



Crl.O.P.(MD)No.13931 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.07.2026

PRESENT

THE HONOURABLE MR. JUSTICE K. RAJASEKAR

CRL OP(MD). No. 13931 of 2026

Abinaya

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
All Women Police Station,
Marthandam, Kanniyakumari District.
(Crime No.35 of 2026)

...Respondent/Complainant

For Petitioner : Mr.G.Aravinthan
Advocate.

For Respondent : Mr.T.Lenin Kumar
Counsel for State of TN (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 35 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 5(L), 5(m), 6, 11(iii) and 12 of POCSO Act, 2012, in Crime No.35 of 2026, on the file of the respondent police, seeks



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anticipatory bail.

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2. The case of the prosecution is that the petitioner is that the petitioner herein is the step sister of the victim aged about 13 years. It is alleged that taking advantage of the loneliness and age, she involved in lesbian activities with the victim girl. Hence it was reported to the elders and the case was registered.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is in no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. It is admitted that the complaint was lodged with the help of the biological mother of the victim girl, who is having matrimonial dispute with the biological father. It is also admitted fact of that the father is living with the mother of the petitioner and the petitioner is also young aged girl. Only with a view of malicious representation and cause trouble to the petitioner's mother and the victim's father, this false complaint has been lodged. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned counsel appearing for the State reiterated the prosecution



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case and reported that the statement of the victim girl reveals that it is a case of lesbian activities. He opposed grant of anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, the nature of offences charged against the petitioner, statement recorded from the victim under Section 183 (1) of BNSS reveals some disturbing facts, she also intimate the same to the family members and they have not accepted the victim's statement, only thereafter, with the help of the biological mother she lodged the complaint, hence, there is possibility of the involvement of the victim's mother for lodging the complaint and also exaggeration of the complaint, and the petitioner is a young girl, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Sessions Judge, Special Court under POCSO Act Cases, Kanniyakumari District at Nagercoil**, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees



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Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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

[c] the petitioner shall subject herself for medical examination, if any required for the purpose of investigation;

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].



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[h] If the accused thereafter absconds, a fresh FIR can be

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(K R S J)
10.07.2026

TM

To

1. The Sessions Judge, Special Court under POCSO Act Cases, Kanniyakumari District at Nagercoil
- 2.The Inspector of Police,
All Women Police Station,
Marthandam, Kanniyakumari District.(Crime No.35 of 2026)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR, J.

TM

ORDER
IN
CRL OP(MD) No. 13931 of 2026

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