

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE C.PRATHEEP KUMAR

MONDAY, THE 1ST DAY OF DECEMBER 2025 / 10TH AGRAHAYANA, 1947

CRIME NO OF Alathur Police Station, Palakkad

PETITIONER/VICTIM:

BY ADVS.
SMT.IPSITA OJAL
SMT. ARYA ASHOKAN
SMT.MARIYAMMA A.K. ★

HIGH COURT OF KERALA

CERTIFIED COPY

RESPONDENTS:

- 1 DISTRICT LEGAL SERVICES AUTHORITY OF KOTTAYAM
(REPRESENTED BY SECRETARY)
KANJIKUZH I - KOLLAD RD - DEVALOKAM SC RD,
DEVALOKAM, INDIRA NAGAR, KOTTAYAM,
KERALA, PIN - 686004
- 2 ADDL.R2.MEMBER SECRETARY
KERALA LEGAL SERVICES AUTHORITY,
NIYAMA SAHAYA BHAVAN, HIGHCOURT COMPOUND,
ERNAKULAM - 682 031 (ADDL.R2. SUOMOTO IMPEADED
VIDE ORDER DATED 20/07/2023)
- 3 ADDL.R3.STATE OF KERALA
REPRESENTED BY HOME SECRETARY ,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
(ADDL.R3. SUO MOTO IMPEADED VIDE ORDER DATED
20/07/2023)

BY ADV KUM.S.KRISHNA

OTHER PRESENT:

PP-SRI.U.JAYAKRISHNAN

THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 01.12.2025, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



HIGH COURT OF KERALA
CERTIFIED COPY

JUDGMENT

Dated this the 01st day of December, 2025

The petitioner is the unfortunate acid attack victim involved in Crime No. _____ of Alathur Police Station. The prosecution case is that, on 23.05.2016 at about 7.10 p.m, when the defacto complainant was alighting from a car in front of her house, the 1st accused, in furtherance of the common intention of both the accused persons, poured acid on the face of the defacto complainant, resulting in serious burn injuries on her face and loss left eye sight. Her minor daughter also sustained burn injuries in the incident.

2. According to the learned counsel for the petitioner, the petitioner obtained treatment from different hospitals, namely Little Flower Hospital, Angamaly for eye injuries and Amritha Hospital, Ernakulam for burn injuries and a huge amount was spent in that respect so far. Now she is unable to meet the expenses for the further treatment. According to the petitioner, KELSA - 2nd respondent has already awarded a sum of Rs.3,00,000/- (Rupees Three lakhs only) as compensation and therefore, in this Crl.M.C she seeks a further sum of Rs.15,00,000/- (Rupees Fifteen lakhs only) to meet the expenses required for further treatment.

3. Though the accused persons were impleaded as additional respondents 3 and 4, they did not turn up. As per order dated 24.11.2025, this Court has directed the Secretary, District Legal Services Authority, Kottayam,

to submit a report about the present condition of the petitioner, after contacting her either personally or online. As per report dated 29.11.2025, the Secretary, District Legal Services Authority, Kottayam reported that he contacted the petitioner online, and that even now her face is substantially disfigured. Her left eye seems to be totally damaged, and she claims that her left eye sight is totally lost. She could not even go for any job as children used to be scared on seeing her. The learned counsel for the petitioner also handed over some photographs of the petitioner, from which also it can be seen that what is stated by the Secretary, District Legal Services Authority, Kottayam, in his report is true and correct.

4. The petitioner produced Exhibit P4 certificate issued from Amritha Hospital, Ernakulam and Exhibit P5 series certificates stating the approximate amount required for the immediate treatment of the petitioner. In Exhibit P4, it is stated that further treatment is to be conducted in three stages, which is extracted below for reference:

5. As per Exhibit P5, a sum of Rs.1,05,000/- is needed for the 1st stage, Rs.1,55,000/- is needed for the 2nd stage and Rs.1,18,000/- is needed for the 3rd stage. The total amount covered by Exhibit P5 series will come to a sum of Rs.3,78,000/- (1,05,000/- + 1,18,000/- + 1,55,000/-). According to the learned counsel, those amounts were fixed in June 2023 and now the amount will be much more. As argued by the learned counsel for the petitioner, from the materials available on record it is revealed that, for the time being, for the immediate and urgent treatment of the petitioner at least a further sum of Rs.5,00,000/- (Rupees Five Lakhs only) will be required.

6. The learned counsel for the petitioner relied upon the decision of the Hon'ble Supreme Court in **Laxmi v. Union of India (UOI) and Ors.** [(2014) 4 SCC 427], in which, for a victim involved in an acid attack in the year 2006, the Apex Court has awarded a compensation of Rs.3,00,000/- (Rupees Three Lakhs only). In the decision in **Parivartan Kendra v. Union of**

India (UOI) and Ors. [MANU/SC/1399/2015], the Apex Court clarified that the quantum of compensation mentioned in **Laxmi**(Supra) is not the maximum compensation that could be paid and that in deserving cases more compensation than what was ordered in **Laxmi**(Supra) can be awarded.

7. As per the Kerala Victim Compensation Scheme, 2017, the minimum amount of compensation payable to acid attack (disfigurement of greater than 40%) is Rs.3,00,000/-. In the instant case, since the petitioner has lost her left eyesight fully, in addition to other injuries, the disfigurement will be more than 40%. As per Schedule-II to the new scheme which came into force with effect from 20.02.2021, applicable to women victims of acid attack :

- a) In case of disfigurement of face, the minimum limit of compensation is Rs. 7 lakhs and upper limit of compensation is Rs. 8 lakhs
- b) In case of injury more than 50%, minimum limit of compensation is Rs. 5 lakhs and upper limit of compensation is Rs. 8 lakhs.

8. Since from the available evidence on record it is revealed that even after more than 9 years, the petitioner is still suffering from the injuries in the incident and her sufferings could not be expressed in terms of words. As I have already noted above, for the time being, she urgently requires at least a sum of Rs. 5,00,000/- (Rupees Five Lakhs only) for getting

the treatment, as revealed from Exhibit P4 and P5.

9. In the above circumstances, this Court deem it appropriate to direct the 2nd respondent, KELSA, to disburse a sum of Rs.5,00,000/- in addition to the amount already disbursed, as additional interim compensation to the petitioner. In case necessary funds are not available, the KELSA is directed to take up the matter with the Government to get sufficient funds for disbursing the same to the petitioner in pursuance to this order.

10. In the meantime, this Court further deem it necessary to issue a direction to the trial court to expedite the case against the accused persons also. The Additional Sessions Judge-III, Palakkad, requested for a period of ten months for completing the trial in the criminal case against the accused persons. Accordingly, there will be a direction to the Additional Sessions Judge-III, Palakkad, to dispose of Sessions Case No.

within a period of nine months from date of the receipt of a copy of this order.

The W.P(Crl.) is disposed of accordingly.

Sd/-

C. PRATHEEP KUMAR,
JUDGE