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Crl.O.P.No.3103 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.3103 of 2026

Madhubala

... Petitioner/A2

Vs.

The State Rep. By,
The Station House Officer,
D Nagar Police Station,
Puducherry.
Crime No.256 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail
in the event of his arrest in Crime No.46 of 2026 on the file of the respondent
police.

For Petitioner : Mr.P.Pandiyaraj

For Respondent : Ms.M.V.Ramachandra Murthy
Public Prosecutor (Puducherry)



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ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8, 10 & 21(1) of POCSO Act in Crime No.256 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the victim is a 12 year old minor boy. On 11.11.2025, while the victim was at the Gorimedu Training Ground, A1, who was working as a Coach, took the victim to a nearby milk booth on the pretext of getting him milk, and in a dark place behind the said booth, hugged the victim, kissed him on his cheeks and pressed his private parts. Subsequently, the victim disclosed the incident to his mother, who is the petitioner herein. However, she has not taken any steps and she has not reported the same to the appropriate authorities and therefore she has been added as an accused.. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to prior enmity, a false case has been instituted at the instance of the father of the victim, who has been living separately from his wife for a considerable period. He further submit the allegations are purely vindictive and do not warrant custodial interrogation of



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the petitioner. Hence, he prays for grant of bail to the petitioner.

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4.The learned Public Prosecutor, Puducherry appearing for the respondent police would submit that the statement of the victim recorded under Section 183 of the BNSS, clearly reveals the commission of sexual assault by A1 and the overt act against the petitioner is that the petitioner herein is the mother of the victim boy and she has not immediately taken action against A1 and has not reported the same to the appropriate authorities. He further submitted that, A1 in this case has been released on bail by this Court in Crl.O.P.No.2635 of 2025 on 05.02.2026.

5. I have gone through the FIR and other connected records.

6. Considering the fact that majority of the allegations including the sexual assault is only against A1 and now he is arrested and released on bail and the overt against the petitioner is that she being the mother has not immediately taken action against A1 and hence custodial interrogation of the petitioner is not required, hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Fast Track Court Exclusively to Deal with Offences under the POCSO Act, Puducherry**, on condition that the petitioner shall execute 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 Magistrate concerned, and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

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



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interrogation;

[d] 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]**;

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

10.02.2026

sma

To

1. Fast Track Court Exclusively to Deal
with Offences under the POCSO Act, Puducherry
- 2.The Station House Officer,
D Nagar Police Station,
Puducherry.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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