

Research Paper

Justice to Children: With Reference to POCSO Cases in the State of Madhya Pradesh

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ABSTRACT

Protection of Children from Sexual Offences Act, 2012 came into force in India and was enacted on November 14, 2012. Comprehensively deal with the issue of sexual offences against children below the age of 18 years. The child could be male or female. The POCSO Act is thus a gender-neutral law. As for the reason who commits the crime it does not matter whether the person is male or female, both genders are equally punishable for offences under this Act. In this view, this present article will demonstrate the effectiveness of the POCSO Act to deliver justice to children through analysing the National Crime Records Bureau data from 2014 to 2022. Further this paper will explore the effectiveness of the purpose of this special provision article 15 (3) of the Indian Constitution is used to get support to the child victims and fulfilling the necessity to protect children in Madhya Pradesh.

Keywords: Child, Gender, Victims, Sexual offence, Justice

In the Indian criminal justice system, child protection has gained so much importance in recent times, particularly after more cases of sexual crimes against children have been reported. The process of recognising, reporting and understanding child sexual abuse has evolved during the last decade due to social and cultural changes, heightened awareness, and new legal provisions. The Protection of Children against Sexual Offences (POCSO) Act was enacted in 2012 in order to address the permanent gaps in legally outdated laws, as well as to fill the immediate requirement of a law that adequately safeguards the interests of children alone. The Act is a landmark in India in terms of its commitment to child protection and defines a gender-neutral, child-friendly legal framework to outline a wide range of sexual offenses, victim-support measures, and require a special swift adjudication process by a Special Court. Despite the fact that the POCSO Act provides a solid statutory framework, the effectiveness of any law depends on its implementation. Madhya Pradesh has become a

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pivotal point on which POCSO operationalisation can be judged as it is a state that constantly records a high number of cases and is one of the highest in the reporting of child-related crimes. This fact raises questions about the socio-economic contexts that surround the case, effectiveness of police investigations, quality of the evidence gathered and competence of courts to cope with a growing caseload. Moreover, it highlights how vital institutional preparedness such as forensic facilities, trained investigators, support staff, Special Public Prosecutors, and child-friendly courtrooms is because all of these factors result in whether the objectives of the Act can be translated into substantive justice against children. The past few years have offered numerous challenges to POCSO implementation in Madhya Pradesh, which includes delays in investigations, limited forensic labs, strong trial pendency, and a high rate of acquittals, which could be attributed to hostile testimony or lack of evidence. At the same time, the trends in reporting, including the increased participation of adolescents in consensual relationships, add further challenges to the outcome of the case and increase the stress on the justice system. Such dynamics underscore the need to critically evaluate the way in which institutions in Madhya Pradesh are addressing the legal as well as the social aspects of child sexual offences.

The Protection of Children from Sexual Offences Bill, 2011, was enacted by the Parliament of India, owing to the fact that a number of children were being sexually exploited and abused; and that the laws that were in place to safeguard these children were not effective. The bill became effective on 20 June 2012. The legislation was enacted to protect children against sexual assault, harassment, and pornography. It also established special courts where child sexual abuse cases and similar cases would be tried. The bill is based on the Constitution of Article 15 that mandates states to safeguard children and it is consistent with the United Nations Convention on the Rights of the Child.

This article will attempt to evaluate the performance of the POCSO Act in Madhya Pradesh by examining the National Crime Records Bureau data on police disposition, judicial disposition, pendency, acquittal rates, and the national ranking of the state. Comparing these metrics to the existing legislative acts and the procedure specifications, the analysis will find systemic strengths, the current deficiencies, and the areas that have to be reformed immediately. The general aim is to determine whether the protective motive of POCSO is well actualised in helping children of Madhya Pradesh, and to outline the necessary improvements that can be made to develop a more responsive and child-responsible system of justice.

The overall goal is to understand how the protective intentions of POCSO are well actualised among children in Madhya Pradesh, and what can be done to achieve a more responsive and child-sensitive justice delivery system.

