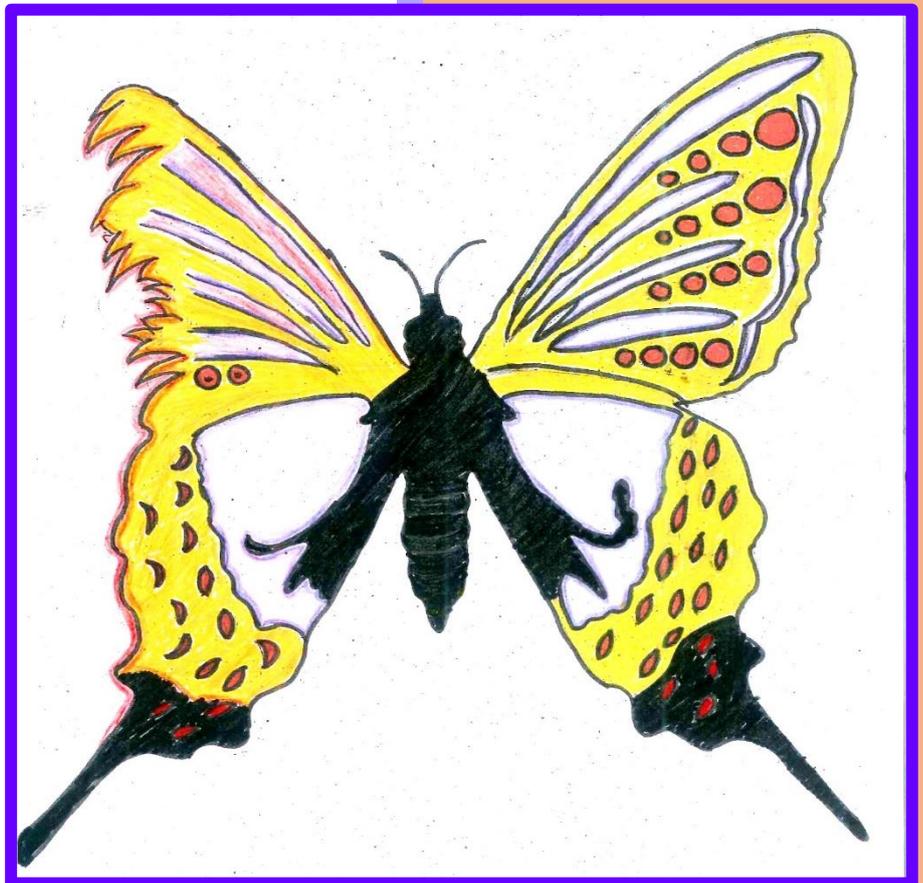




unicef 
for every child



LET ME BE A BUTTERFLY!



**WORKSHOP ON CHILD IN CONFLICT WITH LAW AND CHILD VICTIMS
(FOR DISTRICT LEGAL SERVICES AUTHORITIES, PRINCIPAL MAGISTRATES AND
PANEL LAWYERS OF THE JUVENILE JUSTICE BOARDS)**

27TH & 28TH NOVEMBER 2021

EVENT REPORT



TAMIL NADU STATE JUDICIAL ACADEMY
and
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
In association with
UNICEF

Workshop on Children in Conflict with Law and Child Victims
For the Secretaries of District Legal Services Authorities,
Principal Magistrates and the Panel Lawyers of
the Juvenile Justice Boards
(for the districts of Coimbatore, Dharmapuri, Dindigul, Erode and Karur)
on 27.11.2021 at TNSJA Regional Centre, Coimbatore

