrupt change in the transaction pattern, inconsistent with the earlier operation of the Account, coupled with the receipts of multiple Law Enforcement Agency (LEA) notices in connection with these transactions renders the Account activity highly suspicious.

4. Petitioner has not stated anything about his job or income



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in the Writ Petition, even though he has stated that the lien marked amount is Rs.21,00,000/-. The ground raised by the Petitioner is that on the basis of the various decisions of this Court in ***Dr.Sajeer v. Reserve Bank of India [2024 (1) KLT 826]***, ***Muhammed Rashid P.P. v. Federal Bank and Another [2024:KER:63181]***, ***Shabeer K.A. v. ICICI Bank [2024:KER:28916]*** and ***Nazeer K.T. v. Manager, Federal Bank, Makkaraparamba Branch [2024 KHC 768]***, the Respondent Bank is to be directed to permit the Petitioner to operate the account limiting the lien to the amounts which are shown in the Requisitions received by the Bank from the Respondents/Police Authorities. In ***Blue Star Aluminium & Door House v. Federal Bank Ltd. [2025 KHC Online 2357]***, this Court has held that this Court possesses ample discretion



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to deny reliefs while exercising jurisdiction under Article 226 of the Constitution of India, considering the totality of circumstances when it has reason to believe that the Petitioner has been operating the account to facilitate cyber fraud, even if the Petitioner is entitled to get reliefs based on legal contentions and even if procedural violations in freezing or lien marking are found.

5. Petitioner has filed a Reply Affidavit to the Counter Affidavit filed by the Respondent No.1/Bank stating that he is a working partner of two businesses; that he receives monthly salary of Rs.35,000/- and share of profits from Ripi Foods, which is a wholesale business dealing in dates, nuts, and dry fruits; and he receives a salary of Rs.40,000/- and business profit from Nipolta Media – LED Wall and



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media-related business; that the account is his primary business account of the aforesaid businesses; that customers of the said businesses are regularly crediting amounts in the said Account as part of normal business operations; and that his father is employed in a Gulf Country and occasionally sends family funds to his Bank Account. Petitioner has not explained the disputed amounts of Rs.21,00,000/- even in his Reply. The Petitioner is aged only 22 years. No document is produced to prove the existence of the aforesaid businesses. Petitioner has no explanation for the credit of large amounts in his Account within a short span. Learned Counsel for the Respondent No.1/Bank confirmed that there are no regular deposits of the alleged salary amounts of Rs.35,000/- and Rs.40,000/-



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in the Account of the Petitioner. The Petitioner has withdrawn the entire amounts credited to his Account and the credit balance as on 05.06.2023 is only Re.1/- as revealed from Ext.R1(g). Since the Account of the Petitioner is having only a credit balance of Re.1/-, there is no question of permitting the Petitioner to operate the account limiting the lien to Rs.21,00,000/-. The documents produced before me would reveal that the Petitioner has stated utter falsehood in his Reply Affidavit. It is well settled that Advocates are officers of the Court. They should not allow the litigants to pollute the judicial system. Advocates should not allow their clients to make false statements when the Advocates fully know from the documents available to them that their clients are making false



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statements in the Pleadings. This Court strongly condemns the conduct of the Counsel for the Petitioner and strongly deprecates the practice of Advocates attesting Affidavits of their clients fully knowing that the statements contained in the Affidavit are false. This Court does not take any action against the Petitioner and his Counsel in this regard, considering their young age.

6. The aforesaid facts clearly reveal that the Petitioner has been using his Account for money mule. In such case, in view of the decision of this Court in ***Sinana Farvin v. Kerala Gramin Bank and Others [2026 KHC OnLine 596]***, the Writ Petition is liable to be dismissed, and at the same time, the Police is liable to be directed to register an FIR against the Petitioner under Section 111 of the Bharatiya Nyaya



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Sanhita, 2023, and investigate.

7. Accordingly, this Writ Petition is dismissed and at the same time, directing the Respondent No.7/SHO to register Crime against the Petitioner under Section 111 of the Bharatiya Nyaya Sanhita (BNS), 2023, and proceed in accordance with law.

Sd/-

M.A.ABDUL HAKHIM
JUDGE

sms



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APPENDIX OF WP(C) NO. 32809 OF 2025**PETITIONER EXHIBITS**

- Exhibit P1** **A TRUE COPY OF THE LETTER SEND BY THE PETITIONER TO 1ST RESPONDENT DATED 25/08/2025**
- Exhibit P2** **A TRUE COPY OF THE LETTER DATED 26.08.2025, ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER**

RESPONDENT EXHIBITS

- Exhibit-R1(a)** **True copy of the request notice 09.01.2023**
- Exhibit-R1(b)** **Station house officer Central Crime Police Station East division Bangalore City Broadway Shivajinagar Karnataka**
- Exhibit-R1(c)** **SHO Cyber Cell Tirupati District Andhra Pradesh**
- Exhibit-R1(d)** **Officer in Charge Cyber Cell Una District Himachal Pradesh**
- Exhibit-R1(e)** **Inspector Cyber Crime Police Station Virudhunagar District Tamil Nadu**
- Exhibit-R1(f)** **True copy of the e mail communication along with statement of accounts 1st March 2023 to 20th September 2023**
- Exhibit-R1(g)** **True copy of the account statement**