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## **Damages resulting from the effects of malicious denunciation under Law 11.340/2006**

*Damages resulting from the effects of malicious denunciation under Law 11.340/2006*

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### **SUMMARY**

This article thoroughly analyzes the legal, social, and psychological harm caused by false accusations under the Maria da Penha Law (Law No. 11.340/2006), emphasizing the impacts on the justice system, public institutions, and individuals unjustly accused. This is a qualitative, descriptive, and bibliographical research, grounded in contemporary doctrines, legal provisions, and recent jurisprudence, seeking to understand the misuse of this legislation. It examines how the improper use of the law can distort its original objective of protecting women, generating legal uncertainty, procedural overload, trivialization of protective measures, and social discredit regarding its effectiveness.

Effectiveness. The results demonstrate that, although false accusations represent a minority of cases, their effects are significant, producing moral, material, psychological, and emotional damage that is difficult to repair. It is concluded that strengthening investigative mechanisms, providing ongoing training for public agents, and ensuring technical rigor in the application of criminal law are indispensable measures to preserve the legitimacy and credibility of the Maria da Penha Law, guaranteeing a balance between protection, justice, and accountability.

**Keywords:** Maria da Penha Law. False accusations. Malicious denunciation. Domestic violence. Justice.

### **ABSTRACT**

This article provides an in-depth analysis of the legal, social, and psychological damages caused by false accusations under the Maria da Penha Law (Law No. 11.340/2006), highlighting their impact on the justice system, public institutions, and individuals who are unfairly accused. The research adopts a qualitative, descriptive, and bibliographic approach, grounded in contemporary legal doctrine, statutory provisions, and recent jurisprudence, in order to understand the misuse of this important legal instrument. It examines how the inappropriate application of the law may distort its original protective purpose, generating legal uncertainty, procedural overload, and social distrust in its effectiveness. The findings demonstrate that, although false accusations represent a small portion of the total cases, their consequences are significant, resulting in moral, material, psychological, and emotional damages that are difficult to reverse. The study concludes that strengthening investigative mechanisms, providing continuous training for public agents, and ensuring strict adherence to criminal law principles are essential measures to preserve the legitimacy and credibility of the Maria da Penha Law, promoting balance between protection, justice, and accountability.

**Keywords:** Maria da Penha Law. False accusation. Calumnious denunciation. Domestic violence. Justice.

## 1. INTRODUCTION

The Maria da Penha Law (Law No. 11.340/2006) was created with the objective of curbing and preventing violence against women. Domestic and family violence against women, in compliance with international commitments assumed by Brazil. This is one of the greatest legislative advances in the area of human rights, representing a milestone in the protection and enhancement of women's dignity (BRAZIL, 2006).

However, the misuse of this law, through false accusations, has produced distortions which directly affect the principle of justice and procedural good faith. The legal instrument that should serve to protect women has, in certain contexts, come to be manipulated as a means of... Personal revenge or obtaining procedural advantages, especially in family disputes and child custody (ROCHA; CARVALHO; FREITAS, 2024).

The phenomenon of false accusations undermines the credibility of the legal system. It overburdens the judiciary and causes irreparable harm to those unjustly accused. Furthermore, it weakens society's confidence in the effectiveness of the Maria da Penha Law and delegitimizes suffering of the women who actually face domestic violence.

This article therefore seeks to understand the impacts caused by false accusations under the analysis is structured in eight chapters, which are presented from three perspectives: legal, social, and psychological. They cover topics ranging from the legal foundations of the Maria da Penha Law to civil and criminal liability of who engages in false accusation.

The study also examines recent case law from the Supreme Federal Court (STF), the Superior Court of Justice (STJ), and state courts, which have acknowledged the moral and material damages resulting from the unfounded accusations. In the end, they are proposed measures to improve law enforcement, ensuring effective protection for victims without violating... the fundamental rights of the accused.

## 2. LEGAL FOUNDATIONS OF THE MARIA DA PENHA LAW

Law No. 11,340/2006, known as the Maria da Penha Law, was enacted with the objective to create effective mechanisms to curb and prevent domestic and family violence against women. Its emergence stemmed from the condemnation of the Brazilian State by the Inter-American Commission of Human Rights Commission (IACHR), which held the country responsible for its inaction in the Maria da Penha Maia case. Fernandes, victim of repeated assaults and state inefficiency in criminal prosecution (BRAZIL, 2006).

