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Crl.O.P.No.11317 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 5(1) r/w 6 of POCSO Act, 2012 in Crime No.16 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had a love affair with the defacto complainant's minor daughter, who is aged about 17 years and taking advantage of the same, he had physical relationship with her. However, the victim girl came to know that he was already married with some other girl. Hence, the present complaint has been lodged against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner and the victim are close relatives and he is no way connected with the offence as alleged in the complaint and he is an innocent person and he has been falsely implicated in this case. He would also submit that



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there is no specific overtact attributed against the petitioner and this is the fourth petition praying for anticipatory bail and he is ready to comply with any condition imposed by this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner had a love affair with the defacto complainant's minor daughter and had physical relationship with her, but he has already got married with another girl. He would submit that there is no previous case pending against him . He would further submit that if the anticipatory bail is granted, he may tamper the evidence and hamper the investigation. He would submit that now the investigation is almost completed and there is no possibility of settlement between them. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also on seeing the conduct of petitioner, he might have tamper the witness and hamper the investigation and there is no possibility of



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settlement arrived between the parties and also the fact that there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioner and he is directed to surrender before the respondent police. Accordingly, this Criminal Original Petition is dismissed.

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