Milestone of the Protection of Child from Sexual Offence Act

The Convention on the Rights of the Child (CRC) was approved by the General Assembly of the United Nations on 20 November 1989. The Convention was formally opened for ratification on 26 January 1992. The CRC is the most comprehensive statement of Child Rights ever made, it takes ten Principles of the 1959 Declaration of the Rights of the Child and expands them to 54 Articles, of which 41 relate specifically to the rights of children, covering almost every aspect of a child's life. It is the most widely ratified Human Rights Treaty in history. In the 1990s, the revelation of a child sexual abuse racket in a major tourist hub of India, Goa, shocked the public conscience and brought forth the concern regarding sexual abuse and exploitation of children.

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Concerned with such instances, in 2003, the state government of Goa enacted Goa children's Act to promote child rights and children's development in the state. By the study of child Abuse 2007 report published by the Ministry of Women and Child Development. This study promoted the government to start taking steps toward creating a sound legal framework to address sexual abuse and sexual exploitation of children. This study will identify the functioning of POCSO Act in delivering justice to the child victims and also gaps & recommendations in the trial proceedings.

Objectives

1. Demonstrates the effectiveness of POCSO Act to deliver justice to children through analysing National Crime Records Bureau data (Crime in India report 2014-2022).
2. Explore the effectiveness of the purpose of this special provision article 15(3) of the Indian Constitution is used to get support to the child victims and fulfill the necessity to protect children in Madhya Pradesh.

METHODOLOGY

This research is based on a quantitative and descriptive research design to study how the Protection of Children of Sexual Offences (POCSO) Act works in Madhya Pradesh by evaluating the crime patterns, law enforcement activities, and court delivery of justice within nine years. The information used in this article is based on the National Crime Records Bureau (NCRB), namely the annual Crime in India Reports (2014-2022), which give state-wise and year-wise information on crimes against children, police disposals, court disposals, pendency rates, acquittals, and charge-sheet patterns. These data were effectively retrieved, tabulated and compared with the past years in order to determine trends, gaps and inconsistencies in the enforcement of the Act. The police variables investigated are pending cases under investigation, new cases registered, charge sheets filed and cases under the category of true but insufficient evidence, untraced/no clue and case of mistake of fact or law. The judicial indicators are trials that have been completed, convictions and acquittals, cases that have been discharged and those that are pending trial. Also, rank-wise comparisons were conducted to determine the position of Madhya Pradesh as compared to other states. The numerical trends were put into perspective and context and interpreted by referring to secondary sources which included legal commentaries, the A Decade of POCSO (2022) published by the Vidhi Centre of Legal Policy and the applicable provisions of the POCSO Act and Rules (2020). The approach will therefore combine statistical analysis with legal-procedural interpretation to determine the extent to which the state has successfully deployed the Act in accordance with Article 15 (3) of the Indian Constitution that permits the enactment of special protective measures of children.

RESULTS AND ANALYSIS**Table 1. Police and Court Disposal of POCSO Cases.**

Year.	Cases pending investigation from previous year in police stations.	Cases reported during the year in police stations.	Cases which Chargesheets Were Submitted and sent for trial during the Year.	Cases pending trial from previous Year in the courts.	Total Cases for trial during the Year in courts.	Cases in which trials were completed by courts.	Cases Compound or withdrawn .	Cases Pending trial at the End of the Year in courts.
2014	820	8,904	6,573	1,806	8,379	406	3	7,970
2015	2,736	14,913	12,980	7,956	20,935	2,049	7	18,879
2016	12,038	36,022	30,891	70,435	10,1326	10,884	229	90,205
2017	12,312	32,608	28,063	65,360	93,423	9,097	102	84,143
2018	15,074	39,827	35,568	84,142	11,9710	11,345	157	10,8029
2019	17,764	47,335	42,681	10,7191	14,9872	1,623	371	13,3068
2020	19,129	47,221	44,709	13,5184	17,9893	9,316	183	17,0271
2021	19,150	53,874	51,129	17,0382	22,1511	15,989	327	20,5034
2022	20,050	63,414	59,766	20,8272	2,68,038	28,135	348	23,9188