The regulation seeks to guarantee the full exercise of women's citizenship and respect for their dignity, human, ensuring the effectiveness of article 226, §8 of the Federal Constitution, according to which the State

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It must create mechanisms to curb violence within family relationships. Therefore, it is a matter of...  
of a law of a protective and pedagogical nature, with a restorative focus (CUNHA; PINTO, 2023).

Article 226. The family, the foundation of society, has special protection from the State.

§ 8 The State shall ensure assistance to the family through each of its members.

creating mechanisms to curb violence within their relationships.

According to Távora and Alencar (2023), the application of the Maria da Penha Law should be guided by  
principles of proportionality and reasonableness, avoiding excesses that could violate guarantees.

Fundamental rights of the accused, such as the right to a fair trial and full defense. The use of the law for nefarious purposes.  
It distorts its essence and causes an imbalance in the protection system.

The protection afforded by law is indispensable; however, it must be accompanied by evidence.

minimum requirements of materiality and authorship, according to the consolidated jurisprudence of the Superior Court of  
Justice (STJ), in HC 455.222/RS, Rapporteur Justice Ribeiro Dantas, decided on 03/12/2019, where it was stated  
that "the victim's word, although of great importance, is not absolute and must find support  
in other evidentiary elements" (STJ, 2019).

The decision that determines the early production of evidence must be concrete.

The absence of the accused, by itself, does not justify the measure; it is necessary to...

demonstrating the urgency and relevance of the evidence for the procedural investigation. This guidance is...

consolidated in Precedent 455 of the Superior Court of Justice (STJ), which establishes that "the decision that determines the production

The early release of evidence based on article 366 of the CPP must be specifically justified, not the  
justifying it solely by the mere passage of time."

This interpretation aligns with Nucci's (2024) understanding, for whom the State

It must ensure the protection of women without, however, sacrificing the principle of presumption of innocence.

The essential core of the democratic rule of law. Therefore, combating false accusations...

It also represents a defense of the credibility of the Maria da Penha Law itself.

### 3. False Accusations and False Reports

Article 339 of the Penal Code provides for the crime of false accusation, which consists of provoking...

the initiation of an investigation, judicial or administrative process against someone, imputing to them

A crime committed knowing oneself to be innocent. The penalty is two to eight years imprisonment, increased if the accused is...  
unjustly convicted.

Article 339. To give rise to the initiation of a police investigation or investigative procedure.

criminal, judicial process, administrative disciplinary process, civil inquiry or action of

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administrative misconduct against someone, imputing to them a crime, ethical-disciplinary infraction, or act. dishonest person whom he knows to be innocent: (Wording given by Law No. 14.110, of 2020).

When practiced within the context of the Maria da Penha Law, false accusation takes on... Even more serious are the implications, as the alleged victim's account could lead to preventive arrests. Emergency protective measures and immediate restrictions on social interaction, even before analysis. in-depth analysis of the facts (BRAZIL, 2023).

Case law has repeatedly emphasized the risks and consequences of accusations. unfounded, especially in the context of domestic violence and the misuse of measures. protective measures under the Maria da Penha Law. Within the scope of the Court of Justice of the Federal District, for example, Civil Appeal No. 7185907-72.2021.8.07.0001 (2022) upheld the conviction for moral damages. arising from false criminal accusations and improper requests for protective measures, emphasizing that the Civil liability requires the simultaneous presence of unlawful conduct, causal link, and damage, and that compensation must adhere to criteria of reasonableness, avoiding both the debasement of dignity and the affront to dignity. from the victim's perspective regarding unjust enrichment.

Similarly, the Court of Justice of Espírito Santo, in Criminal Appeal No. 12074920178080031 (2024), upheld the conviction for false accusation, considering proven authorship and materiality, and denied the request for acquittal and reduction of sentence, given the recidivism of the defendant. In turn, the Court of Justice of Minas Gerais, in Criminal Appeal No. 10775200006168001 (2022), decided on acquittal due to weak evidence, applying The principle of in dubio pro reo applies in the absence of sufficient evidence, when the only evidence was... The victim's isolated statement without effective corroboration.

Similarly, the Court of Justice of Rio Grande do Sul, in Criminal Appeal No. 70084492255 (2021), reformed the conviction for non-compliance with a protective measure, acknowledging discrepancies in the testimonies and a lack of robust evidence, highlighting the nature The instrumental nature of the police investigation requires material evidence to support a possible conviction. A similar understanding was adopted by the Court of Justice of Rondônia in Criminal Appeal No. 27931920208220002 (2021), which upheld the decision to deny a protective measure due to absence. of proof of imminent risk, reaffirming that such measures are of an exceptional nature and They presuppose real danger and urgency.

