

The POCSO Act, 2012

Section 6 - Whoever, commits aggravated penetrative sexual assault, for aggravated

shall be punished with rigorous imprisonment for a term which shall not be less than ten years but which may extend to life and shall also be liable to fine (C~SOMUAL ASSAULT AND PUNISHMENT THEREOF) 7, Whoever, with sexual intent touches the vagina, penis, anus or breast of the child or makes the child touch the vagina, penis, anus or breast of such person or any other Person, or does any other act with sexual intent which involves physical contact without Penetration is said to commit sexual assault, 160661 Yursskment for & Whoever, commits sexual assault, shall be punished with imprisonment of either description for a term which shall not be less than three years but which may extend to five years, and shall also be liable to fine D.- AGGRAVATED SEXUAL ASSAULT AND PUNISHMENT THEREOF 4, (a) Whoever, being a police officer, commits sexual assault on a child Aggravated sexual assault (i) within the limits of the police station or premises where he is appointed, or (ii) in the premises of any station house whether station to which he is appointed, or (iii) in the course of his duties or otherwise; or (iv) where he is known as, or identified as a police officer; or (b) whoever, being a member of the armed forces or security forces, commits sexual assault on a child (i) within the limits of the area to which the person is deployed: or (ii) in any areas under the command of the security or armed forces, (iii) in the course of his duties or otherwise, or (iv) identified as a member of the security or armed forces; or (A) where he is known as a public servant commits sexual assault on a child, (c) whoever being (i) whoever being on the management or on the staff of a jail, or remand home or protection home or observation home, or other place of custody or care and protection established by or under any law for the time being in force commits sexual assault on a child being inmate of such jail or remand home or protection home or observation home or other place of custody or care and protection, or (e) whoever being on the management or staff of a hospital, whether Government or private, commits sexual assault on a child in that hospital; or (f) whoever being on the staff of an educational institution or religious institution, commits sexual assault on a child in that institution, or (g) whoever commits gang sexual assault on a child. Explanation when a child is subjected to sexual assault by one or more persons of a group in further common intention, each of such persons shall be deemed to have committed gang sexual assault within the meaning of this clause and each of such persons shall be liable to be punished as if it were done by him alone, or person shall be liable to be punished (4) whoever commits sexual assault on a child using deadly weapons, fire, substance or corrosive substance, or causing bodily harm and (5) Whoever commits sexual assault causing grievous hurt or injury to the sexual organs of the child, or (6) whoever commits sexual assault on a child, which (i) physically incapacitates or causes the child to become mentally ill as the child 4 of 1587 defined under clause (i) of section 2 of the Mental Health Act, 1987 of causes impairment of any kind so as to render the child unable to perform regular tasks, temporarily or permanently; or (ii) inflicts the child with Human immunodeficiency Virus or any other life threatening disease or infection which may either temporarily or permanently impair the child by rendering him physically incapacitated, or mentally ill to perform regular tasks, or (7) whoever, taking advantage of a child's mental or physical disability, commits sexual assault on the child. or (8) whoever commits sexual assault on the child more than once or repeatedly: or (m) whoever commits sexual assault on a child below twelve years, or (n) whoever, being a relative of the child through blood or adoption or marriage or the child, or in or in foster care, or having, domestic relationship with a parent of who is living in the same or shared household with the child, commits sexual assault on such child or (o) whoever, being in the ownership of management or staff, of any institution providing or services to the child, commits sexual assault on the child in such institution, (p) whoever, being in a position of trust or authority over a child, commits sexual assault on the child in an institution or home of the child or anywhere (q) whoever commits sexual assault on a child knowing the child to be pregnant: or (r) whoever commits sexual assault on a child and attempts to murder the child; or (8) whoever commits sexual assault on a child in the course of communal or sectarian violence;

or on a child and who has been previously convicted (rj whoever comiits sexual assault of having committed any offence under this Act or any sexual offence punishable under any other law for the time being in force, or parade (u) whoever commits sexual assault. on a child and makes the child to strep or naked in public, is said to commit aggravated sexual assault.Puntshmest

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