

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4635/2025
[Arising out of impugned final judgment and order dated 20-12-2024
in CRA No. 200068/2021 passed by the High Court of Karnataka at
Kalaburagi]

SOMAPPA & ANR.

Petitioner(s)

VERSUS

THE STATE OF KARNATAKA

Respondent(s)

(IA No. 62517/2025 - EXEMPTION FROM FILING O.T.)

Date : 05-05-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. D N Goburdhan, Sr. Adv.
Mrs. Rajani K Prasad, Adv.
Mr. B. Krishna Prasad, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

Interim order granted on 21.03.2025 to continue
until further orders.

Learned senior counsel for the petitioners also drew
our attention to the fact that under Section 23 of the
Protection of Children from Sexual offences Act, 2012 (for
short "POCSO Act"), the punishment could be either
imprisonment or payment of fine whereas under Section 228A
of the Indian Penal Code, 1860 (for short "IPC") it is
imprisonment and fine.

Learned senior counsel submitted that POCSO Act
being a Special Act, the same would override Section 228A

of IPC. Hence, the said aspect may be considered in this matter.

Issue notice to the respondent.

Petitioners' counsel is also permitted to serve the standing counsel for the respondent-State.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)