10.00 a.m. – 10.05 a.m.	Invocation
	Welcome Address Mr. D. LINGESWARAN, Director, Tamil Nadu State Judicial Academy
10.05 a.m. – 10.10 a.m.	Scope and Object of the Programme Mr. G. KUMARESAN, Social Policy Specialist, UNICEF
10.10 a.m. – 11.30 a.m.	Salient Features of Juvenile Justice (Care and Protection of Children) Act, 2015 Mr. E.V.CHANDRU @ E. CHANDRASEKARAN, Advocate, High Court of Madras
11.30 a.m. – 11.45 a.m.	Tea Break
11.45 a.m. – 01.00 p.m.	Functions of Juvenile Justice Board and Role of Lawyers in Strengthening Juvenile Justice System Ms. N. ALICIA, Assistant Sessions Judge, Additional Special Court for trial of criminal cases related to elected members of Parliament and members of Legislative Assembly of Tamil Nadu, Chennai
01.00 p.m. – 02.00 p.m.	Lunch Break
02.00 p.m. – 04.00 p.m.	 Role of Legal Services Authority in providing Legal Assistance and Compensation to Children Mr. K. RAJASEKAR, Member Secretary, TNSLSA, Chennai Free and Compulsory Education changes the life of Children in Conflict with Law Mr. E.V.CHANDRU @ E. CHANDRASEKARAN, Advocate, High Court of Madras
04.00 p.m. – 04.15 p.m.	Tea Break
04.15 p.m. – 05.00 p.m.	Discussion and Interaction

LET ME BE A BUTTERFLY!



TAMIL NADU STATE JUDICIAL ACADEMY
and
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
In association with
UNICEF

**Workshop on Children in Conflict with Law and Child Victims
For the Secretaries of District Legal Services Authorities,
Principal Magistrates and the Panel Lawyers of
the Juvenile Justice Boards**
(for the districts of Namakkal, Nilgiris, Salem and Tiruppur)

on 28.11.2021 at TNSJA Regional Centre, Coimbatore

10.00 a.m. – 10.05 a.m.	Invocation
	Welcome Address Mr. D. LINGESWARAN, Director, Tamil Nadu State Judicial Academy
10.05 a.m. – 10.10 a.m.	Scope and Object of the Programme Mr. G. KUMARESAN, Social Policy Specialist, UNICEF
10.10 a.m. – 10.20 a.m.	Inaugural Address (By Virtual Mode from Chennai) Hon'ble Mr. Justice N. ANAND VENKATESH Judge, High Court of Madras/Member, Board of Governors, TNSJA
10.20 a.m. – 11.30 a.m.	Salient Features of Juvenile Justice (Care and Protection of Children) Act, 2015 Mr. E.V. CHANDRU @ E. CHANDRASEKARAN, Advocate, High Court of Madras
11.30 a.m. – 11.45 a.m.	Tea Break
11.45 a.m. – 01.00 p.m.	Functions of Juvenile Justice Board and Role of Lawyers in Strengthening Juvenile Justice System Ms. N. ALICIA, Assistant Sessions Judge, Additional Special Court for trial of criminal cases related to elected members of Parliament and members of Legislative Assembly of Tamil Nadu, Chennai
01.00 p.m. – 02.00 p.m.	Lunch Break
02.00 p.m. – 04.00 p.m.	Role of Legal Services Authority in providing Legal Assistance and Compensation to Children Mr. K. RAJASEKAR, Member Secretary, TNSLSA, Chennai Free and Compulsory Education changes the life of Children in Conflict with Law Mr. E.V.CHANDRU @ E. CHANDRASEKARAN, Advocate, High Court of Madras
04.00 p.m. – 04.15 p.m.	Tea Break
04.15 p.m. – 05.00 p.m.	Discussion and Interaction



LET ME BE A BUTTERFLY!

Concept Note

The famous proverb, "It takes a village to raise a child" rings true to this day. Even as we claim that children are the future of our nation, there are significant lapses in ensuring justice to the child. When a child goes astray, it reflects the neglect of society. Thus, a child in conflict with the law, should be seen not merely as a trouble maker who needs to be punished, but as a victim of failed social responsibility. Such a child is in dire need of care and protection, just as a child survivor of crime, through legislative and judicial intervention.

This programme is designed to enable the participants to engage in a closer analysis of the salient features of the Juvenile Justice (Care and Protection of Children) Act, 2015 [JJ Act] and the role of various stakeholders in the juvenile justice system, particularly the functionaries of the Juvenile Justice Board.

It is pertinent to note that reform and rehabilitation- and not punishment- are the guiding principles of the JJ Act, 2015. Recognition of and respect for rights as human being and as a child is an important first step in the rehabilitation of a child in conflict with law, followed by extending the cause of social reintegration by providing for institutional care and other services to children.

