

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS
Monday, the 27th day of February 2023 / 8th Phalguna, 1944**

BAIL APPL. NO. 3273 OF 2022

CRIME NO. 123/2022 OF OTTAPALAM POLICE STATION, PALAKKAD

PETITIONER/ACCUSED:

1. ANOOP, AGED 23 YEARS, S/O. CHAMI, VARIYATHPARAMBIL HOUSE, CHUNANGAD (P.O), AMBALAPPARA, PALAKKAD DISTRICT, PIN - 679511

RESPONDENT/STATE:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031
2. ADDL.R2. STATE OF KERALA, REPRESENTED BY THE SECRETARY DEPARTMENT OF EDUCATION, THIRUVANAHPURAM. ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
3. ADDL.R3. CENTRAL BOARD OF SECONDARY EDUCATION, REPRESENTED BY ITS DIRECTOR=GENERAL, NEW DELHI ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
4. ADDL.R4. KERALA STATE LEGAL SERVICES AUTHORITY, MEMBER SECRETARY, HIGH COURT OF KERALA, ERNAKULAM, ARE SUO MOTU IMPLEADED AS PER ORDER DATED 08/06/2022.
5. ADDL.R5. DIL SE, MANASSERY MURI, MUDAMUELI P.O, KOCHI 682507, REP BY ITS TRUSTEE DR.JANAKI SANKARAN, RESIDING AT 50/465B, MANIMALA CROSS ROAD, EDAPPALLY, ARE IMPLEADED AS PER ORDER DATED 27/06/2022 IN CRL.M.A.NO.1/2022 IN B.A.NO.3273.
6. ADDL.R6. PARVATI NAMBIAR, AGED 21 YEARS, D/O RAMAKRISHNAN P, SOUPARNIKA, RARISHAN ROAD P.O, ERANHIPALAM, PIN-673006. ARE IMPLEADED AS PER ORDER DATED 27/06/2022 IN CRL.M.A.NO.2/2022 IN B.A.NO.3273/2022.

This Bail application again coming on for orders upon perusing the petition and this court's final order dated 26.08.2022 & order dated 22.02.2023 in B.A NO. 3273/2022 and upon hearing the arguments of SRI. NIREESH MATHEW, Advocate for the petitioner, PUBLIC PROSECUTOR for R1 & R2, SRI.NIRMAL S, Advocate for R3, SMT. A.PARVATHI MENON, Advocate for R4 & M/S. K.V.RASHMI & B.MEERA, Advocates for R5, the court passed the following:

BECHU KURIAN THOMAS, J.

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B.A.No.3273 of 2022

Dated this the 27th day of February 2023

ORDER

Pursuant to the direction of this Court on 22.02.2023, the Director of General Education and the Additional Director of General Education, who are the Chairman and Convener respectively of the Committee formed by the State Government to create age appropriate sexual awareness curriculum for the schools, appeared online. They explained that the report dated 17.02.2022 regarding the measures suggested by the Committee contains an inadvertent mistake and steps are being taken to correct the mistake. They sought apologies for the mistake. It was also submitted that, pursuant to the last order of this Court, the Committee held a meeting on 23.02.2023, after giving notice to its member including Adv.J.Sandhya, and preliminary steps have already been commenced. The Director of General Education further informed the Court that further steps are being taken to commence the awareness classes from the next academic year itself, and to include it as part

of the curriculum to the extent possible.

2. Having regard to the nature of explanations offered and the steps already taken to include the sessions on sexual awareness in schools from the next academic year, this Court expresses its satisfaction. However, as the Committee formed by the Government intends to meet once in two weeks, this Court shall continue to monitor the progress, in exercise of the jurisdiction under Article 226 of the Constitution of India. Therefore, the case will be taken up again after two weeks.

3. Since the Kerala State Legal Services Authority had made significant suggestions regarding the topics to be included in the curriculum, their presence through a representative could enrich the Committees deliberations. Kerala State Legal Services Authority (KELSA) can contribute significantly in the creation of the curriculum. Hence this Court directs the inclusion of a representative of Victim Rights Centre, which is a Project under KELSA as a member of the Committee. Adv.Parvathy Menon, who is the Project Co-ordinator of the Victim Rights Centre under the KELSA shall therefore be included as a Member of the Committee. The notice of further meetings shall be given to Adv.Parvathy Menon also, in advance.

4. It is clarified that the curriculum to be prepared is a matter to be decided by the Committee and they shall initiate appropriate steps at the earliest, to comply with the directions issued by this Court in its order dated 26.08.2022.

Post this matter on 15.03.2023.

jm/

**BECHU KURIAN THOMAS
JUDGE**

