

PROTECTION OF CHILDREN FROM SEXUAL OFFENCES WITH SPECIAL REFERENCE TO PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012: AN ANALYTICAL STUDY

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ABSTRACT

Law is to control the behavior of human beings. As the behavior of human being deviates, the legislature enacts the laws. Children are supposed to be a very vulnerable group of the society and need special protection. Legislature has enacted a special law to protect the children from sexual offences known as, the Protection of Children from Sexual Offences Act, in the year 2012 and provide stringent punishment for the offender. Despite the Act of 2012, it is surprised to know that the figures released by NCRB shows enormous increase in the sexual offences committed under POCSO Act, 2012. To make sure the implementation of POCSO Act, the Court should adopt a child friendly atmosphere while dealing with the cases registered under this Act and Court should decide the cases registered under POCSO without any kind of delay.

Keywords: Children, POCSO, Sexual offences, NCRB, Women.

INTRODUCTION

Children are supposed to be the future of every country, hence countries used to protect the rights of children through various enactments. In Indian Constitution number of articles under chapter of fundamental rights speaks about the rights of child and has given power to Government to enact special laws for the benefit and betterment of child. Special provisions relating to offences against the child are also provided in Indian Penal Code, 1860. In the year 2012 the new Act has been passed by the legislature known as POCSO Act, but despite all laws for protection of child, it is sad reality that the offences against children specifically sexual offences are increasing day by day. Children are very vulnerable group and they can get easily affected by the anti-social elements. If we look at the cases registered under POCSO Act, 2012, it is surprising to know that in more than 90% cases the offenders are the family members, friends or near relatives of the victim. Due to tender age the children are unable to predict the consequences of sexual offences, taking the benefit of this fact accused are targeting the children to satisfy their sexual urge.

AIMS AND OBJECTIVES OF RESEARCH

The researcher is having following aims and objectives for conducting this research.

1. To analyze the provisions relating to sexual offences under different laws including The Protection of Children from Sexual Offences Act, 2012.
2. To know the actual implementation of provisions of POCSO Act, 2012.
3. To analyze the ratio of sexual offences against children after the enactment of POCSO Act, 2012.

RESEARCH METHODOLOGY

For the present study the researcher has chosen the doctrinal research methodology and collected data from text books, journals, commentaries and data published by Central or State government on their official website.

HYPOTHESIS

For conducting this research, researcher has formulated the following hypothesis.

1. The POCSO Act, 2012 has not decreased the sexual offences against the child.
2. In most of the sexual offences against children, their near relative and family members are involved as an accused.

DEFINITION OF CHILD

Section 2 (d) of the POCSO Act, 2012, “Child” means any person below the age of eighteen years.

Any person whose age is below eighteen years whether the child may be the girl or boy will come under the definition of child.

PROTECTION TO CHILDREN FROM SEXUAL OFFENCES UNDER DIFFERENT LAWS

Law maker has incorporated the various provisions under different laws which provides protection to the child against sexual offences and sexual harassment some of them are discussed below.

PROTECTION UNDER INDIAN PENAL CODE, 1860

In IPC number of Sections provides punishment for the offences against children, but this research is restricted with the sexual offences against child and researcher has mentioned only that section which provides punishment for sexual offences.

Assault or Criminal force to Women with Intent to Outrage her Modestyⁱ

Under Section 354 of IPC, the person who used criminal force and assaults to women and the very intention of such force and assault is to outrage the modesty of that women, such person will be punished with a minimum imprisonment of one year and maximum imprisonment will be five years and along with imprisonment the offender is liable for fine also. The word women used under this Section is not restricted with adult female, but any minor can also come within the purview of the term women. Under IPC the word 'women denote a female human being of any ageⁱⁱ by this definition offence mentioned in Section 354 can be committed against any female.