Despite the constitutional mandates, legislative affirmations and judicial pronouncements, the child due to lack of agency and not being heard, is denied the right to have a safe childhood, making them prone to abuse and violence. Access to justice is the overarching principle ensuring the realisation of child rights. Access also implies availability and affordability, and in this light, the realisation of the right to free legal aid, and the expedient disbursement of the victim compensation fund, are crucial. The District Legal Services Authority has been instrumental in realising the former right of all needy sections of society including children, as required by the Legal Services Authorities Act, 1987 enacted in furtherance of Article 39-A of the Constitution. The Hon'ble Supreme Court has reinforced this ideal vide its decision in holding that legal aid is not a mere formality.

Holistic education serves to protect and empower the child, and thus, the right to education is the cornerstone of child rights. However, this right is significantly eroded by child marriage, which is a much prevalent social evil, wherein the child is robbed of their innocence and is imposed with adulthood without due regard to its disastrous consequences. Therefore, the Prohibition of Child Marriage Act, 2006 needs to be read together with the Fundamental Right to Education enshrined in Article 21-A of the Constitution of India, which has led to the Right of Children to Free and Compulsory Education Act, 2009.

This programme is intended to equip the participants on the mechanisms for restoring justice to children in conflict with law and child victims in their line of work. The outcome of the programme would enable the participants to implement the mechanisms and proliferate the same as best practices to be adopted in their respective districts.

The pandemic has further pushed the child to a precarious condition, leaving them with a bleak future. This programme presents an opportune time for judicial officers to re-orient themselves on centring the best interests of the child, in order to empower the child, on whom the future of our society rests.



TAMIL NADU STATE JUDICIAL ACADEMY

and

TAMIL NADU STATE LEGAL SERVICES AUTHORITY

in association with UNICEF

Workshop on Children in Conflict with Law and Child Victims

(for the Secretaries of District Legal Services Authorities, Principal Magistrates

and the Panel Lawyers of the Juvenile Justice Boards)

27th & 28th November 2021 (Saturday and Sunday)

at TNSJA – Regional Centre, Coimbatore



Event Report

The workshop was organised for the districts of Coimbatore, Dharmapuri, Dindigul, Erode and Karur on 27th November 2021, and for the districts of Namakkal, Nilgiris, Salem and Tiruppur on 28th November 2021. On both the days, the programme commenced with the invocation song, 'தமிழ்த்தாய் வாழ்த்து'.



Mr. D. Lingeswaran, Director, Tamil Nadu State Judicial Academy welcomed the dignitaries, resource persons and participants for both days of the workshop. He spoke how the Juvenile Justice (Care and Protection) Act, 2015 was enacted with a view to accord restorative justice to the child, and emphasised that a child in conflict with law is to be perceived and treated as a

child in need of care and protection. He emphasised on the unification of efforts of all stakeholders, to secure the constitutional mandate for children.

Mr. G. Kumaresan, Social Policy Specialist, UNICEF, Chennai elucidated the scope and object of the programme on both the days. He emphasised that the workshop is not just a knowledge-building exercise, but a step forward towards a change-in-attitude and skill-building of the stakeholders. He stated that the objective of the workshop is to take stock of the gaps in the implementation of the JJ Act, 2015. He said that there is a lacuna at the implementation stage, as we are



addressing only the symptoms, but not the root cause, and this is to be addressed through individual social responsibility. He expressed his concern over the institutions where safety and security of children remains questionable, particularly the violence inflicted by parents against children. He noted that as per the NCRB data, over last three years, violence against children and violence by children have been on a rise. He stressed on the importance of multi-stakeholder convergence on the issue of child protection. He also expressed the need to showcase success stories involving stakeholders dealing with children in conflict with laws, and to take forward such initiatives to all over India.

The inaugural address on 28th November 2021 was rendered by Hon'ble Mr. Justice N. Anand Venkatesh, Judge, High Court of Madras/ Member, Board of Governors, TNSJA. His Lordship

emphasised that we must understand the functioning of the human brain, in order to efficiently understand the juvenile justice system. No human brain is fully developed at birth.



The brain contains many neural connections which are responsible for our actions and reactions. During pruning, which refers to a refining process of retaining the necessary and discarding the unnecessary, the brain loses some of the neural connections, which are weak or not in use. His Lordship explained various parts of the brain, and highlighted that one's childhood experience sculpts their brain, and that the last part of the brain to mature is the decision-making part. His Lordship explained that the sensory area of the brain matures during childhood. The limbic

system is responsible for our behaviour and emotional response, including memory, arousal and fight response. His Lordship explained that the prefrontal cortex fully develops only at adulthood, at about 20 years of age.

