

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

CRA/1/2025
(IA NO: CRAN/1/2025)

The State

Vs.

Ganesh Alias Pillair and Another

Mr. Sumit Kumar Karmakar	... for the State
Mr. Siddhartha Singha	... for the respondent no.1
Ms. A. S. Zinu	... for the respondent no. 2

January 30, 2026
[AKB]
Item No.22

The learned counsel for the victim wants to file a separate appeal praying for enhancement of sentence of the convict.

However, it appears that the present appeal has been filed by the State for enhancing the sentence of the accused from three years to five years rigorous imprisonment. However as the victim wants to file a separate appeal, this matter should be adjourned and if the victim files a separate appeal for enhancement of sentence up to twenty years, I think that the said proposed appeal should be heard along with present appeal.

RE: CRAN/1/2025

Learned counsel for the petitioner has submitted that the victim did not receive any compensation. By filing this CRAN/1/2025 the learned counsel for the victim girl has submitted that the victim was not awarded with any compensation at the time of pronouncement of judgement dated 01.10.2024. The victim is entitled to compensation in

accordance with law. Accordingly, she has drawn the attention of this Court to a decision of the Hon'ble Division Bench of this Court in the case of Shri S.Meganathan vs The State, Through the Station House Officer, Police Station, Aberdeen, South Andaman, Neutral Citation No. 2024:CHC-PB:32-D, pronounced on 27.10.2025, wherein in similar circumstances the Hon'ble Division Bench was pleased to direct the State Legal Services Authority to award compensation to the victim even when the learned Trial Judge had failed to award any compensation in favour of the victim of sexual assault.

Needless to mention, the victim of sexual assault is entitled to compensation. In the case in hand the learned Trial Judge did not award any compensation to the victim girl. It appears that at the time of incident the victim was twelve years of age and she suffered sexual assault at the hand of the convict and in view of the notification dated 17.10.2018 issued by the Andaman and Nicobar Administration with regard to the formation of Andaman and Nicobar victim Assistance Scheme/Survivors of the Sexual Assault and other Crimes, 2018 I find that the victim is entitled to compensation of Rs. 5,00,000/- for the sexual assault committed upon her.

In view of the above the Member Secretary, Andaman and Nicobar State Legal Services Authority is directed to disburse the said amount to the victim from the Andaman and Nicobar victim Assistance Scheme/Survivors of the Sexual Assault and other Crimes, 2018 after complying with all necessary formalities. The amount of compensation so awarded shall be

disbursed by depositing the same in a bank in the name of the victim. In case, the victim does not have any bank account in her name, the concerned District Legal Services Authority would assist her to open a bank account in her name.

The Registrar, Circuit Bench at Port Blair is directed to forward a copy of this order to the Member Secretary, Andaman and Nicobar State Legal Services Authority for necessary information and compliance.

CRAN/1/2025 is disposed of.

Let the appeal be listed for further hearing before the next available Circuit Bench, subject to its convenience.

(Apurba Sinha Ray, J.)