

**SPL(POCSO) 44/2025**

**Present: SUTIRTHA BANERJEE[J.O. Code WB-00980]**

**Judge(Special Court)POCSO Act,**

**Basirhat, North 24 Pdns**

**Order no. 14 dated 03/11/2025**

I.O. has prayed for adding sections 3(I)(w)(i)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act to the array of sections.

Ld. Special Public Prosecutor endorses the prayer.

Heard Ld. Special Public Prosecutor and perused the prayer.

Now there is no provision known to law which makes provision for seeking such "permission" to add sections.

If during course of investigation the I.O. comes across such materials which in his opinion makes out a separate offence/separate offences he is at liberty to add such sections to the array of already existing sections and only give intimation of having added such sections of offences to the Court. *Sayantan Chatterjee versus The state of West Bengal and another in Criminal Revision No. 4036 of 2015 order dated 29-02-2016 [2016 SCC OnLine cal 4573]*

The investigating officer has discharged his duty by informing this court about the development. The investigating officer is free to investigate the facet ventilated by him with proper endorsement in the C.D and the prayer given by him be treated as an intimation to this Court.

Thus the prayer of the investigating officer is kept with the record for future reference and the investigating officer is directed to continue with the investigation as per modalities of law keeping in view the materials collected till date and which may be collected in future.

However for *brevitatis causa* this fact be noted in the formal FIR with the array of sections and in the concerned register/s for future reference.

Let a copy of this order be sent to I.O. concerned for his information and necessary action at once.

Today.

Dictated and corrected by me :

Judge(Special Court)POCSO Act  
Basirhat, North 24 Pdns

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Basirhat, North 24 Parganas