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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30743 of 2026

CNR: {HCMA012560932026}

Priyadharshini

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
AWPS Karumathampatty Police station,
Coimbatore District.
Crime No. 34 of 2026

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the petitioner on bail in the event of her arrest in Crime No. 34 of 2026 on the file of the respondent police and thus render justice

For Petitioner(s): Mr.Deepan Uday

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 11(2) read with Section 12 of POCSO Act in Crime No.**34 of 2026** on the file of the respondent police seeks anticipatory bail.

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2. The de facto complainant lodged a complaint alleging that his wife had cheated him. It is further alleged that his wife (the petitioner herein) was in an illicit relationship with A2, who allegedly sexually assaulted the victim children. Both the accused persons reportedly threatened the children, thereby causing them severe mental distress.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner and that she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. This is a case of child sexual abuse allegedly committed by the mother’s paramour. The complaint was lodged by the victim's father, who alleged that his wife (A1)/ the petitioner herein was in an illicit relationship with

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Order QR

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A2. The informant further alleged that A2 sexually assaulted the 6 years old victim girl and 13 years old victim boy and threatened them. However, a perusal of the statement recorded under Section 183 of the BNSS from the 13-year-old victim boy reveals that no such incident took place. The victim boy stated that his father merely suspected his mother of having an illicit relationship with A1, routinely tortured his mother, and had filed a false complaint. Considering the nature of the allegations and the matrimonial dispute between the parents and also considering the statement of the victim boy recorded under Section 183 of BNSS, this Court is of the firm view that custodial interrogation of the petitioner is not warranted. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore,** 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 conditions:

(a)If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the

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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 slip (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police daily at 10.30 am for a period of 15 days and thereafter as and when required;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Sessions Judge,
   Principal Special Court for Exclusive Trial of
   Cases under POCSO Act, Coimbatore.

2. The Inspector of Police
   AWPS Karumathampatty Police Station,
   Coimbatore District.

3. The Public Prosecutor,
   High Court, Chennai.

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N.RAMESH, J.

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