WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

Crl.O.P.No.30689 of 2026

CNR: {HCMA012560692026}

1. Komathi
2. Rani

..Petitioner(s)

Vs

State of Tamil Nadu,
Rep. by the Sub-Inspector of Police,
Vaniyambodi Town Police Station,
Tirupattur District.
Crime.No.408/2026 ..Respondent(s)

PRAYER: Criminal Original Petition is filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime.No.408/2026 pending investigation on the file of the respondent.

For Petitioner(s) : Mr. E.Kannadasan

For Respondent(s) : Mrs. R.S.Indira
Additional Public Prosecutor

ORDER

The petitioners/A3 & A4, who were arrested and remanded to judicial custody on 06.10.2026 for the alleged offences punishable under Sections 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.408 of 2026, on the file of the respondent police, seeks regular bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that accused 1 and 2, with the assistance of the petitioners herein, who are arrayed as A3 and A4, sold their illegitimate child for monetary gain. Consequently, the present case was registered against the petitioners and the other accused.

3. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. He further submits that the petitioners have been incarcerated in judicial custody since 06.10.2026. Hence, he prays that the petitioners may be granted bail.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent strongly opposes the grant of bail to the petitioners. She also submits that the investigation in this case is still pending, however, the child has been rescued.

5. Considering the nature of the allegation, the period of custody undergone by the petitioners and the stage of the investigation, this Court is inclined to grant bail to the petitioners, but with stringent conditions to ensure his appearance and good conduct.

6. 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

https://www.mhc.tn.gov.in/judis

WEB COPY

Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Vaniyambodi,** and on further conditions that:

[a] The sureties shall affix his 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 his identity;

[b] The petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

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

[d] The petitioners 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 petitioners in accordance with law as if the aforementioned 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)13 SCC 283]; and

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

23-10-2026

Neutral Citation: Yes/No

ham

https://www.mhc.tn.gov.in/judis

WEB COPY

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate,
   Vaniyambodi.

2. The Inspector of Police,
   Vaniyambodi Town Police Station,
   Tirupattur District.

3. The Superintendent,
   Special Prison for Women, Vellore.

4. The Public Prosecutor,
   High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

ham

Crl.O.P.No.30689 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis