

**XXX vs State of Kerala Represented by Public Prosecutor**

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**SooperKanoon Citation :** [sooperkanoon.com/1440854](http://sooperkanoon.com/1440854)

**Court :** Kerala

**Decided On :** Feb-01-2022

**Judge :** Honourable Mr. Justice a.Muhammed Mustaque,Honourable Mrs. Justice Sophy Thomas

**Appeal No. :** RPJJ/1/2022

**Appellant :** XXX

**Respondent :** State of Kerala Represented by Public Prosecutor

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE & THE HONOURABLE MRS. JUSTICE SOPHY THOMAS  
TUESDAY, THE 1ST DAY OF FEBRUARY 2022 / 12TH MAGHA, 1943  
RPJJ NO. 1 OF 2022 PETITIONER: XXX AGED 37 YEARS XXXX BY  
ADVS. S.JIJI M.M.BABY RESPONDENT: 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR HIGH COURT OF  
KERALA, ERNAKULAM ERNAKULAM, PIN - 682031 2 WOMEN  
PROTECTION OFFICER WOMEN AND CHILD DEVELOPMENT  
DEPARTMENT, CIVIL STATION, 2ND FLOOR, VIDYANANGAR.  
KASARGOD, PIN - 671123 THIS REV.PETITION(JUVENILE JUSTICE)

HAVING COME UP FOR ADMISSION ON 01.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: A.MUHAMED MUSTAQUE &

**SOPHY THOMAS, JJ.**

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----- Dated this the 01st day of  
February, 2022

## **ORDER**

**A.Muhammed Mustaque, J.**

This revision is at the instance of the mother. The revision petitioner approached this Court aggrieved by an order passed by the Women Protection Officer, Kasaragod under Section 40 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Survivor was minor at the time of the alleged offence committed against her. The perpetrator of the crime is her own father. The survivor has now attained the age of majority. She is pursuing her graduate study in Physics in a reputed college in Kanhangad. The prayer in the revision petition is now confined, allowing her to contact and visit the survivor, her daughter..

2. On 12.0.2022, we passed the following order:

Admit. The learned Government Pleader takes notice for the respondents. This revision petition is filed at the instance of the mother of a survivor in a case registered under POCSO Act. She is pursuing B.Sc. Physics in Nehru Arts and Science College, Kanhangad. She is now residing at Women and Children Home (WCH), Kasaragod. Her date of birth is 15.07.2002 and now she attained the age of majority. After considering the report of the Women Protection Officer, Kasaragod, placed before us by the learned Government Pleader, we are of the view that the intervention of the Victim Rights Centre working under the Kerala

Legal Services Authority would be beneficial to the survivor. The Women Protection Officer shall facilitate the survivor to be in contact with the Victim Rights Centre. The registry shall handover this order to the Kerala State Legal Services Authority. Victim Rights Centre, after interacting with the survivor, shall file a report. The learned Government Pleader shall convey this order to the Women Protection Officer, Kasaragod.

3. Based on the above order, a report has been placed

before the Victim Rights Centre. It is stated in the report that the survivor is stable and pleasant. She is comfortable at the place where she stays. Presently, she is staying at the Women and Children Home (WCH), Kasaragod. In the report, the Project Co-ordinator proposed the name of Adv.Reshmi Jacob, a member of the Victim Rights Centre, as Mentor for the survivor.

4. We approve the report of the Project Co-ordinator and

also depute Adv.Reshmi Jacob, member of Victim Rights Centre. We also direct the Mentor to give career guidance, facilitate counselling and make available to the survivor all worthy that she could aspire for. It would be ideal that the Mentor involves a career guidance counsellor, who could identify the talents and skills to enable the survivor to take a decision in regard to her future studies, job etc.

5. We also direct the Women Protection Officer to

facilitate the revision petitioner, mother to contact the survivor without affecting her studies or stay at the place she now resides. The Women Protection Officer can streamline such a visit proposed by the revision petitioner, mother. We also direct the Women Protection Officer to facilitate the Mentor to contact the survivor without any hindrance from any side. The Victim Rights Centre is also directed to file a report before this Court every three months regarding the progress on the mentorship.

6. We dispose this revision petition recording appreciation to

the Project Co-ordinator of Victim Rights Centre, Women Protection Officer and Secretary, DLSA, Kasaragod for rendering such valuable service to the survivor. If any expense is required to be incurred by the Mentor, that can be placed before this Court for the release from legal aid fund. In the above directions, the revision petition is disposed of. Sd/-A.MUHAMED MUSTAQUE, JUDGE Sd/-SOPHY THOMAS, JUDGE Isn

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