His Lordship discussed the decision in *Shilpa Mittal Vs. State (NCT of Delhi)* [2020 (2) L.W. Cri 938], wherein the Supreme Court discussed the types of offences under the JJ Act, namely heinous, serious and petty offences, along with a fourth category of offence which includes offences for which the minimum sentence prescribed is less than 7 years or there is no minimum sentence, and the maximum sentence is more than 7 years. Even in heinous crimes, a child cannot automatically be treated as an adult, without determining the mental capacity of the juvenile offender. His Lordship stressed on the importance of rehabilitation of the child in conflict of law and their positive development.

The sessions for the workshop on both the days began with the lecture of Mr. E.V. Chandru @ Chandrasekaran, Advocate, High Court of Madras, on the topic, "Salient Features of Juvenile Justice (Care and Protection of Children) Act, 2015".

The lecture began with a discussion on whether the age of a juvenile is to be reduced. He highlighted that, children who are not privileged enough to receive



love, care and affection tend to commit offences, and that where the familial love (care) fails, the law steps in. He discussed the concept of *doli incapax* with reference to Section 82 and 83 of IPC, 1860 and the decision in *Mukesh*

Vs. State (NCT of Delhi) [(2017) 6 SCC 1]. He stressed that each of the stakeholders

should strive to serve as a good role-model for children. He discussed that infancy is always treated with humanity. He discussed the case of Mohammad Irfan Vs. Inspector of Police [CrI.O.P.No. 12953 of 2012, dated 20th June 2012] wherein it was stated that "children are our national asset. It is therefore, the responsibility of everyone to ensure the dignity, safety and wellbeing of the children." He discussed that the magistrate dealing with cases on the JJB should have undergone training on child psychology, the Juvenile Justice Act, and be sensitised on how to deal with the child in conflict with law.

It was discussed that the Constitution of India is the first divine book which provides special privileges to children vide Articles 14, 15(3), 39(e) and (f), 45, 45-A. The earlier legislations which dealt with children in conflict with law are Reformatory Schools Act, 1897; Madras Children's Act, 1920; Tamilnadu Borstal Schools Act, 1926. P. Shanmuganathan Vs. Secretary to Govt., Home Department, Chennai. The Probation of Offenders Act, 1958 was discussed with reference to the decisions in Rattan Lal Vs. State of Punjab [AIR 1965 SC 444], Elliamma Vs. State of Karnataka [(2009) 11 SCC 42], Jugal Kishore Prasad Vs. State of Bihar [AIR 1972 SC 2522]. The Probation of Offenders Act, 1958 is applicable in States where it is specifically implemented, and in other States, Section 360 of the CrPC would apply.

Section 21, JJ Act was discussed with the interpretation that a child cannot be awarded death sentence, but life sentence can be granted, but not without the possibility of release. In this context Sections 53, 57 of IPC and Sections 433, 433(f) CrPC was discussed, along with the decisions in Swami Shraddhananda @ Murali Vs. State of Karnataka [(2007) 12 SCC 288] and Union of India Vs. Sriharan [(2016) 7 SCC 1].

The interpretation of the non-obstante clause regarding the grant of anticipatory bail for a child in conflict with law was discussed with reference to the decisions in Siva Vs. State, Karukavel Mani Vs. State, Ajith Kumar Vs. State [2016 SCC OnLine Mad 4351], K. Vignesh Vs. State [2017 SCC OnLine Mad 28442], Aswini Kumar Ghose Vs.

Arabinda Bose [AIR 1953 SC 75]. The decision of the Jharkhand High Court in Birbal Munda Vs. State of Jharkhand [2019 SCC OnLine Jharkhand 1794], which differed with the decision of the Madras High Court was discussed.

The manner of determining the age of a child was discussed with reference to Sections 94, 9, 14, 36 of the JJ Act. The decisions in Sanjeev Kumar Vs. State of U.P. [(2019) 12 SCC 385] and Mukarrab Vs. State of U.P. [(2017) 2 SCC 210], was discussed to highlight that age determination would be accurate only when the child is aged between 17 and 20.