Sexual Harassment and Punishment for Sexual Harassmentⁱⁱⁱ

Section 354A of IPC provides a rigorous imprisonment up to three years for the person who made any unwelcome physical contact, sexual overture, demand for sexual favors and showing the pornographic material to the female child against her will. The punishment will be imprisonment up to 1 year if the offender makes any sexually colored remarks to the female child.

Assault or Use of Criminal Force to Women with Intent to Disrobe^{iv}

The person will be punished under Section 354B of IPC, if he compels any women to be naked or if he abated other to do so. The minimum punishment for the offence is three years and maximum seven years.

Voyeurism^v

Section 354C punished a person if he clicks the photo or picture of any women when she was engaged in private act and she was under an expectation of not being observed by any person. The punishment under this section is, if the offender is convicted for first time, minimum imprisonment will be one year and maximum three years and if the offender committed the same offence second time, he will be punished with minimum imprisonment of three years and maximum seven years.

Stalking^{vi}

Stalking is an offence in which if any man follows a woman and trying to contact that women despite a woman is showing clear disinterest, or if any women is using internet and a man monitor the same and try to read out the mail of that women or any communication. But if such a man doing the same act with an aim to prevent any crime and that responsibility has been given by the state, or if a man is pursuing the women in accordance with the provision of any law and if the conduct of man is justified and reasonable, he will not be liable for offence of stalking.

If any person committed the offence of stalking, he will be punished with imprisonment up to one year for first time and if he repeated the same offence, on second time he will be punished with imprisonment up to five years.

Procuration of Minor Girl^{vii}

If any person by any means induces any girl whose age is below 18 years to go from any place and to do any act with an intent and knowledge that the girl may be forced or seduced to illicit intercourse. The offender will be punished with an imprisonment up to 10 years.

Importation of Girl from Foreign Country^{viii}

Under this section offender is punished if he imports any girl whose age is under 21 years from foreign country and the offender is having knowledge that the imported girl may or will be forced or seduced to illicit intercourse. Such offender shall be punished with an imprisonment up to 10 years.

Selling and Buying Minor for the Purpose of Prostitution^{ix}

If the offender sells any person whose age is below 18 years with the knowledge and intention, that such person may or will be used or employed for the purpose of illicit intercourse or prostitution, such offender shall be punished with an imprisonment up to 10 years.

If the person buys any minor with the knowledge and intention that such minor may or will be used for the purpose of illicit intercourse and prostitution, he will be punished with an imprisonment up to 10 years.

Rape^x

Criminal Law Amendment Act, 2013 has given broad scope to the definition of rape and brings the penetration of penis even into the mouth of victim and penetration of any object not being the penis into vagina, urethra or anus of women within the purview of definition of rape. The offender will be liable for the offence of rape, if he does the above act without the consent of that woman and against her will, with her consent and consent has been obtained by putting her in fear of death or hurt, if she gives consent under a mistaken belief that he is her husband, at the time of consent the woman was intoxicated and suffering from unsoundness of mind and not knowing the consequences of her consent, if she is under 18 years of age and even consented to the act and if she is unable to communicate her consent.

Under Section 376 to 376E punishments for rape are provided and the punishment is from minimum 7 years to death penalty.

PROTECTION UNDER CRIMINAL PROCEDURE CODE, 1973

Criminal Procedure Code, 1973 is also providing certain protection to the child against sexual offences some of them are as follows.

Courts by which offences are triable^{xi}

General provision mentioned under Section 26 that offences under IPC may be tried by High Court, Court of Session and other Courts having power to try that offence according to schedule first. Proviso to Section 26 enumerates that offence under Section 376 to 376E, which relating to offence of rape, shall be tried by a court presided by a woman taking into consideration the practicability of the same. Section 26 provides a special protection to the victim of rape.

Information in cognizable cases^{xii}

Section 154 of CrPC provides the concept of FIR and police are under an obligation to register a FIR, whenever they receive information relating to the commission of cognizable offence. If any victim of offence under Section 326A, 354 to 354D and 376 to 376E wants to give information, such information shall be recorded by a women police officer. If the victim under

the above-mentioned sections is temporarily or permanently physically or mentally disable, such information shall be recorded at the place of residence of victim or any other place of convenience.