This table 1 indicates that the total workload of both the police and the courts has increased significantly in 2014 to 2022. All indicators have increased: the number of cases under investigation, the number of cases reported annually, the number of cases charged with the sheet, the total number of cases that are taken to the trial, and the cases that are awaiting the trial at the end of the year. As an illustration, there was a significant backlog of investigations since the number of cases awaiting investigation in the police stations has increased to 20,050 in 2022 compared to 820 in 2014. Similarly, the cases reported in the year have decreased to 63,414 in 2022 compared to 8,904 in 2014 and this may either be due to increased reporting of crime or a more knowledgeable society. With the increased reporting, the charge sheets increased, with 6,573 in 2014 and 59,766 in 2022, which indicates that police are working harder, but they are yet to keep up on the new cases. One such problem is the increase in court burden. The overall number of cases which can be taken to trial increased by 8,379 to 268,038 in the year 2014 and 2022 respectively. Although there are increasing numbers of cases being completed, the increase in completion remains too low when compared to the number of new cases that are received. This has led to the number of pending cases before trial to run out from 7,970 cases in 2014 to 239,188 cases in 2022. The majority of cases are neither closed nor withdrawn, and thus they require complete court treatment that further puts strain on the system. The overall data indicate that the disparity between the new cases and the capacity of the system to process them is becoming bigger. This leads to accumulating backlog and the slowness of cases being disposed of during the criminal justice process. Delayed investigation is not just in POCSO cases but across all crimes against children. Non-appointment of support persons for victims (A person assigned by the Child Welfare Committee, to render assistance to the child

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through the process of investigation and trial, or any other person assisting the child in the pre-trial or trial process in respect of an offence under the Act). The taking of overtime in proceedings than a prescribed timeline (under section 35 of the POCSO Act). (Apoorva et al. (2022). A Decade of POCSO Developments, Challenges and Insights from Judicial Data. Vidhi Centre for Legal Policy).

Table 2 Court disposal of POCSO cases

Year	Cases Acquitted
2017	5724
2018	7069
2019	9698
2020	5133
2021	10258
2022	18202

The above (Table 2) shows that the data tracks the annual number of Cases Acquitted from 2017 to 2022, revealing a strong overall upward trend. Starting at 5,724 cases in 2017, the number rose consistently to reach 9,698 in 2019. However, there was a significant decrease in 2020. Dropping to 5,133. Following this dip, the number surged to a new high of 10,258 cases in 2021. The most dramatic jump occurred in 2022, where the number of acquittals reached a record high of 18,202. This figure is nearly double the number recorded in 2021, indicating a major acceleration in the resolution of cases, possibly clearing a large backlog, or a substantial increase in the acquittal rate for that year.

Table 3 Police and Court disposal of POCSO cases

Year	Cases ended as mistakes of fact or of law or civil dispute.	Cases true but insufficient Evidence or Untraced or No clue.	Cases reopened for investigation.	Cases Quashed by Court.	Cases Discharged by the Court.
2014	131	228	-	-	-
2015	120	397	-	-	-
2016	240	868	-	-	-
2017	272	697	4	23	353
2018	611	808	23	28	392
2019	635	1296	85	87	873
2020	454	1100	43	30	497
2021	563	1021	29	34	575
2022	616	1422	311	81	1024

This table no. 3 shows how POCSO cases were disposed of by the police and courts between 2014 and 2022. Over the years, almost every category shows an increase. Cases that ended as *mistakes of fact, mistakes of law, or civil disputes* rose from **131 in 2014** to **616 in 2022**, which means more cases were found unsuitable for legal action. Cases marked as *true but with insufficient evidence or untraced/no clue* also increased sharply, from **228 in 2014** to **1,422 in 2022**. This indicates that even when the incident was real, the police could not collect enough evidence to support the case.

