



Crl.O.P.No.29151 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29151 of 2025

V.Roopak

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Madhavaram Police Station,
Chennai.
(Crime No.494 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in
Crime No.494 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Kishore Kumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 21.08.2025, for the offence punishable under Section 109(1) of the
Bharatiya Nyaya Sanhita, 2023, and later altered to offence under Section
103(1) of BNS, in Crime No.494 of 2025, registered on the file of the
respondent, seeks bail.



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2. The case of the prosecution is that the petitioner is the son of the deceased. Due to a family quarrel and money dispute, he allegedly attacked his mother by dashing her head against the wall. Subsequently, she was admitted to the hospital, where she succumbed to the injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the occurrence had taken place due to a sudden quarrel between the petitioner and his mother, and that the petitioner did not intentionally attack her. Based on the complaint lodged by a neighbour, the case was initially registered for the offence of attempt to murder and was subsequently altered. He further submitted that the investigation is almost complete, and the petitioner has been in custody since 21.08.2025. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation in this case has not yet been completed. Hence, he opposed for grant of bail.



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5. Heard both sides and perused the materials available on record.

6. Considering the fact that the occurrence had taken place due to a sudden quarrel, the fact that the major part of the investigation has been completed, and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **District Munsif cum Judicial Magistrate, Madhavaram, Chennai**, and on further conditions that:

[a] 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation;



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[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The District Munsif cum Judicial Magistrate,
Madhavaram, Chennai.
- 2.The Inspector of Police,
Madhavaram Police Station,
Chennai.
- 3.The Central Prison Puzhal-II.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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