Police officer's power to require attendance of witnesses^{xiii}

Under Section 160 Police officer is having a power to make an order in writing and call any person to police station, who is acquainted with facts of the case, but the police officer cannot call any women to police station and if he wants to know about the case from any women, he has to visit the place where that woman is residing.

PROTECTION UNDER INDIAN EVIDENCE ACT, 1872

The provisions of Indian Evidence Act, 1872 which are meant to provide some special treatment to the victim of sexual offences are as follows.

Evidence of Character or previous sexual experience not relevant in certain cases^{xiv}

If the consent of the women is in issue in the offence under Section 354 to 354D and Section 376 to 376E of IPC, the victims previous sexual experience with any person shall not be taken into consideration for deciding the issue of consent of women. It means though the women were having sexual experience with any man, it doesn't mean that she has consented to the offence.

Presumption as to absence of consent in prosecution for Rape^{xv}

Section 114A provides that if the sexual intercourse of accused has been proved under Section 376 of IPC and now the question before the court is, whether victim consented to the act or not and if the victim stated in her evidence that she did not consent, the court shall presume under this section that she did not consent.

PROVISIONS OF PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012

Article 15 of Indian Constitution has given power to state to enact special laws for children and by virtue of this power, the legislature has enacted the POCSO Act, 2012 with a prime aim to protect children from sexual offences and to establish separate court for cases registered under POCSO.

Penetrative Sexual Assault (Section 3)

Under this Section person will be liable if he commits penetrative sexual assault

- (a) By penetrating his penis into the vagina, anus, urethra or mouth of child or compel the child to do so with him.
- (b) By penetrating any object other than penis into the vagina, anus or urethra of the child or compel child to do so with him.
- (c) By manipulating any body parts of the child, cause penetration into the vagina, anus or urethra of child or compel the child to do so with him.
- (d) By applying his mouth to the penis, vagina urethra or anus of the child or compel the child to do so with him.

All the above acts of the person come under the purview of section 3 of POCSO, Act, 2012. Section 4 of the act provides punishment for section 3, the punishment is minimum imprisonment for 10 years, which may be extended to life imprisonment. If the sexual assault is committed on the child whose age is below 16 years, minimum imprisonment will be 20 years, which may extend to life imprisonment and the offender must live in prison for the remainder life. Whatever fine imposed on accused will be given to victim for medical expenses and rehabilitation.

Aggravated penetrative sexual assault (Section 5)

If a police officer commits penetrative sexual assault on a child,

- i. In the premises of police station where he is appointed.
- ii. In any other premises other than police station.
- iii. While doing his duties.
- iv. Where he is known as police officer by others.

If the ASA^{xvi} is committed by the member of armed force, where he is deployed and in the course of his duties. If public servant commits ASA on child. Any person being a manager or staff of jail, observation home, protection home, remand home commits ASA on inmate child, who is under his custody. Manager of hospital commits ASA on a child in the same hospital. Manager of the educational and religious institution commits ASA on a child in the same institution. Commits gang ASA on a child. Commits ASA on child by using deadly weapon. Commits ASA causing hurt and injury to the private parts of the child. Person committed ASA on child who is mentally or physically ill or in case of a female child make her pregnant or causes death of the child. Person commits ASA on child by taking advantage of mental and physical condition of the child. Commits ASA on child more than once. Commits ASA on a child whose age is below 12 years. Person being relative of the child commits ASA on such child. Person being the owner and manager of the institution providing services for children commits ASA on the child. Person under whose custody the child was entrusted commits ASA on such child. Commits ASA on child knowing the fact of her pregnancy. Commits ASA and attempted to murder the child. Commits ASA in the period of communal violence or natural calamity on the child. Commits ASA and he have been previously convicted for the sexual offence under this Act or any other Act. Commits ASA on child and force that child to parade naked in public.