After the tea break, Ms. N. Alicia, Assistant Sessions Judge, Additional Special Court for trial of criminal cases related to elected members of Parliament and members of



Legislative Assembly of Tamil Nadu, Chennai deliberated upon the topic, "Functions of Juvenile Justice Board and Role of Lawyers in Strengthening Juvenile Justice System" on both the days. She emphasised that no child is born a 'child in conflict with law', and that they become so due to various social and familial circumstances.

Therefore, every child in effect is a child in need of care and protection. She provided examples which contribute to deviant behaviour in children, such as bad parenting, exposure to violence within the family, poverty, lack of education.

The rights of a child in conflict with law begins not when they are produced before the JJB, but the moment they are apprehended. It was discussed that revealing the name of the child in conflict with law is an offence as per Section 74, JJ Act and action can be taken against the police for registering FIR on child revealing their

name. It was discussed that the only consideration in denying bail to the child in conflict with law is the best interest of the child. It was emphasised that routine visits to child care institutions are important to keep a check on violations of the rights of the child in conflict with law.

The parents are to be immediately informed upon apprehension of the child. The probation officer is to be notified, who will prepare the Social Investigation Report as per Form 6. The DLSA shall also be informed for providing free legal aid to the child. Social background report is prepared in cases for which FIR is not registered against the child in conflict with law. However, the Tamil Nadu Juvenile Justice Rules, 2017, only specifies a report which shall contain information on the background of the child in conflict with law.

The role of the District Legal Services Authority and the panel advocates was discussed. It was discussed that the panel members must not readily accept the apprehension of child and must question whether the apprehension was indeed necessary.

It was discussed that a FIR against a child in conflict with law is to be registered only in case of heinous offences or in offences committed along with adults. It was suggested that judges hold meetings with the police to discuss the offences for which a child can be apprehended. The duties and responsibilities of CWPO or SJPU was discussed, along with the pre and post production processes. Where a FIR is registered against a child, a copy of the FIR shall be provided to the child and their parents. It was discussed that inquiry starts from the day the child is first produced before the Board. It was suggested that the case monitoring sheet can be affixed on the first page of the docket, mentioning the date of production and date of hearings, which helps in concluding the case within the time limit prescribed under the JJ Act. Final orders should be followed by an individual care plan.

It was discussed that, in case of termination of inquiry, presence of the child in conflict with law, is not necessary. The JJB has the powers to amend its own orders,

and in this regard, an example of extending stay in the observation home was discussed, to enable the child to write their exams. It was emphasised that the child in conflict with law should be treated with respect and dignity, and explain the procedures and processes involved in the case. It was stressed that judges need to be more proactive when dealing with cases under the JJ Act. Adult prisons are also to be routinely checked to ensure that no child is lodged there for want of proof of age. Immediate action is to be taken against any media or institution which reveals the name or any part of identity of the child. Any person can set the law in motion under Section 74, JJ Act.

Where the apprehension of the child is not necessary, the CWPO or SJPU can release the child based on the social background report. It was discussed that petty offence cases can be disposed on the day of first hearing itself, without the need for waiting till the final report. It was discussed that the Principal Magistrates should inform the Child Welfare Committee members that a child in conflict with law is to be produced immediately before the JJB without undergoing the 15-day remand period. As per the post production process under Rule 9, JJ Rules, the JJB shall satisfy itself that, the Probation Officer was informed by the CWPO as per Form II, the parents were informed, and the child was not ill-treated or harassed.

It was discussed that CWPO is not present in every district, and even if they are, the child in conflict with law is produced by another police officer and not the CWPO. The panel advocate can inform the JJB on the actual place where the child in conflict with law was held before producing them. It was suggested that there shall be a transit home or temporary shelter arranged for the child in conflict with law, as they cannot be held in a police station. The child in conflict with law is entitled to travel reimbursement for every hearing, for which the JJB shall coordinate with the DCPU. The issue of delay in serving summons to the child was discussed, and it was suggested that surety provided by the parents can be forfeited, and action can be taken on the police, to ensure that the summons is served immediately. The JJB has

to determine the physical and mental capacity of the child to commit the offence independently, without always relying on the report of the psychiatrist.

