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CrI.OP.No. 16400 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP NO. 16400 of 2025

Kumar Prabakaran

...Petitioner/A1

Vs

The State rep. by

The Inspector of Police

SIPCOT Police Station

Ranipet District.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No. 146 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Iyyapparaj
for Mr.L.P.Shanmuga Sundaram

For Intervener : Mr.M.Shree Raam

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 318(4), 336(2), 336(3) of BNS (BNS), Act, 2023 in Crime No.146 of 2025, on the file of the respondent Police, seeks anticipatory bail.



2.The case of the prosecution is that the petitioner along with other accused forged the signature of the deceased and obtained NOC from the finance company and fraudulently transferred the ownership of the Innova car bearing Registration No. TN-73-AK-9696 to his own name on 22.04.2025 at the RTO Office. It is further alleged that the Car was originally purchased by her late husband on 26.01.2022 on loan and the EMIs were being regularly paid until his demise. The complainant contents that she is the legal heir and that the act of the petitioner amounts to forgery and misappropriation. Hence the case.

3.The learned Counsel appearing for the petitioner submits that the vehicle in question was purchased on 26.01.2022 and has been exclusively used and maintained by the petitioner. It is further submitted that all EMIs were paid by the petitioner and not by the complainant's husband. It is also contended that during his lifetime, late Chandrasekeran had voluntarily given an NOC and only based on that, the registration was effected in the name of the petitioner. The petitioner further submits that the de-facto complainant has not produced any material evidence to substantiate her allegations of cheating or forgery and the complaint is only by internal



family dispute. It is also represented that the petitioner hails from a respectable family, has no criminal antecedents and has not committed any offence as alleged in the FIR. He further submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Counsel for the Intervener/De-facto complainant submits that the EMIs were made by her husband. She contends that no documentary proof has been produced by the petitioner to substantiate his claim and even if such payments were made. The petitioner's husband Chandrasekaran died on 12.01.2025 leaving behind the petitioner and her children as his legal heirs. Taking advantage of the situation, the petitioner who is the brother of the de-facto complainant's husband had paid the pending dues of the vehicle loan and got the NOC for vehicle name transfer from the financial institutions. After getting the NOC for name transfer, the petitioner created and forged various documents in respect of the above vehicle and presented the documents for transfer of ownership before the Regional Transport Office, Ranipet. Accepting the documents, the RTO transferred the ownership of the vehicle to the petitioner. The complainant



filed an application under RTI Act seeking information and documents involved in the above name transfer application filed by the petitioner. After perusal of the documents, the complainant confirms that the petitioner has forged the signature of the deceased Chandrasekaran and transferred the ownership of the vehicle to his name. He further submits that the Car is under the possession of the petitioner herein.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that the Car is now under the custody of the petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made by the learned Counsel on either side and the petitioners have no previous case; this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Ranipet District,**



on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties, out of which, one surety should “blood surety”** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen 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 the identity proofs to ensure their identity;

[c] that the petitioner shall appear before the respondent police daily at 10.30 am for a period of one week and thereafter, as and when required for interrogation.

[d] this Court directs the respondent police to take the car and the same shall hand over to the de-facto complainant within a period of one week from the date of receipt of a copy of this order.



[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12.11.2025

MSM

To

1.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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