If the offender does any of the above acts, he will be punished under Section 6 of the Act. The minimum punishment for ASA is twenty years, which may extend to life imprisonment and offender shall remain in jail for the remainder life, for this offence death penalty is also provided. The fine imposed on the offender will be used for medical expenses and rehabilitation of the victim.

| Sr. No | Year | State/UT/ All India | Offences u/s 4 & 6 of POCSO Act r/w Section 376 IPC (Total) | Offences u/s 4 & 6 of POCSO Act r/w Section 376 IPC (Girls) | Offences u/s 4 & 6 of POCSO Act r/w Section 376 IPC (Boys) |
|--------|------|--------------------------|---|---|--|
| 1 | 2017 | All India | 17557 | 17382 | 175 |
| | | Maharashtra | 2387 | 2385 | 02 |
| | | State with highest Cases | 2387 (MH) | 2385 | 02 |

| | | | | | |
|---|------|--------------------------|-------------|-------|-----|
| 2 | 2018 | All India | 21605 | 21401 | 204 |
| | | Maharashtra | 2832 | 2832 | 00 |
| | | State with highest Cases | 2832 (MH) | 2832 | 00 |
| 3 | 2019 | All India | 26192 | 25934 | 258 |
| | | Maharashtra | 3117 | 3117 | 00 |
| | | State with highest Cases | 3344 (UP) | 3264 | 80 |
| 4 | 2020 | All India | 28065 | 27807 | 258 |
| | | Maharashtra | 2785 | 2785 | 00 |
| | | State with highest Cases | 3259 (M.P.) | 3259 | 00 |
| 5 | 2021 | All India | 33036 | 33036 | 00 |
| | | Maharashtra | 3458 | 3458 | 00 |
| | | State with highest Cases | 3512 (M.P.) | 3512 | 00 |

Source: <https://ncrb.gov.in/>

The above table reveals that even after the enactment of POCSO Act, 2012 the sexual offences against child has been increased, in the above table data of offences committed u/s 4 and 6 of POCSO Act, 2012 from 2017 to 2021 has been mentioned and it clearly shows that offences u/s 4 and 6 in 2017 were 17557 which increased to 21605 in 2018 which again increased to 26192 in 2019, its again increased to 28065 in 2020, and it further increased to 33036 in 2021. This data shows that the implementation of POCSO Act, 2012 is not effective.

Offenders Relation to Child Victims of POCSO Act (Section 4 & 6)

| Sr. No | Year | State/UT/All India | Total Cases u/s 4 & 6 of POCSO Act | Family members | Family, Friends & Known Persons | Friends/Online-Friends on Pretext of Marriage | Cases Offenders Unknown or Not Identified | % Share of Known Persons Cases to Total Cases |
|--------|------|--------------------|------------------------------------|----------------|---------------------------------|---|---|---|
| 1 | | All India | 17557 | 1752 | 8744 | 5931 | 1130 | 93.6 |
| | | Maharashtra | 2387 | 171 | 1061 | 1024 | 131 | 94.5 |

