



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.M.P.No. 19873 of 2025

in

Crl.O.P.No. 19628 of 2025

S.Tamil Selvi

...Petitioner/

Defacto complainant

Versus

1.S.Divya

2.The State, represented by
The Inspector of Police
W-32, All Women Police Station
Madipakkam, Chennai.

...Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 483 of BNSS, 2023 praying to cancel the anticipatory bail granted to the first respondent in Crl.O.P.No. 19628 of 2025, dated 10.07.2025 in Crime No. Not Known of 2025.

For petitioner : Mr.S.Swetha

For Respondent-1 : Mr.G.M.Gokul Ram
For M/s.Ram Gokul & Associates

For Respondent-2 : Ms.J.R.Archana
Government Advocate (Crl.Side)



ORDER

This Criminal Miscellaneous Petition is filed seeking to cancel the anticipatory bail granted to the first respondent in CrI.O.P.No.19628 of 2025 vide order dated 10.07.2025.

2.The petitioner herein is the de-facto complainant in Crime No.7 of 2025 on the file of All Women Police Station, Madipakkam.

3.It is alleged that the first respondent showed some obscene images of the victim girl and also inappropriately touched her, including her private parts. Hence, the de-facto complainant lodged a complaint and the case was also registered for the offences under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015. Apprehending arrest, the first respondent approached this Court, and this Court, after considering the merits, and granted anticipatory bail to the first respondent with certain conditions.



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4.The learned Counsel for the petitioner submitted that the name of the victim in this case has been disclosed on social media by the respondent no.1 which indirectly caused a threat to the victim as well as the de-facto complainant. This act amounts to tampering with evidence. Hence, it is a valid ground to cancel the anticipatory bail granted to the first respondent. He further submitted that the de-facto complainant had narrated the incident in Facebook and stated that cases were registered against the accused, due to her family dispute, and enmity. Hence, prays to cancel the anticipatory bail granted to the first respondent.

5.The learned Counsel for the Respondent No.1 submitted that the Facebook post made by her has now been removed. Further, regarding the complaint lodged by the de-facto complainant for the above post, a separate enquiry was conducted and the same has been closed. He further submitted that this is a case of previous enmity and that the petition has been filed with *mala-fide* intention. Therefore, he prays to dismiss the above petition.

6.Ms.J.R.Archana, learned Government Advocate (Criminal Side) appearing for the respondent police, submitted that a final report has been



filed in C.C.No.247 of 2025 and the copies have been served, and the matter is posted for framing of charges.

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7.I have considered the submissions made by the learned Counsel on either side, and perused the records. The Facebook post made by the first respondent, reveals that she has stated various facts regarding the registration of cases against her, claiming that she has been falsely implicated and that the accused has been vindicated by her family members. She has also mentioned about the POCSO case registered against her and narrated various incidents that took place in the office of the Deputy Commissioner of Police, and also other facts related to dowry harassment and other connected facts. Now, she has stated that the same has been removed.

8.Upon careful perusal of the Facebook post, it is revealed that she had raised some disputes regarding marrying the relatives and further facts regarding lodging a complaint alleging false implication. It is also revealed that the complaint was lodged immediately by the petitioner, and the first respondent participated in the petition enquiry, which was closed after she submitted an apology letter. Now, the main case is pending at the stage of



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9. Considering the nature of allegations, and the fact that the petitioner is being a lady, and the POCSO case in which, the first respondent is also an accused is in the stage of Trial, and the Facebook post has not contained names of neither the victim nor the de-facto complainant and it maintains anonymity of the victim, I am of the view that cancelling the anticipatory bail granted to the first respondent at this stage is not necessary. Accordingly, this Criminal Miscellaneous Petition is dismissed.

03.02.2026

MSM

To

1.2. The State, represented by
The Inspector of Police
W-32, All Women Police Station
Madipakkam, Chennai.

2. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR J.

MSM

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