IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM

Thursday, the 2nd day of July 2026 / 11th Ashadha, 1948

WP(C) NO. 12817 OF 2026(B)

PETITIONER:

THE THALAKKAD SERVICE COOPERATIVE BANK LTD, PULLOORAL, TIRUR, THALAKKAD, MALAPPURAM, REPRESENTED BY ITS SECRETARY, BEENA A, D/O RAGHAVAN NAIR K.P, POURNAMI, B.P.ANGADI P.O, MALAPPURAM, EMAIL: SCBTHALAKKAD@GMAIL.COM, PIN - 676101

RESPONDENTS:

1. UNION OF INDIA, THROUGH ITS SECRETARY, MINISTRY OF LAW AND JUSTICE, NORTH BLOCK, RAISINA HILL, NEW DELHI , PIN - 110011
2. NATIONAL CYBER CRIME REPORTING PORTAL REPRESENTED BY ITS NODAL OFFICER, MINISTRY OF HOME AFFAIRS, GOVERNMENT OF INDIA, NEW DELHI , PIN - 110001
3. ICICI BANK EAST BAZAAR BRANCH, TIRUR P.O, MALAPPURAM DISTRICT, KERALA , PIN - 676101
4. STATION HOUSE OFFICER CEN POLICE STATION, WHITEFIELD, BANGALORE CITY, KARNATAKA, PIN - 560066
5. COMMISSIONER OF POLICE OFFICE OF COMMISSIONER OF POLICE, INSIDE DISTRICT COURTS COMPLEX, AMRITSAR CANTONMENT, AMRITSAR, PUNJAB , PIN - 143001
6. STATION HOUSE OFFICER, EAST REGION CYBER POLICE STATION, CYBER CRIME WING, CRIME BRANCH, MUMBAI, MAHARASHTRA , PIN - 400051
7. CYBER CRIME COMMISSIONERATE, GHAZIABAD, REPRESENTED BY THE AUTHORISED OFFICER, UTTAR PRADESH , PIN - 201001
8. STATION HOUSE OFFICER, VEPERY, CHENNAI, TAMIL NADU , PIN - 600007
9. STATE OF KERALA REPRESENTED BY THE SECRETARY, HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
10. STATION HOUSE OFFICER TIRUR POLICE STATION, MALAPPURAM DISTRICT, PIN - 676101

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the Respondents to maintain status quo with respect to the amounts lying in the pool/mirror account of the 1st Petitioner – Service Co-operative Bank, and not to transfer, release or appropriate any amount therefrom to any third-party account, pending suitable amendment and incorporation of a specific and comprehensive procedure governing freezing or lien marking of accounts of Service Co-operative Banks maintained with Nationalised/Scheduled Banks, within the Standard Operating Procedure dated 02.01.2026 issued by the Ministry of Home Affairs, Government of India, or until further orders of this Hon’ble Court.

This petition again coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and this court's order dated 16/06/2026 and upon hearing the arguments of M/s. MANAS P HAMEED, IPSITA OJAL and LAYA SIMON, Advocates for the petitioner, DEPUTY SOLICITOR GENERAL OF INDIA for R1 and R2, Mr. LAL K.JOSEPH, STANDING COUNSEL for R3 and of the GOVERNMENT PLEADER for R9 and R10, the court passed the following:

M.A. ABDUL HAKHIM, J.

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W.P. (C) No.12817 of 2026

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Dated this the 2nd day of July, 2026

ORDER

1. Petitioner is a Service Co-operative Bank maintaining a mirror/pool account with the Respondent No.3 to undertake online transactions. The online transactions are done through such mirror account as per the requirements of the account holders of the Petitioner. On account of the involvement of the accounts of the account holders of the Petitioner in financial cyber fraud, freeze/lien is effected in the account of the mirror account of the Petitioner. The Petitioner is losing large amounts on account of this and the Petitioner is unable to proceed against the offending account holders, as, by the time they are identified with the details provided by the Respondent No.4, they might have withdrawn the disputed amounts from their account.

2. When this Writ Petition was taken up for consideration, the learned Counsel for the Petitioner invited my attention to Ext.P9 Petition dated 27.04.2026 submitted by the Petitioner/Bank before the Respondent No.10/Police Station showing the details of four

persons who opened the bank accounts in the Petitioner Bank for the sole purpose of facilitating financial cyber fraud. In Ext.P9, it is stated that out of the total amount of Rs.32,45,780/- involved in the fraudulent transactions with respect to the account of the Bank, Rs.11,57,674/- has been traced to the accounts of the four named persons. It is submitted that the Respondent No.10 has not taken any action on the said petition. The allegation in Ext.P9 reveals cognizable offences, including Section 111 of the Bharatiya Nyaya Sanhita.

3. Hence, the Respondent No.10 is directed to register an FIR against the four persons mentioned in Ext.P9 and to conduct an investigation. Petitioner Bank is free to identify its account holders who have been holding mule accounts and report the same to the Respondent No.10 for taking appropriate criminal action against them.

4. Post on 16.07.2026.

Sd/-

M.A ABDUL HAKHIM
JUDGE

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APPENDIX OF WP(C) 12817/2026

Exhibit P9	**TRUE COPY OF THE COMPLAINT DATED 27.04.2026 FILED BY THE PETITIONER- BANK BEFORE THE STATION HOUSE OFFICER, TIRUR POLICE STATION.**