| | | | | | | | | |
|---|------|--------------------------|-----------|------|-------|-------|------|-------|
| | 2017 | State with highest Cases | 2387 (MH) | 171 | 1061 | 1024 | 131 | 94.5 |
| 2 | 2018 | All India | 21605 | 1700 | 9919 | 8880 | 1106 | 94.9 |
| | | Maharashtra | 2832 | 185 | 1192 | 1438 | 17 | 99.4 |
| | | State with highest Cases | 2832 (MH) | 185 | 1192 | 1438 | 17 | 99.4 |
| 3 | 2019 | All India | 26192 | 2153 | 12834 | 9685 | 1520 | 94.2 |
| | | Maharashtra | 3117 | 224 | 1203 | 1652 | 38 | 98.8 |
| | | State with highest Cases | 3344 (UP) | 247 | 1716 | 568 | 813 | 75.7 |
| 4 | 2020 | All India | 28065 | 2556 | 11272 | 13106 | 1131 | 96.0 |
| | | Maharashtra | 2785 | 221 | 1060 | 1495 | 9 | 99.7 |
| | | State with highest Cases | 3259 (MP) | 264 | 1070 | 1855 | 70 | 97.9 |
| 5 | 2021 | All India | 33348 | 2885 | 14475 | 15005 | 983 | 97.1 |
| | | Maharashtra | 3458 | 214 | 1162 | 2082 | 0 | 100.0 |
| | | State with highest Cases | 3515 | 379 | 1458 | 1648 | 30 | 99.10 |

Source: <https://ncrb.gov.in/>

The above table shows the relationship of the offender with victim, as per data of 2017 in 93.6% cases the family members, family friends or any other relatives are involved as an accused. In 2018 in 94.9% registered cases u/s 4 and 6 of POCSO Act the near relative, family members and friends are involved as an accused, the percentage of involvement of family members and friends was 94.2% in the year 2019, it is 96.0% in 2020 and further exceeds to 97.1% in 2021.

All these figures are very worrying for all Indian, because children have been betrayed by their family members, close friends and relatives.

Sexual Assault (Section 7)

The offender will be punished under this section if touched the penis, vagina, breast or anus of the child or compel the child to touch the penis, vagina, breast or anus of the offender or anybody else, or make any physical contact without penetration.

Section 8 punished the offender if he commits offence under Section 7 with minimum imprisonment of three years and maximum imprisonment of five years.

Satish Ragde vs State of Maharashtra^{xvii}

In this case accused molested a 12 years girl by removing her salwar and pressing her breast. The mother of the victim lodged FIR and special court convicted the accused u/s 8 of the POCSO Act and punished the accused with three years imprisonment. The accused preferred an appeal before the High Court, the question before the High Court was that the act of pressing breast without removing clothes and without skin to skin contact comes within the purview of Section 8. High Court in appeal interpreted that the definition of sexual assault mentioned in Section 7 need skin to skin contact and acquitted the accused. Later the Supreme Court stayed the High Court order and issued notice to government of Maharashtra to prefer an appeal before the Supreme Court. Now it is clear the interpretation made by the Bombay High Court was erroneous.

Aggravated Sexual Assault (Section 9 & 10)

The meaning of aggravated sexual assault is like aggravated penetrative sexual assault mentioned in section 5 and punishment for the aggravated sexual assault is mentioned in Section 10 and punishment will be a minimum imprisonment of 5 years and maximum imprisonment will be seven years.

| Sr. No | Year | State/UT/ All India | Offences u/s 8 & 10 of POCSO Act r/w Section 354 IPC (Total) | Offences u/s 8 & 10 of POCSO Act r/w Section 354 IPC (Girls) | Offences u/s 8 & 10 of POCSO Act r/w Section 354 IPC (Boys) |
|--------|------|---------------------|--|--|---|
| | | | | | |

| | | | | | |
|---|------|--------------------------------|-------------|-------|-----|
| 1 | 2017 | All India | 12016 | 11899 | 117 |
| | | Maharashtra | 2746 | 2745 | 01 |
| | | State with highest No of Cases | 3018 (UP) | 3010 | 08 |
| 2 | 2018 | All India | 14320 | 14124 | 196 |
| | | Maharashtra | 3235 | 3233 | 02 |
| | | State with highest No of Cases | 3235 (MH) | 3233 | 02 |
| 3 | 2019 | All India | 16399 | 16139 | 260 |
| | | Maharashtra | 3160 | 3160 | 00 |
| | | State with highest No of Cases | 3819 (UP) | 3813 | 06 |
| 4 | 2020 | All India | 15692 | 15515 | 177 |
| | | Maharashtra | 2705 | 2699 | 06 |
| | | State with highest No of Cases | 3897 (U.P.) | 3881 | 16 |
| 5 | 2021 | All India | 16401 | 16401 | 00 |
| | | Maharashtra | 2377 | 2377 | 00 |
| | | State with highest No of Cases | 4063 (U.P.) | 4063 | 00 |