From 2017 onwards, new categories appear: reopened **cases, quashed cases, and discharged cases**. These numbers become large by 2022. From the above Table 3. the lack of awareness of POCSO Act in the children leading to the rise in the mistake of law cases. Lack of manpower the collecting of clues related to the cases leading to rise in the count of

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cases true but insufficient Evidence or Untraced or No clue and the cases reopened for investigations are rising gradually from year to year, just because of delay in getting evidence or clues related to the cases. The ‘romantic cases’ were filed by the family of the victim and not the victim herself thus giving rise to the assumption that these provisions were being misused by families of adolescents relationships that they did not approve. Where it held that consensual teenage relationships are a part of biosocial dynamics and therefore ‘painting a criminal colour to this aspect would only sever counter-productively’ and also that ‘punishing an adolescent boy who enters into a relationship with a minor girl by treating him as an offender’ was never the objective of the POCSO Act. It is evident from the recent judgement of the Madras High Court in *Vijayalakshmi v. State of Tamil Nadu* (2025) also opined the same view that the consensual love making between teenagers should not be subjected to the provisions of the POCSO Act, and finally dismissed the case by invoking its own inherent powers, repeating that the purpose of POCSO was to protect children, rather than to criminalise consensual teenage affairs. On the based on the outcome of these verdicts the courts had decided to exercise their inherent powers under Section 482 of the Code of Criminal Procedure, 1973, to quash proceedings under Section 366 of the Indian Penal Code, 1860, and Section 6 of the POCSO Act, in order to prevent abuse of the legal process (Apoorva et al., 2022).

Table 4 Court disposal of POCSO cases

Year	Cases Acquitted or discharged
2014	306
2015	1191
2016	7658

Table 4 shows the cases of POCSO that were acquitted or discharged by the courts between 2014 and 2016. The numbers indicate an alarming and disproportionately growing trend in the acquittals and discharges during this three-year period with 306 cases in 2014, rising to 1,191 cases in 2015, and then rising exponentially to 7,658 cases in 2016. Such a sharp increase indicates that a high percentage of POCSO cases could not stand trial and were not being prosecuted. Among the crucial points identified in the document is the fact that the National Crime Records Bureau combines acquittals and discharges into one entity, thus blurring the actual reasons which led to such outcomes. It is therefore hard to determine whether cases were dismissed in instances of weak evidence, procedural flaws, party compromise or hostile witnesses. It is possible to interpret the sudden spike in 2016 in multiple ways: it might be that there are systemic problems, including insufficiency in the quality of investigations, charge sheets being of low quality, or the lack of sufficient forensic and medical evidence, which could weaken the prosecution in a court. Thus, Table 4 not only shows the weaknesses in judicial resolutions but also suggests an overall problem with the application of POCSO procedures, the quality of evidence gathering, and the capacity of the institution to secure the child victim during the investigation and trial phases.

Table 5. Crime against children in Madhya Pradesh: POCSO Cases.

Year	Total Crimes Against Children in Madhya Pradesh State.	Total POCSO Cases reported during the year.	Percentage of POCSO Cases (%)	Population (in lakhs)	Crime Rate
2014	15085	126	0.8%	300.8	0.4
2015	12859	1687	13.1%	300.8	5.6
2016	13746	4717	34.3%	300.8	15.7
2017	19038	1569	8.2%	300.8	5.2
2018	18992	2445	12.8%	300.8	8.1
2019	19028	6123	32.1%	300.8	20.4
2020	17008	5648	33.2%	287.6	19.6
2021	19173	6070	31.6%	287.6	21.1
2022	20415	5996	29.3%	287.6	20.8

According to table no. 5, crimes against children in Madhya Pradesh have grown significantly between 2014 and 2022. In 2014 only 15,085 such offences were registered, and by 2022 the number had increased to 20,415. Crimes against the Protection of Children from Sexual Offences (POCSO) Act also increased significantly, by 126 cases in 2014 to 5,996 cases in 2022. The number of POCSO cases compared to the overall number of crimes against children also increased dramatically, as in 2014, it was 0.8% and in 2022, it was almost 30% of the criminality against children. The rate of crime per lakh population also showed a sharp rise, as it rose to 0.4 in 2014 and about 20 in recent years. Though a certain temporary drop in POCSO cases was observed in 2017, overall tendency proves that sexual offences against children is still a widespread and urgent issue in the state. This highlights the need to increase security of children and to have a stronger implementation of the POCSO act.

