



Crl.R.C.No.24 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.24 of 2026

M/s.SMFG India Credit Co.Ltd.,
(Formerly Fullerton India Credit Co. Ltd.)
Rep.by Mr.G.Sankararaman
Old No.307, New No.165,
First Floor, Megh Rowers
Poonamallee High Road
Maduravoyal, Chennai.

...Petitioner

Vs.

- 1.The Inspector of Police
C-a, Rathinapuri
Coimbatore.
2. L.Prabhakaran,
S/o. Lingadurai,
D.No.2/2021, Thandal Mutham Veeth,
Near Ponkalamman Kovil,
Nallampalayam, Gnaanpathi,
Coimbatore.

...Respondents

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS, to set aside the order dated 15.10.2025 passed by the learned Judicial
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Magistrate II, Coimbatore in Crl.M.P.No.6573 of 2025 and to call for the entire records of the same.

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For Petitioner : Mr.V.Balasubramani

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.Side) for R1
R2-Dispensed with

ORDER

The revision challenges one of the conditions imposed by the learned Judicial Magistrate II, Coimbatore in Crl.M.P.No.6573 of 2025 while allowing the petitioner's application for return of vehicle which was seized during the course of investigation in Crime No. 39 of 2023 by the 1st respondent.

2. It is the case of the petitioner that the property that was seized from the 2nd respondent was hypothecated to the petitioner by the 2nd respondent, who had obtained loan and is due to pay a sum of Rs.7,63,599/-; that the petitioner is entitled to interim custody. Hence, the petitioner filed a petition for return of the vehicle before the learned Magistrate.

3. The learned Magistrate, allowed the application, by the order



under challenge, inter alia, on the following conditions:

‘1. The petitioner shall execute a bond for Rs.50,000/- along with two sureties and execute bond for like sum.

2. The petitioner shall produce the photo copy and CD for the property. The photo copies of the property to be attested by the petitioner, and to be identified by the counsel for petitioner and investigation officer and shall attested by the head clerk of this Court.

3. Panchanama should be prepared as per criminal rules of practice.

4. If the petitioner wanted to sell the property, the petitioner has to give opportunity and notice to the 2nd respondent. If the property is sold to anyone, the proper account statement and excess amount if any shall be deposited before this Court.

5. The petitioner shall also file undertaking affidavit stating that to undertake to deposit the sale amount in future if anyone is claimed the ownership of the vehicle.’

4. The petitioner is aggrieved with the first condition. The learned counsel for the petitioner would submit that the petitioner being a company cannot execute a personal bond and hence, the aforesaid condition may be modified.

5. It is seen from the impugned order that the learned Magistrate had observed that though the 2nd respondent was served, he had not filed any application for return of the vehicle. Hence, notice to 2nd respondent is dispensed with.



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6. In the light of the above submission, this Court is inclined to set

aside condition No.(1) with regard to execution of personal bond and modify the same as hereunder:

‘The petitioner shall deposit a sum of Rs.50,000/-
(Rupees Fifty Thousand only) and produce two sureties for a
likesum.’

The other conditions imposed by the learned Magistrate shall remain
unaltered.

7. With the above modification in the condition imposed, the
criminal revision case stands allowed.

07.01.2026

Index : Yes/No
Speaking order : Yes/No
Neutral Citation : Yes/No
nv



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To

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- 1.The Judicial Magistrate II, Coimbatore.
- 2.The Inspector of Police
C-a, Rathinapuri
Coimbatore.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN.J.,

nv

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