Source: <https://ncrb.gov.in/>

As per the figures shown in above table, offences u/s 10 of POCSO Act, 2012 has been increased every year. Total number of registered cases u/s 10 were 12016 in 2017 which increased to 14320 in 2018 it again increased to 16399 in the year 2019, in 2020 it slightly decreased to 15692 but it again increased to 16401 in 2021. Despite the special Act to prevent sexual offences against children, offences are increasing every year, which makes the law useless.

Sexual Harassment (Section 11 & 12)

A person will be liable for the offence of sexual harassment if he,

- i) Makes any sound, utters any words, makes any gesture or any body parts is exhibited with an intention that such gesture and body parts shall be seen, or such sound shall be heard by any child,
- ii) Compel any child to exhibit his body parts to him,
- iii) Shows any pornographic object to child,
- iv) Continuously follows or contacts a child either directly or through electronic media,
- v) Threatens to use, in any form of media, of any part of the body of the child or the involvement of the child in a sexual act;
- vi) Entices a child for pornographic purpose.

Section 12 provides punishment for the act done in section 11 up to 3 years imprisonment as well as fine.

***State v. Mohd. Zahid*^{xviii}**

In this case the accused hold the hands of girl forcefully, when she tried to escape from the hands of accused, she sustained injury on her hands. The Supreme Court held that the accused had hold her hand intentionally and against her will and convicted the accused u/s 8 and 12 of POCSO Act, 2012 for sexual assault and sexual harassment.

| Sr. No | Year | State/UT/ All India | Offences u/s 12 of POCSO Act r/w Section 509 IPC (Total) | Offences u/s 12 of POCSO Act r/w Section 509 IPC (Girls) | Offences u/s 12 of POCSO Act r/w Section 509 IPC (Boys) |
|--------|------|--------------------------------|--|--|---|
| 1 | 2017 | All India | 1329 | 1293 | 36 |
| | | Maharashtra | 36 | 36 | 00 |
| | | State with highest No of Cases | 205 (Karnataka) | 200 | 05 |
| 2 | 2018 | All India | 1686 | 1651 | 35 |
| | | Maharashtra | 53 | 52 | 01 |
| | | State with highest No of Cases | 203 (W Bengal) | 201 | 02 |
| | | All India | 1917 | 1866 | 51 |

| | | | | | |
|---|------|--------------------------------|--------------|------|----|
| 3 | 2019 | Maharashtra | 94 | 94 | 00 |
| | | State with highest No of Cases | 259 (Gujrat) | 258 | 01 |
| 4 | 2020 | All India | 1672 | 1628 | 44 |
| | | Maharashtra | 48 | 48 | 00 |
| | | State with highest No of Cases | 237 (W.B.) | 232 | 05 |
| 5 | 2021 | All India | 2032 | 2032 | 00 |
| | | Maharashtra | 249 | 249 | 00 |
| | | State with highest No of Cases | 249 (MH) | 249 | 00 |

Source: <https://ncrb.gov.in/>

The above table shows the data of registered offences u/s 12 of POCSO Act, 2012 and here also the figures are not favourable, because cases registered u/s 12 were 1329 in 2017, which increased to 1686 in 2018 and it were further increased to 1917 in 2019, it slightly decreased to 1672 but it again increased to 2032 in 2021. All the data showed in above table shows that even after the enactment of POCSO Act, 2012, the sexual offences against children are increasing day by day.

