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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.3844 of 2026

M.Pughalambhal @ Devi
Sharmila

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
(Crime No.649 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioners on bail in Crime No.649 of 2025 on the file of the respondent police.

For Petitioners : Mr.T.Suriya

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 24.12.2025 for the alleged offence punishable under Sections 80, 81 and 87 of the Juvenile Justice (Care and Protection of Children) Act, 2015 read with Section 143(1)(f) of BNS, 2023 in Crime No.649 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that A1 and A2, who are the biological parents of a three month old child, had attempted to sell the child to A8 and A9 and that the other accused are acted as mediators in facilitating the said transaction by collecting a huge sum of money. On receipt of information regarding the same, the matter was reported to the Child Welfare Committee, which in turn lodged a complaint. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioners submitted that the petitioners are ranked as A6 and A7 in this case and have been falsely implicated. He further submitted that there are no specific overt acts attributed against the petitioners and that the petitioners are in judicial custody since 24.12.2025. He further submitted that they are ready to co-operate with the investigation. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioners are ranked as A6 and A7 and that A8 and A9 are still absconding. He further submitted that the specific overt act against the petitioners is that they had received a sum of Rs.1,20,000/- and that the child has been rescued; and that the investigation is still pending. However, he opposed to grant bail to the petitioners.

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

6. Considering the submissions made by the learned counsel on either



side, the nature of the allegations, the fact that the petitioners are ladies and that they are not having any previous case, the fact that the child has been rescued and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each, for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Uthukuli**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

[c] the petitioners shall not abscond either during investigation or trial;



[d] the petitioners shall not tamper with the evidence

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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560];

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

17.02.2026

drl

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,
Uthukuli.

2.The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.

3.The Superintendent,
District Court (Women's), Tiruppur.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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