

Special (POCSO) Case No.-29/2021
Ref: Andal PS Case No.345/2021 dt.01/12/2021
CNR-WBBD090016272021

Order No.04 dt.20/12/2021

The accused Anandamoy Mondal is produced from the correctional home.

The Learned Advocate for the accused files an application for releasing the accused on bail. The Learned Advocate engaged by the Sub Divisional Legal Services Committee for the complainant is present.

Heard the Learned Advocate and the Learned Special PP.

Perused the materials on record and in the CD.

The Learned Advocate for the accused submits that the accused is 58 years old. He holds private tuition with reputation for a long time. He has been falsely implicated.

The Learned Special PP opposes the prayer for bail and submits that the court should not take any lenient view in favour of the accused for commission of such a heinous offence against the child who is his student.

It is alleged that the accused disrobed the 12 years old child and applied his mouth to her vagina and assaulted her sexually.

Considering the nature and seriousness of the offence alleged, the prayer for bail is rejected. The accused is remanded to JC till 03/01/2022.

To date production and IO's report.

D/c by me

Sd/-

Judge Special Court (POCSO Act)
-cum-ASJ, 1st Court, Durgapur
J.O. Code No.WB00681

Sd/-

Judge Special Court (POCSO Act)
-cum-ASJ, 1st Court, Durgapur
J.O. Code No.WB00681

Later

20/12/2021

The Learned Advocate engaged by the Sub Divisional Legal Services Committee files an application praying for interim compensation to the victim child. Copy has been served on the State through the Learned Special PP.

Heard the Learned Advocate and the Learned Special PP.

The Learned Advocate submits that the child sustained physical and mental injury. She cannot attend school due to mental trauma. Her parents are not solvent financially. They cannot take proper care of her for their financial stringency.

The Learned Special PP submits that the materials in the CD do not support the submission made by the Learned Advocate.

It appears from the CD that the IO has collected medico legal examination report of the child which does not support that the child suffered any physical injury or she went into trauma. Moreover the allegations made in the FIR apparently do not result in physical injury. The copy of OPD patient card the child also does not support it.

In the circumstances, I am of the considered opinion that there is no immediate need of the child to meet up as per rule 9 of the Protection of Children from Sexual Offences Rules, 2020 and accordingly the prayer for interim compensation is rejected.

D/c by me

Sd/-

Judge Special Court (POCSO Act)
-cum-ASJ, 1st Court, Durgapur
J.O. Code No.WB00681

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