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

Date : 04/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16020 of 2023

Fredrick Samson

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep by its Inspector of Police,
Thiruvaidaimaruthur Police Station,
Thanjavur District.
(Crime No.516 of 2023)

... Respondent/Complainant

For Petitioner : Mr.P.R.Boomee Rajan, Advocate

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.516 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused herein, who was arrested on 20.07.2023 for the alleged offence under Section 174(iii) of Cr.P.C. r/w. under Section 304(ii) IPC in Crime No.516 of 2023, on the file of the respondent Police, seeks bail.



2. The case of the prosecution that on 19.07.2023, the petitioner took a two years old son of the defacto complainant in his two wheeler. When he returned back after consuming liquor, the child fell down into the river from the two wheeler and on the next day, the body was secured by the personnel of Fire Service. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution. Actually, the petitioner took the child for the purpose of purchasing the snacks in his two wheeler, but on the way, he fell down into the river along with two wheeler and child, in which, the child wa died. Further, the petitioner is in judicial custody from 20.07.2023. Hence, he prays to release the petitioner on bail.

4. The learned Additional Public Prosecutor would submit that there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of this case, no previous case is pending against the petitioner and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvudaimarudhur,



Thanjavur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
04/09/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Indu
TO

1. The District Munsif cum Judicial Magistrate,
Thiruvaidaimarudhur, Thanjavur.
2. Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
3. The Officer Incharge,
Sub Jail, Thiruvaidaimarudhur, Thanjavur District.
4. The Inspector of Police,
Thiruvaidaimaruthur Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/S. P.R. BOOMEE RAJAN, advocate, SR 13217(I), dated 05/09/2023

ORDER
IN
CRL OP(MD) No.16020 of 2023
Date :04/09/2023

SSA/ /04.09.2023/3P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023



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