Finally, the position of the TJ-MG (Court of Justice of Minas Gerais) in Criminal Appeal No. [number missing] should be highlighted. 10529150053468001 (2018), which confirmed a conviction for malicious denunciation committed with specific intent, evidencing the deliberate imputation of false facts for the purpose of revenge, Even within the family context, it is duly punished, according to testimonial and documentary evidence that... They prove the authorship and the materiality of the crime.



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Thus, established case law demonstrates the search for a balance between the protection of the victim and the safeguarding of the rights of the accused, requiring consistent evidence for convictions and rigorously punishing the abuse of legal instruments for unfounded accusations.

According to Greco (2022), malice in false accusation requires full awareness of innocence of the accused. Therefore, a simple error of interpretation or misjudgment of a situation does not characterize the criminal offense. However, when there is a deliberate intention to deceive the State, the social harm... It's twofold: it compromises the protective function of the law and erodes trust in institutions.

False accusations affect not only the accused, but also the true victims, who they begin to face social discredit and difficulty in having their voices heard. Thus, the fight against false accusations does not weaken the Maria da Penha Law; on the contrary, they reinforce its purpose of justice and equity (SILVA, 2021).

#### **4. PSYCHOLOGICAL AND SOCIAL IMPACTS OF FALSE ACCUSATIONS**

The effects of false accusations extend beyond the legal realm, reaching other dimensions of profound psychological and social consequences. The unjustly accused individual experiences emotional trauma, public humiliation and family breakdowns. Many lose their jobs, contact with their children, and their... professional reputation (SANTOS, 2021).

According to a study by the Brazilian Association of Legal Psychology (ABPJ, 2022), more than 60% of those falsely accused in domestic violence cases reported symptoms of anxiety and depression following the public exposure of the accusation. These effects, even if the process ends with acquittals, however, remain for years, marking the individual's personal and professional history.

In the judgment of Civil Appeal No. 71007712342 (TJ-RS, 2018), the Court of Justice of the State of Rio Grande do Sul has acknowledged the occurrence of moral damages resulting from a false complaint in a police report, which resulted in the perpetrator's preventive detention for four days. The decision highlighted the evidence of the defendant's bad faith, corroborated by witnesses, and applied article 187 of the law. The Civil Code, which deals with abuse of rights, was upheld. Based on this understanding, the conviction was maintained to the payment of compensation in the amount of R\$ 10,000.00, the appeal having been dismissed.

Legal psychology observes that false accusations produce a feeling of injustice, existential, leading the subject to internalize the experience as a stigma. For Freitas (2024), "the symbolic destruction of social identity is as serious as the deprivation of physical liberty." Thus, the emotional repercussions of unfounded accusations do not end with the court decision.

Furthermore, the phenomenon of false accusations undermines the credibility of policies on public gender issues. When unfounded cases gain traction, society begins to doubt the...



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The veracity of other allegations is being questioned, which exacerbates the vulnerability of women who are actually victimized. (CAMPOS; PEREIRA, 2023).

The solution, according to Nucci (2024), lies in strengthening technical research, in Training of agents and ethical conduct by lawyers and judges. The justice system must be Firm with the aggressors, but also fair with the innocent. Thus, the protection of victims and the Respect for due process must go hand in hand.

## 5. LEGAL CONSEQUENCES AND LIABILITY

False accusations of domestic violence carry serious legal consequences, both in both criminal and civil spheres. The Brazilian legal system provides specific punishments for Conduct that undermines the administration of justice, constituting the crime of denunciation. slander (article 339 of the Penal Code) and false reporting of a crime (article 340 of the Penal Code). Furthermore, the The Civil Code, in its article 187, recognizes abuse of rights as an unlawful act, giving rise to compensation. for moral and material damages (BRAZIL, 2023).

Article 187. It is also an unlawful act for the holder of a right to exceed its limits in exercising it. manifestly the limits imposed by its economic or social purpose, by good faith or by good customs.

The malicious accusation of a non-existent crime constitutes an unlawful act subject to legal liability. civil action for moral damages, reflecting the understanding consolidated in the Brazilian legal system. Such conduct violates personality rights, such as honor, image, and dignity, giving rise to redress. pecuniary as provided for in articles 186 and 927 of the Civil Code, which deal with the obligation. to be held responsible for the damage caused. Abuse of right, which occurs when the exercise of a A legal prerogative exercised for illegitimate or malicious purposes is prohibited by the legal system. Brazilian law guarantees that such conduct has no legal protection. In criminal law, false accusation This finds support in the criminal offense of slander (article 138 of the Penal Code), reinforcing the unlawfulness of conduct and forming the basis for civil liability.

