



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Tenth day of November Two Thousand Sixteen

PRESENT

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The Hon`ble Mr.Justice B.GOKULDAS

CRL OP (MD) No.19368 of 2016

SEENI MOHAMED ... PETITIONER / ACCUSED No.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKKUDI,
THOOTHUKKUDI DISTRICT
(CRIME NO.217 OF 2016) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.M.MANIVELPANDIAN, Advocate

For Respondent : MR.P.KANNITHEVAN, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

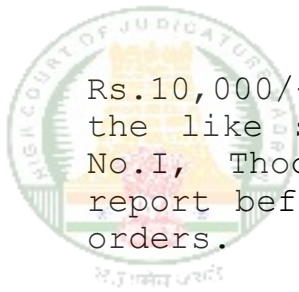
Petitioner, who was surrendered on 16.08.2016 for offences punishable under Sections 302 and 201 IPC in Cr.No.217 of 2016 on the file of respondent police, seeks bail.

2. The case of the prosecution is that A-2 is the mother of the deceased child and she developed illegal intimacy with A-1. A2 left the matrimonial home at Tirunelveli with her child and lived along with A1, wherein A1 murdered the child of A2.

3. Learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution.

4. Learned Government Advocate (Crl.Side) submits that the investigation is pending for getting the viscera report.

5. The investigation is almost over and the overt act upon the petitioner is that the petitioner/A3 has only extend his assistance for taking the deceased child to the hospital. Considering the facts and circumstances of the case and considering the change of circumstances in the investigation and considering the fact that prime accused A1 and A2 are in custody, this Court is inclined to release the petitioner on bail. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of



Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to the satisfaction of learned Judicial Magistrate No.I, Thoothukudi, and on condition that the petitioner shall report before the committal Court daily at 10.00 a.m until further orders.

sd/-

10/11/2016

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE PRINCIPAL SESSIONS JUDGE, THOOTHUKUDI.
 - 2 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.
 - 3 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
 - 4 THE OFFICER INCHARGE, SUB-JAIL,
SRIVAICKUNDAM JAIL AT THOOTHUKUDI.
 - 5 THE INSPECTOR OF POLICE, SIPCOT POLICE STATION, THOOTHUKKUDI,
THOOTHUKKUDI DISTRICT.
 - 6 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.M.MANIVELPANDIAN, Advocate SR.No.67489.

ORDER IN
CRL OP(MD) No.19368 of 2016
Date :10/11/2016

ANR/ss3/sarW/10.11.16/p2/8c