

Crl.O.P.Nos.17472 of 2015**R.SUBBIAH, J.**

Apprehending arrest at the hands of the respondent, in respect of the alleged commission of offences punishable under Sections 9(m)(n) & 10 of POCSO Act, in Crime No.4 of 2015 on the file of the respondent, the petitioner has approached this Court seeking the relief of anticipatory bail under Section 438 of the Code of Criminal Procedure.

2.The case of the prosecution is that the complaint was lodged by the mother of the victim girl, who is aged 9 years. On 31.01.2015 when the minor victim girl was alone in the house, the petitioner herein took her to his house and sexually harassed her. Thereafter, when the minor victim girl was crying, her mother (defacto-complainant) enquired her and she came to know about the harassment given by this petitioner. Hence, the complaint was lodged by the defacto-complainant as against the petitioner.

3.The learned counsel for the petitioner submitted that it is only a false case foisted against the petitioner. Further, the defacto-complainant and the petitioner are relatives. Since there was some dispute between the petitioner and the defacto-complainant, the present false complaint has

been lodged by the defacto-complainant. The learned counsel for the petitioner would further submit that now the matter has been compromised between the parties and in this regard, the learned counsel for the petitioner has also produced an affidavit given by the mother of the victim girl (defacto-complainant), which contains the left hand thumb impression. Thus, the learned counsel for the petitioner sought for grant of bail to the petitioner.

4. I have heard the learned Government Advocate (Crl.Side), who opposed the grant of bail to the petitioners.

5.Considering the facts and circumstances of the case and taking note of the allegations made against the petitioner, I am of the opinion that it is not a fit case to grant anticipatory bail to the petitioner. In the case of this nature, compromise between the parties cannot be accepted. Hence, this petition is liable to be dismissed.

In fine, the criminal original petition is dismissed.

23.07.2015

R.SUBBIAH, J.

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Pre-delivery order

in

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