

VERDICTUM.IN

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

Thursday, the 10th day of August 2023 / 19th Sravana, 1945

BAIL APPL. NO. 3273 OF 2022

CRIME NO.123/2022 OF OTTAPALAM POLICE STATION, PALAKKAD

PETITIONER:

1. ANOOP, AGED 23 YEARS, SON OF CHAMI, VARIYATHPARAMBIL HOUSE, CHUNANGAD (P.O), AMBALAPPARA, PALAKKAD DISTRICT, PIN-679511

RESPONDENTS/STATE:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN-682031
2. ADDL.R2 STATE OF KERALA, REPRESENTED BY THE SECRETARY DEPARTMENT OF EDUCATION, THIRUVANAHPURAM. ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
3. ADDL.R3 CENTRAL BOARD OF SECONDARY EDUCATION, REPRESENTED BY ITS DIRECTOR=GENERAL, NEW DELHI ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
4. ADDL.R4 KERALA STATE LEGAL SERVICES AUTHORITY, MEMBER SECRETARY, HIGH COURT OF KERALA, ERNAKULAM, ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
5. ADDL.R5 DIL SE, MANASSERY MURI, MUDAMUELI P.O, KOCHI 682507 REP BY ITS TRUSTEE DR.JANAKI SANKARAN, RESIDING AT 50/465B, MANIMALA CROSS ROAD, EDAPPALLY, ARE IMPLEADED AS PER ORDER DATED 27/06/2022 IN CRL.M.A.NO.1/2022 IN B.A.NO.3273.
6. ADDL.R6 PARVATI NAMBIAR, AGED 21 YEARS D/O RAMAKRISHNAN P, SOUPARNIKA, RARISHAN ROAD P.O, ERANHIPALAM, PIN-673006.ARE IMPLEADED AS PER ORDER DATED 27/06/2022 IN CRL.M.A.NO.2/2022 IN B.A.NO.3273/2022.
7. NATIONAL COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING, (NCERT) SRI AUROBINDO MARG, NEW DELHI-110016 REPRESENTED BY ITS DIRECTOR IS SUO MOTU IMPLEADED AS ADDITIONAL RESPONDENT 7 AS PER ORDER DTD 30-05-23
8. STATE COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING VIDYA BHAVAN , POOJAPURA P.O THIRUVANANTHAPURAM, 695012 IS SUO MOTU IMPLEADED AS ADDITIONAL RESPONDENT 8 AS PER ORDER DATED 30-05-23

This Bail application coming on for orders upon perusing the petition, this court's Final order dated 26.08.2022 and upon hearing the arguments of SHRI. NIREESH MATHEW, Advocate for the petitioner, PUBLIC PROSECUTOR for R1 & R2, SHRI. NIRMAL S, SC for R3, SHRI.A.PARVATHI MENON, Advocate for R4, SHRI. K.V.RASHMI, Advocate for R5 and SHRI. P.C SASIDHARAN, Advocate for R8, the court passed the following:

BECHU KURIAN THOMAS, J.

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B.A.No.3273 of 2022

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Dated this the 10th day of August, 2023

ORDER

Sri.P.C.Sasidharan, the learned Standing Counsel for the SCERT has filed a statement specifying that steps have been taken to include awareness about POCSO in the curriculum and that the text book writing is expected to commence from 01.08.2023. The statement also mentions that the text books are to be prepared by experts giving due importance and sensitiveness to the issue and that earnest efforts are being taken. It was also assured on behalf of SCERT that awareness about POCSO will be made part of the curriculum with effect from the academic year 2024-2025 positively for standards I, III, V, VI, VIII and IX while that for standards II, IV, VII and X will be implemented from the academic year 2025-2026.

2. The learned Standing Counsel also submitted that after revision of the curriculum, work shops will have to be conducted for all the teachers regarding the revised curriculum.

3. Sri.T.P.Hood, appearing on behalf of the State Government submitted that during May, 2023 one day training was imparted to teachers regarding POCSO awareness programme and around 1,12,000 teachers attended the training held at various venues in the State.

4. Adv.A.Parvathy Menon also submitted that under the Samagra Shiksha Abhiyan, Higher Secondary teachers have also been given orientation through KELSA and a report will be filed to that effect.

5. This Court records the appreciation regarding the efforts taken by KELSA, the State Government as well as SCERT, in their attempts to implement awareness about POCSO through revised curriculum and through other methods to the children.

6. Await service of notice to R7. In the meantime, a copy shall be served on the Additional Solicitor General of India for and on behalf of 7th respondent.

Post on 18.09.2023.



BECHU KURIAN THOMAS, JUDGE

RKM