

**IN THE HIGH COURT FOR THE STATE OF
TELANGANA AT HYDERABAD**

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

W.P.No.7500 of 2026

Date: 11-03-2026

Between:

M/s. The Bottle Restaurant and Bar, Rep.
by its Proprietor, Mr. Kandibanda
Sridhar, Nayakan Gudem, Khammam city
& District.

...petitioner

AND

The Union of India, Rep. by its Secretary
(Home), Ministry of Home Affairs, North
Block, New Delhi and 4 others.

...respondents

ORDER

This Writ Petition is filed under Article 226 of the
Constitution of India, seeking the following relief/s:-

“.....to declare the action of the Respondent No.3 in
issuing order to the Respondent No.5 to freeze and hold the
bank account of the Petitioner bearing A/c No. 1745333675 of
Kotak Mahindra Bank, Gandhi Chowk Branch, Khammam City
and District, allegedly in relation to an investigation into a
Crime to which the Petitioner is neither connected nor
concerned with, and without any notice to the petitioner and
without there being any FIR in the name of the Petitioner, and

not reporting forthwith to the Jurisdictional Magistrate and not considering the Representation made by the Petitioner dt.06/02/2026, as illegal and arbitrary and violative of the principles of natural justice and Article 21 and 300-A of the Constitution of India and thereby QUASH the freezing orders, and pass such other orders.”

2. Heard Sri Pullabhotla VLS Sri Chakrapani, learned counsel for the petitioner and Sri M. Srinivas, learned Assistant Government Pleader for Home, appearing for the respondent Nos.1 to 4. Perused the material available on record.

3. The instant writ petition under Section 528 of the BNSS has been preferred seeking a direction for the respondents to defreeze the bank account of the petitioner.

4. The facts of the case are that alleging certain fraudulent transactions, bank account of the petitioner have been freezed, details of which are provided herein under :-

Sl.No.	Name of the Bank	Branch	Account No.
1.	Kotak Mahindra Bank	Gandhi Chowk , Khammam	1745333675

5. No doubt, the statutes empower the investigation agency to request the Bank to freeze the account pending investigation and intimate it forthwith to the jurisdiction Court, but there cannot be freezing of account perpetually without intimating the account holders what for their account is freezed and what extent it has to be freezed because great inconvenience and hardship is caused to the day to day financial life of the persons concerned, since the very life-line of the business gets severed by such unilateral orders of account freezing passed by the Police.

6. The freezing of a citizen's bank account, in the absence of any cogent reasons and without establishing even a prima facie nexus of such account with the commission of any cognizable offence, amounts to a grave and unwarranted intrusion into the fundamental rights guaranteed under the Constitution. Such an action, taken in a mechanical and arbitrary manner, not only cripples the financial autonomy of an individual but also directly impinges upon the right to life and personal liberty

enshrined under Article 21 and the freedom to carry on trade, occupation and business under Article 19(1)(g) of the Constitution of India. The power to interdict the operation of a bank account is an exceptional one, to be exercised sparingly, with circumspection and strictly in accordance with law, and only upon recording reasons demonstrating a live and proximate link between the account and the alleged criminal activity. Any freezing order passed dehors such safeguards betrays a colourable exercise of power, is manifestly arbitrary, and cannot be sustained in the eyes of law.

7. In the case at hand, though only a certain amount is disputed and the same has been kept on hold, but due to the blanket order to freeze the account, the respondent Banks have freezed the account in their entirety. Therefore, the petitioner herein is unable to operate his account and deal with the money lying therein. Under the guise of investigation, order freezing the entire account without quantifying the amount and period cannot be passed. Such order will be construed as

violation of the fundamental rights of trade and business as well as violation of livelihood. This court is of the considered opinion that keeping only the disputed amount on hold would serve the interest of the parties.

8. Upon due consideration of the submissions advanced by learned counsel for the petitioner and perusing the material available on record, it is directed that the amount in dispute shall remain under freeze; however, the petitioner shall be permitted to operate the said bank account for all other lawful transactions. The respondent-bank shall ensure that only the debit operations to the extent of the disputed amount in the account bearing the number mentioned herein below remain interdicted, while the account shall otherwise remain fully operational for all remaining purposes.

9. The following bank account of the petitioner shall remain unfrozen: -

Sl.No.	Name of the Bank	Branch	Account No.
1.	Kotak Mahindra Bank	Gandhi Chowk , Khammam	1745333675

10. Accordingly, the Superintendent of Police is hereby directed to forthwith communicate this order to the concerned Branch Manager and ensure that the account in question is de-frozen immediately, without any further delay or impediment.

11. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

12. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

Date: 11-03-2026
kvr

E.V.VENUGOPAL,J