

CrI.O.P.No.9157 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9157 of 2025

1. Prabu Nallathambi
2. Prashanth Subramani

Petitioners

Vs

The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
(Cr.No.87 of 2025)

Respondent

For Petitioners: Mr.Arunachalam Meyyappan

For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

For Intervener : Mr.K.T.S.Sivakumar

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the Respondent in Crime No.87 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 126 and 309 of BNS in Crime No.87 of 2025 on the file of the respondent police, seeks anticipatory bail.

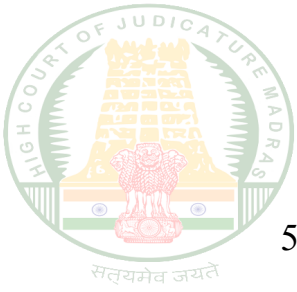


WEB.COM

2. The case of the prosecution is that the petitioners, who are the 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, the petitioners had committed the aforesaid offence.

3. Learned counsel appearing for the petitioners submitted that the petitioners had advanced a loan amount of Rs.20,75,000/- and another loan of Rs.10,00,000/-; that the defacto complainant is due to pay a sum of Rs.10,63,000/-, under the hypothecation agreement, that the petitioners are entitled to take repossession of the vehicles, and that the petitioners have not committed any offence and prayed for anticipatory bail for the petitioners.

4. Learned counsel for the intervener submitted that since the petitioners had engaged musclemen to take possession of the vehicles, the petitioners have committed the offence and they have not followed the due process of law in taking the possession of the vehicles and opposed the grant of anticipatory bail to the petitioners.



WEB.COM

5. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the petitioners has no bad antecedents.

6. Heard the learned counsel for the petitioners, learned counsel for the intervener and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

7. To a specific query of this Court, the defacto complainant submitted that he is willing to pay Rs.2.5 lakhs towards the due amount payable to the petitioners, and that the petitioners may be directed to return the vehicles.

8. Accordingly without going into the merits of the case, the defacto complainant is directed to pay a sum of Rs.2.5 lakhs towards the loan amount due to the petitioners, and on such payment, the petitioners are directed to hand over the vehicles to the defacto complainant. It is also made clear that thereafter, if the defacto complainant commits any default in the



Crl.O.P.No.9157 of 2025

SUNDER MOHAN J.

WEB COPY

drl

repayment of the loan, it is open to the petitioners to pursue any action in accordance with law.

9. Accordingly, the defacto complainant is directed to pay a sum of Rs.2.5 lakhs on or before 22.04.2025. The payment and the return of the vehicle shall be made in the presence of the respondent police.

10. Call on 23.04.2025. Till then, the petitioners shall not be arrested.

drl

08-04-2025

To

1. The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.

2. The Public Prosecutor,
High Court, Madras.

CRL OP No. 9157 of 2025