IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM

MONDAY, THE 28TH DAY OF SEPTEMBER 2026/6TH ASWINA, 1948

WP(C) NO. 41222 OF 2025

PETITIONER:

MOHAMMAD IRFAN K.I., AGED 20 YEARS
S/O IBRAHIM BM, THEKKEKKUNNU, PERIYA, KUNIYA,
KASARAGOD, KERALA, PIN - 671316

BY ADVS.
SMT.IPSITA OJAL
SHRI.MANAS P HAMEED
SMT.LAYA SIMON
SMT.MARIYAMMA A.K.

RESPONDENTS:

1 **STATE BANK OF INDIA, SBI KASARAGOD BRANCH,**
(REP BY BRANCH MANAGER) KALLARACKAL BUILDING,
M G ROAD, EDAPPALLY - PANVEL HWY, CHOORI,
KASARAGOD, KERALA, PIN - 671121

2 **STATION HOUSE OFFICER**
CYBER CRIMES CELL PUDUCHERRY GORIMEDU,
ANANDA NAGAR, PUDUCHERRY,PIN - 605006

3 **THE STATION HOUSE OFFICER**
BEKAL POLICE STATION, EDAPALLY- PANVEL
HIGHWAY, BEKAL, KASARAGOD, KERALA (IMPLEADED
AS PER ORDER DATED 06.02.2026)

BY ADV SRI.AMAL GEORGE
SRI.BIJULAL K.R - SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.09.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

1. The Petitioner has filed this Writ Petition seeking direction to the Respondent Bank to unfreeze the account maintained by the Petitioner with the Respondent Bank.

2. The Respondent Bank has filed a Counter Affidavit stating that the Bank has received six requisitions from Respondent No.2 for Rs.50,000/- each. The Petitioner was directed to explain the disputed transactions.

3. The Petitioner filed a Reply Affidavit stating that the six disputed amounts of Rs.50,000/- each were transferred to the account of the Petitioner by the Petitioner's father's sister's daughter, Smt. Murshida P.K., and her husband, Sri. Sayyed Mohammed Badsha, for meeting the expenses of constructing a residential house for them in Kerala, as they have been residing abroad.

4. As per the Order dated 14.07.2026, the learned Standing Counsel for the Respondent Bank was directed to get instructions from the Bank as to whether those amounts were transferred from the account of Smt. Murshida P.K. and the Petitioner was directed to produce the Building Permit obtained by the aforesaid persons for construction.

5. The learned Standing Counsel for the Respondent Bank submitted that the aforesaid disputed amounts were not transferred from the account of Smt. Murshida P.K. The Petitioner could not produce any Building Permit, but filed an additional Reply Affidavit contending that the construction of the building is not started and now it is at the stage of development of the land.

6. The Statement of Respondent No.3/SHO produced along with the Memo dated 17.03.2026 shows that the Petitioner has been working as a billing staff in the Hotel by name “Hot Box” Hotel. He is aged only 20 years. Ext.P1

Statement of Account for the period from 01.10.2025 to 29.10.2025 would show that apart from the aforesaid amounts, there are other large amounts also credited in the account of the Petitioner. Since the Petitioner has not properly explained the disputed transactions and the Petitioner is aged only 20 years, his contention regarding the transfer of amounts by close relatives for the construction of a house for them was found to be untrue and he is presently working as a billing staff in a Restaurant, this Court is of the *prima facie* finding that the Petitioner has been using the account as a 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 conduct an investigation against the Petitioner and his associates and to proceed in accordance with law.

7. Accordingly, the Writ Petition is dismissed, but directing the Respondent No.3 to conduct an investigation against the Petitioner and his associates and to proceed in accordance with law. Registry is directed to communicate this Judgment to the Respondent No.3.

Sd/-
M.A.ABDUL HAKHIM
JUDGE

ncd

APPENDIX OF WP(C) NO. 41222 OF 2025

PETITIONER EXHIBITS

Exhibit P1	**TRUE COPY OF THE BANK STATEMENT OF THE PETITIONER DATED 01.10.2025 TO 01.11.2025**