On both the days, the post lunch session began with the lecture of Mr. K. Rajasekar, Member Secretary, TNSLSA, Chennai on the topic 'Role of Legal Services Authority in providing Legal Assistance and Compensation to Children'. He explained that the

Legal Services Authorities play an important role in implementing the JJ Act, 2015. He discussed the NALSA protocol on early access to justice at pre-arrest, arrest and remand stage, to be followed by the advocates on remand duty. He elaborately explained the role and functions of various Legal Service



Authorities in the State like the District Legal Services Authority and Taluk Legal Services Authority. He emphasised that the child in conflict with law should be made known what is exactly mentioned in the remand report. He discussed the need to strengthen the Special Juvenile Police Unit.

He spoke about free legal assistance and victim compensation for children. He explained the concept of victim compensation available to the victim as well as their dependants. He explained that punishing the offender is only half-way to justice, and the other half is fulfilled when the victim is compensated by the state. He pointed out various decisions of the Apex Court and High Courts with respect to victim compensation. The three types of victim compensation as per Section 357-A, CrPC was discussed, along with the circumstances where the provision can be invoked. If the court opines that the compensation awarded is inadequate, or if the trial ended in acquittal or discharge, the court may recommend for compensation under Section 357-A, CrPC. He also discussed the two schemes for victim compensation i.e., Tamil Nadu Victim Compensation Scheme 2013, which was

brought out after the Laxmi (Minor) Vs. Union of India [W.P. (Crl.) No. 129/2006, dated 10th April 201] and the Compensation Schemes for Women Victims/ Survivors of Sexual Assault/ other crimes, which was brought out in 2018 after the Supreme Court's intervention in Nipun Saxena Vs. Union of India [W.P. (Civil) No. 565/2012 dated 5th September 2018].

He discussed about the interim and final compensation available to a child victim under the POCSO Act, 2012, and the NALSA (Child Friendly Legal Services to Child and their Protection) Scheme of 2015. He also discussed the role played by legal services authorities in furthering right to education of children. In this regard, the powers of the permanent Lok Adalat were discussed. It was stressed that if education is secured, offences committed by children can be curtailed. It was emphasised that the variety of stakeholders functioning under the JJ Act, 2015 need to work efficiently and in coordination, to ensure that their output protects the welfare of children.

On both the days, 'Free and Compulsory Education changes the life of Children in Conflict with Law' was dealt by Mr. E.V. Chandru @ Chandrasekaran, Advocate, High Court of Madras. He highlighted the importance of formal education and discussed the plight of children working in the firecracker industry by referring to the case of M.C. Mehta Vs. State of Tamil Nadu [(1996) 6 SCC 756]. The right to free and compulsory education, and its transition from a Part IV to Part III of the Constitution of India, was discussed with reference to the decisions in Unni



Krishnan Vs. State of AP [1993 SCR (1) 594]; Avinash Mehrotra Vs. Union of India [(2009) 6 SCC 398]; State of Orissa Vs. Mamata Mohanty [(2011) 3 SCC 436]; State

of Tamil Nadu Vs. K. Shyam Sunder [(2011) 8 SCC 737] and Mohini Jain Vs. State of Karnataka [1992 SCC (3) 666], which was the foundation for the Right to Free and Compulsory Education Act, 2009.

The case of Peoples Union for Democratic Liberties Vs. Union of India [AIR 1982 SC 1473] (ASIAD case), where children aged 14-years were employed, was discussed, along with the decisions in Labourers working on Salal Hydro-Project Vs. State of Jammu and Kashmir [(1983) 2 SCC 181]; Bachpan Bachao Andolan Vs. Union of India [AIR 2011 SC 3361] and Rajangam, Secretary, District Beedi Workers' Union Vs. State of Tamil Nadu [(1992) 1 SCC 221].

It was discussed that the implementation of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 is crucial to fulfil the objectives of the RTE Act, 2009. It was discussed that Section 14 is to be read with Rule 10 of The Tamil Nadu Right of Children to Free and Compulsory Education Rules, 2011, which provides that admission in school cannot be denied for want of age proof of the child, and that even a declaration by the parent or guardian would be valid proof of age of the child. Rule 3 provides that children shall be provided training before joining them in the appropriate grade. It was discussed that while Article 21-A of the Constitution provides for guarantees free education for children aged from 6 years to 14 years, Section 11 of the RTE Act enables provision of education for children aged below 6 years, and further, the Supreme Court in Farzana Batool Vs. Union of India [W.P. No. 364 of 2021, dated 9th April 2021], has raised the question of providing free education for children aged above 14 years.