Recent case law from Brazilian courts reflects this understanding. The Court Regional Labor Court of the 9th Region, in the Ordinary Labor Appeal ROT 1855820235090001 (2024), recognized the right to compensation for moral damages resulting from the false accusation of a threat, which motivated dismissal for just cause that was later overturned, highlighting the affront to the honor of The worker and the need for redress as per article 5, X, of the Federal Constitution. In the same In this sense, the Regional Labor Court of the 21st Region (ROT 3046320175210011, 2017) applied a penalty for litigation of



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Bad faith in the face of the unfounded accusation of ideological falsehood against the worker, evidencing abuse. procedural and the consequent imposition of a fine.

In the civil field, the Court of Justice of Espírito Santo, in Common Civil Procedure No. 36211220198080011 (2023), constituted malicious denunciation and bad faith conduct upon finding False accusation of crimes against property and an elderly person, requesting compensation for moral damages. Similarly, decisions from the Courts of Justice of Rondônia and Paraná, in cases of denunciation. slanderous accusation with wrongful preventive detention, reaffirming civil liability arising from the falsehood. accusation of a crime, acknowledging the harm to the honor and dignity of the victims, as well as the damages. resulting from such procedural abuses.

Finally, the Court of Justice of Rondônia, in the judgment AC 70380770620198220001 (2020), He emphasized that making a criminal accusation without proof constitutes an offense against honor, which is subject to redress. moral, and that the determination of compensation must observe criteria of reasonableness and proportionality. with regard to the extent of the damage caused.

These precedents reinforce the understanding that the false and malicious accusation of a crime This constitutes an abuse of rights, giving rise to the duty to compensate, and demonstrates the commitment of the Judiciary. to protect personality rights, promoting fair compensation for violations suffered.

Accountability also extends to the realm of state recourse action, due to misuse. The Maria da Penha Law burdens the public system. According to Paula (2024), the multiplication of cases Unfounded accusations compromise the time and resources of specialized police stations, diverting attention from... women in a truly vulnerable situation.

In criminal law, false accusation, in addition to imprisonment, can also result in other penalties. resulting in the loss of political rights and registration in criminal records, making it difficult Access to public competitions and positions is compromised. In civil matters, the author of the false accusation can be convicted. to the payment of substantial compensation, varying according to the degree of exposure and damage suffered. by the accused (NUCCI, 2024).

The harms of false accusations in the context of the Maria da Penha Law: criminal, civil and... social

A false accusation under the Maria da Penha Law constitutes a serious offense, with repercussions that go beyond the criminal sphere, affecting multiple aspects of the accused's life. If proven in court, false accusation gives rise to sanctions provided for in the Penal Code, however. The consequences of the investigation and its social impact can cause irreparable harm to the victim.



## I. Penalties foreseen and procedural consequences

The crime of false accusation is defined in article 339 of the Penal Code, the penalty for which is... The penalty ranges from two to eight years of imprisonment, plus a fine. The measure will be applied when someone, of In a deliberate manner, falsely accusing another person of committing a crime, thus causing the initiation of legal proceedings. investigation or judicial process. During this phase, the accused may be subject to measures. emergency protective measures, such as removal from the home and prohibition of approaching the alleged victim, leading to social stigma and personal distress.

The legislation also provides for other related offenses, such as falsely reporting a crime. (art. 340, CP) and false self-accusation (art. 341, CP), each with its own penalty, demonstrating the The concern of the legal system is to curb fraudulent practices that compromise the administration of justice.

## II. Impacts on the public and professional spheres

Although a conviction for false accusation does not automatically lead to the loss of [legal privileges/rights]. Regarding political rights or registration in criminal background checks, effects have been evident. indirect and severe. The existence of a criminal conviction related to the Maria da Penha Law may be prohibitive in public competitions and positions of administrative morality, since legislation State and municipal governments allow the exclusion of candidates with a criminal record incompatible with [the law/regulations]. the principles of public service.

Furthermore, the defendant's reputation suffers considerable damage, affecting their social standing. Family relationships and, especially, employability. Companies frequently conduct Thorough background checks and a history of accusations can result in discrimination. and exclusions in the labor market.

