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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32524 of 2026

P.Gopalakrishnan,
S/o.Paramashivam,
No.1/1, G.N.Street,
Mylapore,
Chennai-600 004. ...Petitioner/Accused-1

Vs

The State rep. by
The Inspector of Police,
E-1 Mylapore Police Station,
Chennai. ...Respondent/Complainant
(Crime No.524 of 2026)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.524 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.Bommuraj,K
For Respondent(s): Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)

O R D E R

The Petitioner, who was arrested and remanded to judicial custody on 27.09.2026 for the alleged offence under Section 126(2), 296(b), 118(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 on 26.09.2026. Later, the FIR was alter to Section 126(2), 296(b), 103(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.524 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the proseuction, in brief, is that on 25.09.2026, the deceased, who was allegedly a drug addict and mentally unstable, threatened the petitioner and the co-accused and demanded money, resulting in a quarrel. During the altercation, the petitioner and the co-accused allegedly assaulted the deceased with a wooden log. Thereafter, the deceased was taken to the hospital and discharged. Subsequently, he died on 06.10.2026, pursuant to which the FIR was altered and the charges were modified accordingly. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner has been in judicial custody since 27.09.2026. He also further submitted that the occurrence arose out of a sudden provocation by the deceased adn that the petitioner had acted only in self-defence and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner, along with the co-accused, had assaulted the deceased with a wooden log, resulting in injuries, and that the deceased subsequently succumbed to the injuries on 06.10.2026. He further submitted that the investigation is in progress and strongly opposed the grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the nature of the allegations, the fact that the occurrence arose out of a sudden quarrel between the petitioner and the deceased, the defence plea of self-defence raised by the petitioner and the period of incarceration already undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on him executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned XVIII Metropolitan Magistrate at Saidapet,** 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 15 days and thereafter as and when required for interrogation;**
>
> [c] the petitioner shall not abscond either during investigation or trial;

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[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc 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.

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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 XVIII Metropolitan Magistrate,
Saidapet.

2.The Inspector of Police,
E-1 Mylapore Police Station,
Chennai.

3.The Superintendent,
Sub Jail, Saidapet.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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