From the above (Table.5) POCSO cases are reported every year in the state of Madhya Pradesh. As per “G.S.R. 165(E). In exercise of the powers conferred by section 45 of the Protection of Children from Sexual Offences Act, 2012 (32 of 2013), the Central Government hereby makes the following rules”. An order and circular (MINISTRY OF WOMEN AND CHILD DEVELOPMENT, NOTIFICATION, New Delhi, the 9th March, 2020). (Bare Acts related to Children (NCPCR, Govt. of India). The Madhya Pradesh state is backward in implementing the general statutory rules. By the main rule ‘Awareness generation and capacity building’.

Table 6. State wise number of POCSO cases reported: In Rank wise.

Rank	Year								
	2014	2015	2016	2017	2018	2019	2020	2021	2022
1	Uttar Pradesh -3637	Uttar Pradesh - 3078	Uttar Pradesh - 4954	Maharashtra- 5248	Maharashtra- 6233	Uttar Pradesh - 7594	Uttar Pradesh- 6898	Uttar Pradesh - 7129	Uttar Pradesh - 8136
2	West Bengal- 1058	Madhya Pradesh - 1687	Maharashtra- 4815	Uttar Pradesh - 4895	Uttar Pradesh - 5041	Maharashtra- 6558	Maharashtra- 5687	Maharashtra- 6200	Maharashtra- 7572
3	Tamil Nadu- 1055	Tamil Nadu- 1544	Madhya Pradesh - 4717	West Bengal- 2131	Madhya Pradesh - 2445	Madhya Pradesh - 6123	Madhya Pradesh - 5648	Madhya Pradesh - 6070	Madhya Pradesh - 5996
4	Karnataka-620	Karnataka- 1480	West Bengal- 2132	Karnataka- 1956	West Bengal- 2267	Tamil Nadu- 2396	Tamil Nadu- 3090	Tamil Nadu- 4465	Tamil Nadu- 4968
5	Kerala-	Gujarat	Odisha-	Gujarat	Gujarat	West	West	Karnata	Rajasth

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Rank	Year								
	2014	2015	2016	2017	2018	2019	2020	2021	2022
	439	- 1416	1928	- 1697	- 2154	Bengal-2267	Bengal-2657	ka-2813	an-3731
6	Chhattisgarh-417	West Bengal-1289	Kerala-1848	Chhattisgarh-1676	Bihar-2094	Gujarat-2253	Gujarat-2345	Telangana-2698	Kerala-3334
7	Assam-311	Chhattisgarh-1164	Delhi UT-1620	Telangana-1632	Tamil Nadu-2039	Karnataka-2160	Odisha-2202	Kerala-2647	Karnataka 3155
8	Rajasthan-191	Assam-731	Tamil Nadu-1583	Delhi-1623	Karnataka-2036	Haryana-2074	Kerala-2163	West Bengal-2607	West Bengal-2761
9	Maharashtra-190	Kerala-516	Chhattisgarh-1570	Tamil Nadu-1587	Haryana-1924	Odisha-2036	Karnataka-2104	Odisha-2498	Telangana-2726
10	Madhya Pradesh-126	Haryana-440	Karnataka-1565	Madhya Pradesh-1569	Odisha-1887	Chhattisgarh-2027	Telangana-2074	Gujarat-2443	Gujarat-2499

The above (Table 6) shows that the data tracking the top 10 Indian states from 2014 to 2022 reveals clear trends in performance based on a specific numerical metric. Uttar Pradesh demonstrated dominance, achieving the Rank 1 position in seven of the nine years, with its score peaking at 8,136 in 2022. Maharashtra consistently rivalled UP, securing Rank 1 in 2017 and 2018 and consistently placing within the Top 2. This period also saw a significant upward trend in the metric's scale, as the Rank 1 score more than doubled from 3,637 in 2014 to 8,136 in 2022.

A notable point arises with Madhya Pradesh, which firmly established itself as a reliable top performer by consistently holding Rank 3 from 2018 to 2022. However, according to the Gazette of India and the Ministry of Women and Child Development notification (referring to Table 6), this sustained third position is partly attributed to the state not having fully reached the grassroots level of implementation of the POCSO Act rules.