CONCLUSION AND SUGGESTIONS

Despite the laws for sexual offences against children, offences are increasing day by day. Researcher after conducting this research comes to conclusion that the legislature has enacted the POCSO Act in the year 2012 and the Act provides the composition of special court for dealing with the sexual offences against children but the data relating to sexual offences against child published by NCRB is disturbing.

Conclusion against Hypothesis 1: The researcher has formulated first hypothesis, i.e. The POCSO Act, 2012 has not decreased the sexual offences against the child. After analyzing the data of NCRB published during 2017 to 2021, the sexual offences are increasing every year. In the year 2017 total number of cases registered u/s 4 and 6 were 17557, which increased to 21605 in 2018 it further increased to 26192 in the year of 2019, it again increased to 28065 in 2020 and data of 2021 shows that total number of cases registered u/s 4 and 6 were 33036. The

offences registered u/s 8 and 10 in the year 2017 were 12016, in 2018 it were 14320 in 2019 it were 16399, in 2020 it were slightly decreased to 15692 but it again increased to 16401 in 2021. The offenses committed u/s 12 of the POCSO were 1329 in 2017, 1686 in 2018, 1917 in 2019, 1672 in 2020 and 2032 in 2021. All these figures show that the POCSO Act has not decreased the sexual offences against the children.

Conclusion against Hypothesis 2: The researcher has formulated second hypothesis, i.e. In most of the sexual offences against children, their near relative and family members are involved as an accused. After conducting this research, the second hypothesis has been proved as the data published by NCRB during 2017 to 2021 clearly shows that out of the total registered cases u/s 4 and 6 of POCSO Act in 2017, in 93.6% cases family members, friends and near relative are involved as an accused. In 2018 this percentage increased to 94.9%. It was 94.2% in 2019. It was 96% in 2020. The involvement of family members, friends and near relatives further increased to 97.1% in 2021. This data shows that in majority of the sexual offences registered under POCSO the family member and near relatives and friends of the victims are involved as an accused.

Suggestions

After conducting the present research, the researcher has suggested following suggestions.

1. Police officer, who is having special knowledge of child psychology and behavior of child, should investigate the matter under POCSO.
2. Provision of more stringent punishment should be provided, if the accused is relative or family member of the victim.
3. State should conduct awareness program to aware children about the sexual harassment and make them aware about the POCSO Act.
4. Broader interpretation should be given to the provisions of POCSO Act, 2012.
5. Wide publication should be given to the penal provisions of the POCSO Act, 2012, so as the people should avoid such acts which are punishable under this Act.
6. The Judges of Special Court should provide child friendly atmosphere to the victim of offence, so they may not turn hostile.

ENDNOTES

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- ⁱ K. A. Pandey, B. M. Gandhi's Indian Penal Code, Section 354 (581) (EBC Publishing (P) Ltd. Lucknow 2017.
- ⁱⁱ K. A. Pandey, B. M. Gandhi's Indian Penal Code, Section 10 (23) (EBC Publishing (P) Ltd. Lucknow 2017.
- ⁱⁱⁱ K. A. Pandey, B. M. Gandhi's Indian Penal Code, Section 354A (585) (EBC Publishing (P) Ltd. Lucknow 2017.
- ^{iv} K. A. Pandey, B. M. Gandhi's Indian Penal Code, Section 354B (588) (EBC Publishing (P) Ltd. Lucknow 2017.
- ^v K. A. Pandey, B. M. Gandhi's Indian Penal Code, Section 354C (589) (EBC Publishing (P) Ltd. Lucknow 2017.
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- ^{xi} Ratanlal & Dhirajlal, The Code of Criminal Procedure, Section 26 (46) 22nd Edition 2017, Lexis Nexis.
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- ^{xv} Volume II, S. P. Tyagi, Law of Evidence, Section 114A (2529) (Vinod Publication (P) Ltd. 2021)
- ^{xvi} Aggravated sexual assault
- ^{xvii} Criminal Appeal no. 161 of 2020
- ^{xviii} SLP(Crl) No. 2623 of 2015