The duty of the parents and guardian to admit their child in elementary education was discussed by referring to Section 10 of the Right of Free and Compulsory Education Act, 2009. The decision in Rajneesh Kumar Pandey Vs. Union of India [2021 SCC Online SC 1005], regarding appointment of teacher for Children with Special Needs. The duties of teachers under Section 24 and the prohibition of private tuition by teacher under Section 28, was highlighted. It was discussed that

as per Section 1(4), the RTE Act is subject to Articles 29 and 30 of the Constitution. It was discussed that the predominant reasons for denying education is poverty and untouchability. The aspect of racial segregation of school students in the USA was discussed by referring to the decisions in Plessy Vs. Ferguson [1896 163 U.S. 537] Brown Vs. Board of Education Topeka [1954 347 U.S. 483] and Brown Vs. Board of Education Topeka II [1955 349 U.S. 294].

The next session was an interactive discussion followed by a question-answer session. By referring to the decision in In Re: Assessment of the Criminal Justice in Response to Sexual Offences [2019 SCC OnLine SC 1654], it was discussed that police officials can be held accountable under Section 36, CrPC, Sections 21, 44, 41, 42 of the Tamil Nadu District Police Act, along with Sections 166, 166A of IPC, for dereliction of duty. As per Section 166B of IPC, action can be taken against medical professional for not treating a victim of sexual assault. It was discussed that as per Section 357A(4), CrPC, compensation has to be granted by the state to the dependants of the deceased victim, even when the accused is no more.

It was discussed that a child in conflict with law cannot be detained in police custody, even during the pendency of inquiry, as per Section 12(3), JJ Act, 2015. As per Sec. 83, JJ Act, an adult who uses a child for illegal activities is punishable with rigorous imprisonment and fine. If a sexual offence has been committed against a child, the POCSO Act, 2012 becomes applicable, whereas in cases of other offences committed against children, Chapter IX [Sections 74 to 89] of the JJ Act, 2015 comes into the picture. In Gopakumar Vs. State of Kerala [2012 SCC OnLine Ker 27614], it was observed that, the rights of a child in conflict with law cannot be left to the vagaries of the police, and this was affirmed in Sahib Ali Vs. State of Uttar Pradesh [2020 SCC OnLine All 45].

The power of Magistrate to order proper investigation was discussed by referring to the decision in Sakiri Vasu Vs. State of U.P. [(2008) 2 SCC 409]; Hemanth Yashwanth Dhage Vs. State of Maharashtra [AIR 2016 SC 814], wherein it was

stated that the Magistrate can direct the Superintendent of Police to change the investigation officer; Baghwant Singh Vs. Commissioner of Police [(1985) 2 SCC 537]; and Vishnu Kumar Tiwari Vs. State of U.P. [AIR 2019 SC 3482], wherein it was held that a protest petition should contain ingredients of Sec.2(d).

It was discussed that compensation can be recovered even if the offender is imprisoned as per the decisions in Kumaran Vs. State of Kerala [(2012) 8 SCC 721] and R. Mohan Vs. A.K. Vijaya Kumar [(2017) 7 SCC 471]. The importance of the probation officer's report was discussed regarding the grant of bail to the child in conflict with law.

The programme concluded with Mr. S.P. Rishiroshan, Deputy Director, TNSJA, Regional Centre, Coimbatore, proposing the Vote of Thanks. He thanked the resource persons, participants and staff of TNSJA for making the programme a grand success. Certificates were distributed to all the participants.



TAMIL NADU STATE JUDICIAL ACADEMY
and
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
In association with
UNICEF

**Workshop on Children in Conflict with Law and Child Victims
For the Secretaries of District Legal Services Authorities,
Principal Magistrates and the Panel Lawyers of
the Juvenile Justice Boards**
(for the districts of Coimbatore, Dharmapuri, Dindigul, Erode and Karur)
on 27.11.2021 at TNSJA Regional Centre, Coimbatore

