

(2026) 02 MAD CK 1691

In the Madras High Court

Case No : Criminal Original Petition No. 2481 Of 2026

Shanmuga Sundaram

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 04-02-2026

Acts Referred:

Juvenile Justice (Care And Protection Of Children) Act, 2015 — Section 80, 81, 87
Bharatiya Nyaya Sanhita, 2023 — Section 143(1)(f), 269

Citation : (2026) 02 MAD CK 1691

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : M. Vijaya Ragavan, A. Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 24.12.2025 for the offences punishable under Sections 80, 81 and 87 of Juvenile Justice (Care and Protection of Children) Act and Section 143(1)(f) of BNS 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 in this case have sold their girl child to A8 and A9 by illegal means, in which the petitioner herein acted as a mediator . Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 24.12.2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that there are totally nine accused involved in this case and the petitioner herein is arrayed as A4; that the victim child in this case has been rescued; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of the case, the fact that the victim child in this case has been rescued and taking note of the period of incarceration undergone by the petitioner herein, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each, for a like sum to the satisfaction of the learned District Munsif-Cum-Judicial Magistrate, Uthukuli, Tiruppur District and on further conditions that:

[a] the sureties shall affix their 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 their identity;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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];

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