## III. Civil compensation for moral damages

In addition to the criminal sphere, the victim of a false accusation has recourse to civil law to pursue legal action. Compensation for moral damages. Such damages include psychological suffering, humiliation, and harm to... image, the amount of compensation for which is determined according to the specific circumstances and severity. of the damages caused, observing the principles of reasonableness and proportionality.

#### IV. Means of defense against false accusation

Faced with an unfounded accusation in the context of the Maria da Penha Law, it is imperative that the accused should seek specialized legal counsel promptly in order to gather and present evidence. unequivocal evidence that disproves the opposing narrative, including documents, messages, and records. Electronic and witness evidence. Effective contestation of improperly imposed protective measures. It is also necessary to mitigate the harmful effects of the accusation.

#### V. Impact on selection for public positions

In a recent ruling by the Supreme Federal Court (STF), Extraordinary Appeal No. 1497405 consolidated understanding regarding the exclusion of candidates in public competitions during the phase of Social investigation. The prerogative of elimination may be exercised due to incompatibility of the investigated behavior in relation to the demands of the position, especially in a police career, to This highlights the presumption of innocence and the possibility of appointment when there is no other option. final conviction incompatible.

This judicial ruling demonstrates that, although the mere fact of being a defendant in a lawsuit... does not prevent participation in the competition, the evaluation of conduct and moral integrity foreseen in Social investigation can stand out as a legitimate criterion for ensuring functional integrity.

False accusations under the Maria da Penha Law are a highly complex legal phenomenon. and social, whose effects transcend criminal punishment, encompassing the civil sphere and damages. reputational damage that can last indefinitely. Brazilian legislation has mechanisms in place. Effective in punishing and redressing such abuses, however, a balance must be struck between protecting victims and guaranteeing Protecting the rights of the accused requires swift and thorough action, under the principles of adversarial proceedings and full defense. Current case law reinforces this stance, recognizing the need to equip the system with the necessary tools. to prevent abuses and safeguard justice as an instrument of effectiveness and equity.

#### 6. The Perspective of Criminal Law and Criminal Procedure

Criminal law, as an instrument of social control, must be interpreted under the prism of minimal intervention, fragmentation, and proportionality (GRECO, 2022). This This means that the State should only intervene criminally when other spheres of control prove insufficient. insufficient to restore legal peace.



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However, the misuse of the Maria da Penha Law disrupts this balance. Precipitous granting of [leaks/prohibitions] The imposition of protective measures without proper evidentiary support may violate the principle of *in dubio pro reo* (benefit of the doubt). (art. 386, VII, of the CPP) and generate undue imprisonments. The STJ, in HC 598.051/DF, Rel. Min. Joel Ilan Paciornik, j. 17/11/2020, warned that "protective measures cannot be based solely on "The victim's word, under penalty of constituting illegal coercion" (STJ, 2020).

According to Távora and Alencar (2023), observing due process of law is imperative not only to guarantee the defendant's defense, but also to ensure the legitimacy of the decision itself. judicial. Thus, the haste to punish or protect without a solid factual basis undermines public trust. in institutions.

In procedural matters, the principle of objective good faith should guide the actions of all parties. The filing of frivolous lawsuits, motivated by personal resentment, constitutes abuse. procedural and affront to the ethical values of Law. According to Cavalcante (2024), "a "The instrumentalization of justice as a means of revenge is the negation of the very concept of justice."

Recent case law has emphasized the need for conclusive proof for the accountability in cases involving accusations under the Maria da Penha Law and related measures protective measures. In the Court of Justice of Mato Grosso (Special Civil Court Procedure No. 1003228-43.2024.8.11.0001, 2024), the dismissal of a claim for damages due to false accusation was based on the lack of clear proof of moral damages or embarrassment and the uncertainty regarding falsity of the accusation, highlighting the importance of unequivocally demonstrating the illegality for For purposes of civil redress.

In a complementary manner, the Superior Court of Justice, in the Appeal in Special Appeal AREsp 2565893 (2024), confirmed acquittal due to insufficient evidence in a threat crime in in the context of the Maria da Penha Law, reiterating the principle of the benefit of the doubt and highlighting the limitations of the special appeal regarding the factual re-analysis, with maintenance of the decision that favored the defendant.

In contrast, the Court of Justice of Santa Catarina, in Criminal Appeal No. 317315620128240064 (2016), validated conviction for aggravated threat based on the word of victim, corroborated by other evidence, demonstrating that, given the harmony and Consistency of evidence makes conviction possible even for crimes committed clandestinely. especially in cases of domestic violence.