CONCLUSION

The analysis of NCRB data from 2014 to 2022 clearly indicates that, despite the existence of a comprehensive legal framework under the Protection of Children from Sexual Offences (POCSO) Act, giving a detailed legal framework, justice to child victims in Madhya Pradesh remains constrained by issues within the system and institutions. There has been a steady increase in the number of registered POCSO cases, a similar increase in the pendency of both the police and the court, proving that the criminal justice system is unable to cope with the increasing workload. Increased reporting may also imply that people are more aware, but investigations are sluggish, there are insufficient forensic resources, trained personnel, and it is slow due to the processes involved in the justice process. The outcomes of the court also indicate a serious problem, particularly high and increasing numbers of discharges and acquittals. Such trends indicate poor case preparation, delayed or ineffective evidence gathering, hostile witnesses, and more complicated cases dealing with teenage consensual relationships. The statistics also show that a significant number of cases are dismissed due to factual or legal error, or due to lack of evidence, indicating legal ignorance and investigative competence. Although the law mandates child-friendly procedures, expedited trials and victim assistance, its application in the field is inconsistent and mostly ineffective. As the recent statistics from the Centre for Legal Action and Behaviour Change (CLAB) report on

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POCSO cases reveal, delays and backlogs are not a state-specific problem but a widespread issue in the country. The country was reporting a large number of POCSO cases between 2021 and 2025 but the judicial system was not disposing of these cases at a similar rate. This has led to a growing backlog that has increased the pendency periods and compromised the ability of the system to adjudicate on time. The situation in Madhya Pradesh reflects the situation at the national level but with acute severity. Compared to 2021 the state registered 7,133 and disposed 6,035, and in 2022 the state registered 6,795 and disposed 7,278, which is a slight improvement. However, later years experienced new cases, which maintained a large backlog. A large percentage of cases are still pending more than two years hence undermining the aim of serving justice swiftly. There are 67 Fast Track Special Courts in operation in Madhya Pradesh by September 2025, of which 56 were POCSO-specific; but the number of pending cases is 10,879. The analysis of CLAB proves that creating more courts is not enough to cope with the growing number of cases. As a result, delays and high pendency become a challenge faced by the POCSO framework, both at the national and state level, which makes the establishment of special courts an insufficient measure. Addressing these deficiencies requires comprehensive reforms in investigation practices, staffing allocations, training initiatives, and case-management protocols to guarantee that affected children receive timely and effective legal remedies. The results support the NCRB-based analysis of the current study and show that delays during investigations, long trials, and institutional capacity constraints still hamper timely justice to victimized children in Madhya Pradesh, thus hindering the successful implementation of the protective goals of the POCSO Act. Moreover, It is clearly revealed that the outcome of the analysis is that Madhya Pradesh has always been one of the leading states in POCSO reports that indicate the significant numbers of child molestations or reports, as well as the institutional vulnerabilities in child protection. The constitutional right under Article 15(3) that grants children are given special protection is not fulfilled in all aspects. Overall, this article concludes that although the POCSO Act has led to further legal acceptance of child sexual offences, it is not quite succeeding in the practical delivery of justice in Madhya Pradesh. To safeguard the dignity, safety and rights of child victims, it is necessary to build institutional capacity, enhance forensic and investigative infrastructures, have trained prosecutors and support staff and establish more specialized POCSO courts.

Suggestive Measures

- Increase the awareness of the POCSO Act in educational institutions and public places.
- Parental counseling should be conducted to sensitize parents about the early signs of abuse and observe the behavioural changes in the child.
- Should Appoint a support person to the child victims to get help in proceedings.
- The State should be required to appoint the well trained Special Public Prosecutors exclusively for POCSO Courts and also periodically to provide orientation to them.
- Should need manpower especially trained police personnel to handle POCSO Cases.
- Establish the mobile and Regional Forensic Science Laboratories with trained experts of POCSO Cases.
- Should increase the number of special courts and fast track courts in every Districts of all the states.
- Should sensitize the medical officers who handle the POCSO cases.

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Conflict of Interest

The author(s) declared no conflict of interest.

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