



Crl.M.P.No.968 of 2026
in Crl.A.No.1267 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.968 of 2026

in

Crl.A.No.1267 of 2025

Reshma Banu

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Devala All Women Police Station,
Devala, Nilgiris.
Crime No.05 of 2017

... Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430 (1) of BNSS, praying to suspend the sentence imposed on the appellant and enlarge the petitioner on bail in Special S.C.No.33 of 2018 on the file of the learned Sessions Judge, Magalir (FTC), Udthagamandalam, dated 16.06.2025 pending disposal of the above criminal appeal.

For Petitioner : Mr.S.Manoj Vasanth

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 16.06.2025 passed in



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S.C.No.33 of 2018 by the learned Sessions Judge, Magalir (FTC),
Udhagamandalam, pending disposal of the above criminal appeal and enlarge
the petitioner on bail.

2. The petitioner/accused in S.C.No.33 of 2018 was convicted by the
Trial Court by judgment dated 16.06.2025, for the offence under Sections
370(1)(4) r/w 511 of IPC r/w Section 81 of the Juvenile Justice (Care and
Protection of Children) Act and Section 511 of IPC, and sentenced to undergo
five years rigorous imprisonment and to pay a fine of Rs.1,00,000/-, in default,
to undergo simple imprisonment for three months. Aggrieved by the same, she
filed Crl.A.No.1267 of 2025 before this Court along with the instant criminal
miscellaneous petition seeking suspension of sentence and bail.

3. The case of the prosecution is that the petitioner, along with another
accused, entered into a conspiracy to sell the minor child of the de facto
complainant for monetary benefits and thereby committed the aforesaid
offence.

4. The learned counsel for petitioner would submit that the petitioner has
raised substantial grounds in the above appeal which require consideration,



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since the appeal is not likely to be taken up in the near future. He further submitted that the first bail application filed by all the three accused came to be dismissed on 19.08.2025 in Crl.M.P.No.15707 of 2025 in Crl.A.No.1267 of 2025. Thereafter, the first accused approached this Court independently and this Court, by order dated 28.11.2025, granted suspension of sentence. The petitioner thereafter gave a change of vakalat to the present learned counsel and has now filed the present petition seeking suspension of sentence.

5. Heard the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Admittedly, the first accused has already been granted suspension of sentence by this Court by order dated 28.11.2025. The petitioner, who is similarly placed, has also raised substantial grounds in the above appeal which require consideration, and the appeal is not likely to be taken up in the near future. Hence, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the



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above criminal appeal and the petitioner is ordered to be released on bail on the following conditions:

- (i)The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Magalir (FTC), Udhagamandalam;
- (ii)The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii)The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if she is not able to appear before the Trial Court on any day, she shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of her absence, as directed by the Trial Court.

27.01.2026

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To

- 1.The Sessions Judge, Magalir (FTC), Udhagamandalam.
- 2.The Inspector of Police,
Devala All Women Police Station,
Devala, Nilgiris.
- 3.The Superintendent,
Coimbatore Central Jail.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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