These precedents illustrate the balance sought by case law between the protection of victims and the guarantee of the fundamental rights of the accused, reinforcing that conviction requires proof. Robust civil redress depends on a clear demonstration of the harm resulting from the accusation.



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Thus, Criminal Law and Criminal Procedure, when interpreted in harmony with the Human rights must protect both women and men who are victims of violence. unjustly accused. Justice is only complete when it reaches the real truth—and not mere appearances. of the facts (BITENCOURT, 2023).

## 7. PROPOSALS FOR IMPROVEMENT

Given the challenges identified, it is essential to adopt measures that improve the application. of the Maria da Penha Law, preventing abuses and ensuring a better balance between the rights of victims and of the accused. Legislative and institutional improvement is essential to consolidate justice. truly equitable gender equality (CAMPOS; PEREIRA, 2023).

Among the most relevant proposals are:

### **Ongoing training for legal professionals.**

Police officers, prosecutors, defense attorneys, and judges should be trained to identify warning signs. of falsehood in accusations and understanding the emotional nuances that permeate conflicts family members. This ongoing training contributes to a more technical and less subjective analysis of situations presented (ROCHA; FREITAS, 2024).

### **Creation of multidisciplinary triage centers.**

The Specialized Police Stations for Women (DEAMs) and the Courts of Domestic violence teams may include psychologists, social workers, and... experts, capable of assessing the family context and detecting signs of manipulation or bad faith (SANTOS, 2021).

### **Implementation of preliminary verification protocols.**

As is the case in some European countries, an investigation phase should be instituted. Preliminary evidentiary proceedings, prior to the imposition of restrictive measures, ensuring a balance between protection. immediate verification of the facts (NUCCI, 2024).



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### **Effective punishment for false accusations.**

Strict application of Article 339 of the Penal Code is fundamental to discouraging such practices. Fraudulent. Procedural speed and publicity of convictions for false accusations. They strengthen social trust in justice (GRECO, 2022).

### **Public awareness campaigns.**

Information is a tool for prevention. Society needs to understand that the Maria da Penha Law The Penal Code is not a mechanism for marital disputes, but for humanitarian protection. The ethical use of Legislation guarantees its permanence and effectiveness (CAMPOS; PEREIRA, 2023).

Finally, it is necessary to foster dialogue between Law, Psychology, and Social Work. promoting interdisciplinary policies to combat domestic violence. As Paula points out (2024), "the protection of women and the preservation of truth are not opposing objectives, but complementary".

## **8. CONCLUSION**

This research analyzed the legal, social, and psychological harms resulting from false accusations under the Maria da Penha Law, demonstrating that, although they represent a Although it occurs in a minority percentage of cases, its effects are devastating for individuals unjustly affected. defendants and for the credibility of the justice system.

The Maria da Penha Law constitutes a civilizational milestone in the protection of women's rights. and in the fight against domestic violence. However, its misuse, driven by resentment Personal conflicts, property interests, or family disputes distort the noble purpose of the rule and generate... serious consequences for both the accused and the State itself.

From a legal standpoint, it was found that false accusation (article 339 of the Penal Code) and the Abuse of rights (article 187 of the Civil Code) are legal mechanisms capable of establishing civil and criminal liability. the authors of false accusations. Recent jurisprudence from the STF, STJ, and TJAM has reinforced this. understanding, recognizing the duty to indemnify and the importance of preserving procedural good faith.

In the social sphere, false accusations undermine the credibility of public gender policies. harming the true victims of domestic violence, who then face distrust and Institutional revictimization. The phenomenon also generates profound emotional impacts on the accused. unfairly, with traumas that go beyond the judicial sphere.



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It can be concluded, therefore, that confronting false accusations does not preclude the protection of...  
It empowers women by ensuring that the law is applied fairly and responsibly.  
The effectiveness of the Maria da Penha Law depends on the integrity of its use — and on the balanced action of all legal professionals.

It is imperative that the State promote public policies aimed at legal education and training.  
ethics and technical training for everyone involved in the justice system, in addition to adopting measures that  
They should curb the abuse of power and encourage a thorough investigation of the facts.

Only in this way will it be possible to ensure a fair, humane and effective protection system.  
capable of balancing the fight against domestic violence with the preservation of fundamental rights of all citizens. Justice, to be complete, must be guided by the real truth, by proportionality.  
and for the dignity of the human person.

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