



Crl.O.P.(MD).No.9466 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated	:	14.05.2026
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THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

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B.Gurunathan

... Petitioner

Vs

The State Rep by
The Inspector of Police,
All Women Police Station,
Virudhunagar District.
Crime No.14 of 2026

... Respondent

PRAYER:- This petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.14 of 2026 on the file of the respondent police.

For Petitioner : Ms.K.Asha

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

ORDER

The petitioner is are accused in Crime No.14 of 2026, on the file of the respondent police for the alleged offences under Sections 7 r/w 8 of the Protection of Children from Sexual Offences Act, 2012.



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2.The petitioner is alleged to have committed offences under Sections 7 r/w 8 of the Protection of Children from Sexual Offences Act, 2012. According to the prosecution, the petitioner, who is the father of the victim girl, allegedly caused sexual harassment to the victim. He was arrested on 16.04.2026 and confined in District Jail, Virudhunagar.

3.The learned counsel appearing for the petitioner submitted that the petitioner is not involved in the alleged occurrence. It is further submitted that the petitioner, being the father of the victim, ticked her off for continuously using the mobile phone whole day, which resulted in frequent quarrels between the petitioner and his wife. According to the learned counsel, it was only in that background the victim contacted “1098”, and subsequently, at the insistence of the officials who attended the call, a false complaint came to be lodged against the petitioner.

4.The learned Additional Public Prosecutor, on the other hand, submitted that the statement of the victim was recorded under Section 164 Cr.P.C., and the same was produced before this Court for perusal.



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5.This Court considered the rival submissions and carefully perused the statement of the victim recorded under Section 164 Cr.P.C. A reading of the said statement reveals that the victim, without any hesitation, categorically stated that there were frequent quarrel between her father and mother and that the petitioner used to scold her for excessive usage of the cell phone. In order to subdue the quarrel between her parents, she contacted “1098”. Thereafter, an officer attended the call and allegedly insisted that she should give a complaint as though her father had subjected her to “bad touch”. The victim further stated that only at the instigation of the said officer, such allegations were made against the petitioner.

6.Apart from the above, the victim also stated that she was confined in shelter home for five days and was intimidated by the officials attached to the Child Welfare Committee and threatened that, unless she gave a complaint against her father, action would be taken against her. The said statement prima facie discloses that the victim was subjected to pressure and coercion to make allegations against the petitioner.

7.Considering the aforesaid circumstances, the statement recorded under Section 164 Cr.P.C., and the period of incarceration undergone by the petitioner



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from 16.04.2026, this Court is inclined to grant bail to the petitioner.

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8. While perusing the statement of the victim, this Court painfully notices an alarming trend in certain cases involving allegations against fathers, wherein some officials attached to the Child Welfare Committee, shelter homes, or even police personnel appear to insist upon or induce the child victims to make allegations of sexual abuse against their fathers. In several instances, the children appear to have approached the authorities only to ventilate grievances arising out of domestic discord between their parents. However, instead of addressing the family dispute in an appropriate manner, the victims are allegedly compelled to make accusations of sexual misconduct against their own family members.

9. Such conduct, if true, amounts to a gross misuse and abuse of official power. The present case appears to be a classical example where the victim was allegedly threatened and compelled to make false allegations against her father. Such practices not only traumatize the child further, but also undermine the sanctity of the process contemplated under child protection laws.



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10. Therefore, this Court deems it appropriate to issue a direction to the Chief Secretary to Government to formulate suitable guidelines to all authorities dealing with children, including officials responding to complaints received through “1098”, officials attached to the Child Welfare Committees, homes, and police personnel, directing them to record the statements of children in a fair, and transparent manner without inducing, tutoring, or coercing them to make allegations against any person, including family members.

11. The object of the “1098” Child Helpline mechanism is to protect children in distress and to provide immediate assistance, care, and counselling. The said mechanism cannot be permitted to be misused in a manner causing further mental trauma and ignominy to children by compelling them to make false allegations. False allegations carry devastating consequences resulting in reputational damage severe psychological trauma and legal entanglements.

12. Hence, this Court issues direction to the Inspector General of Police, South Zone to conduct enquiry against the officer attached to the Child Welfare Committee, District Collector, Virudhunagar District, and the officer who attended the “1098” insisted the victim to make false allegation against her



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father and take suitable action and submit a report before this Court on 02.07.2026 the District Collector, Virudhunagar is hereby directed to pay compensation of Rs.1,00,000/- to the victim for the trauma undergone by the victim compelling her to make such allegations against her father.

13. Accordingly, this Criminal original petition is allowed and petitioner is order to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Srivilliputhur, Virudhunagar District.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness.

(iv) the petitioner shall not abscond during trial.

(v) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and



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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].

(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section 229A of IPC.

14.List this case on 02.07.2026 under the caption for reporting compliance.

14.05.2026

sbm

To

- 1.The Special Court for Exclusive Trial of Cases under POCSO Act,
Srivilliputhur,
Virudhunagar District.
- 2.The Jailer,
District Jail,
Virudhunagar District.
- 3.The Inspector of Police,
All Women Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN.J,

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