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CRL OP No. 9157 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9157 of 2025

1. Prabu Nallathambi
2. Prashanth Subramani

..Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
Crime No.87 of 2025.

..Respondent(s)

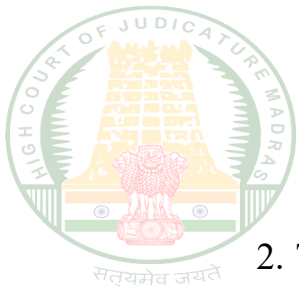
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioners on Anticipatory Bail in the event of them being arrested in Crime No. 87 of 2025 on the file of SIPCOT Police Station, Krishnagiri District.

For Petitioner(s): M/S. Arunachalam Meyyappan

For Respondent(s): MS.R.S.INDIRA,
GOVT.ADVOCATE (CRL.SIDE)

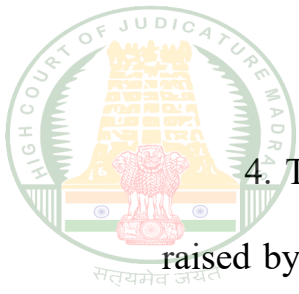
ORDER

The petitioners apprehend arrest for the alleged offence under Sections 126 and 309 of BNS in Crime No. 87 of 2025 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that petitioners, who are financiers, had illegally taken possession of the vehicles belonging to the defacto complainant, stating that the defacto complainant had defaulted in the repayment of the loan amount and that since the petitioners had engaged musclemen to take possession of the vehicles, they have committed the abovesaid offences. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioners are innocent and they have not committed any offence as alleged by the de facto complainant and they have been falsely implicated in this case. He submits that petitioners are employees of Indo Star Capital Finance Limited which provides vehicle loan facility in which the defacto complainant has obtained loan. He further submits that since the petitioners took re-possession of the vehicle on the ground of default in payment of instalment, a false complaint has been given. He also submits that occurrence took place on 15.02.2024 and the FIR came to be registered on 02.03.2025. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

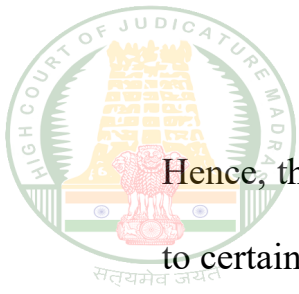


4. The learned counsel for the intervenor totally objected the contentions raised by the learned counsel for the petitioners and submitted that the defacto complainant had paid a sum of Rs.2.5 lakhs to the petitioners. Despite having received such amount, on the false pretext that defacto complainant had not paid any amount, the petitioners have stolen the vehicle. Hence, he opposed to grant anticipatory bail to the petitioners.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the submissions made by the learned counsel for the intervenor. Hence, she opposed to grant anticipatory bail to the petitioners.

6. I have given my anxious consideration to either side submissions and perused the materials available on record.

7. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, on perusal of the averments made in the FIR, it is seen that there is a loan transaction between defacto complainant and M/s. Indo Star Capital Finance Limited in which the petitioners herein are admittedly employees. A further perusal of FIR reveals that while the petitioners took re-possession of the vehicle, they have informed the driver of the said vehicle that the vehicle was re-possessed due to default in payment of loan installments. Further, the alleged occurrence took place on 15.02.2024 whereas the FIR came to be registered on 02.03.2025. Therefore, considering the totality of the circumstances, this Court is of the firm view that at this length of time, custodial interrogation of the petitioners are not required.



Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

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8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-II, Hosur** on condition that **the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as



laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

13-07-2026

NR

To:

1. The Judicial Magistrate-II, Hosur
2. The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
3. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN, J.

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