List of Participants

II. OFFICIAL FROM UNICEF	
1.	Mr. G. KUMARESAN, Social Policy Specialist, UNICEF

I. RESOURCE PERSONS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
2.	K. RAJASEKAR, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai
3.	D. LINGESWARAN, Director, Tamil Nadu State Judicial Academy
4.	N. ALICIA, Assistant Sessions Judge, Additional Special Court for trial of criminal cases related to elected members of Parliament and members of Legislative Assembly of Tamil Nadu, Chennai
5.	E.V.CHANDRU @ E.CHANDRASEKARAN, Advocate, High Court of Madras

III. OFFICERS, TNSJA REGIONAL CENTRE, COIMBATORE	
S. No.	Name and Designation (Mr.)
6.	S.P. RISHIROSHAN, Deputy Director, TNSJA Regional Centre, Coimbatore
7.	V.L. SANTHOSH, Assistant Director, TNSJA Regional Centre, Coimbatore

IV. SECRETARIES OF DISTRICT LEGAL SERVICES AUTHORITIES	
S. No.	Name and Designation (Mr./Ms./Mrs.)
8.	K. KRISHNAPRIYA, I Additional Sub Judge, Coimbatore/Secretary, District Legal Services Authority, Coimbatore (i/c)
9.	C. MOHANRAM, Secretary, District Legal Services Authority, Karur
10.	R. BARATHI RAJA, Secretary, District Legal Services Authority, Dindigul
11.	B.S. KALAIVANI, Secretary, District Legal Services Authority, Dharmapuri
12.	K. GOPINATH, Chairman, Taxation Appeals Tribunal, Corporation, Erode / Secretary, District Legal Services Authority, Erode (i/c)

VI. PRINCIPAL MAGISTRATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
13.	K. AMBIGA, Judicial Magistrate I, Karur
14.	R. LALITHA RANI, Judicial Magistrate, Additional Mahila Court, Dindigul
15.	S. VADIVEL, Judicial Magistrate, Fast Track Court at Magisterial Level-I, Erode
16.	S. PRASAD, Judicial Magistrate IV, Coimbatore
17.	E. SELVARAJ, Judicial Magistrate I, Dharmapuri

VII. ASSISTANT PUBLIC PROSECUTORS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
18.	R. HEMAMAHESWARI, Assistant Public Prosecutor Grade I JMC. No. IV, Coimbatore and Juvenile Justice Board (i/c), Coimbatore,
19.	V. SHANMUGAPRIYA, Assistant Public Prosecutor Grade II Judicial Magistrate Court No.1, Dharmapuri and Juvenile Justice Board (i/c) Dharmapuri
20.	V.M.MATHAVAN, Assistant Public Prosecutor Grade II, Judicial Magistrate Court No.1, Dindigul and Juvenile Justice Board (i/c), Dindigul
21.	K.LOGANATHAN, Assistant Public Prosecutor Grade I, Judicial Magistrate Court Perundurai and Juvenile Justice Board (i/c), Erode
22.	S. SENTHILKUMAR, Assistant Public Prosecutor Grade II, Judicial Magistrate Court No.1, Karur and Juvenile Justice Board (i/c), Karur

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
COIMBATORE DISTRICT	
23.	B. BAVITHAA
24.	K. MURUGAN
25.	G. PREMALATHA
26.	A. JEYAKRISHNAN
27.	A. GIRIJA
28.	M. PRABHU
29.	V. STEFFINA ROSE
30.	S. THANGAVELU
31.	M. AMSAVENI
32.	D. GEETHA
33.	B. SANTHANA KRISHNAN
34.	C.S. ARUL SAKTHITHARAN
35.	S. JOTHIMANI
36.	S. THANGARAJ
37.	N. KANNAIYAN
DHARMAPURI DISTRICT	
38.	P. DHARMAN
39.	A. BALA SUBRAMANIAN
40.	C.M. RAMESH
41.	S. SIVAKUMAR
42.	K. MANIVANNAN
43.	A. SUMAYA
44.	C. MURALI
45.	J. RAMAN
46.	N. SANGEETHA
47.	C. ARUNAGIRI
48.	M. KANNAN

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
49.	A. JAISANKAR
50.	S. RAJESH KANNA
51.	D. KARTHIKEYAN
52.	R. ARUL
DINDIGUL DISTRICT	
53.	M. SASI
54.	A. STEPHEN RAJ
55.	C. DHARMARAJ
56.	S. KARNAN
57.	A. YASARARAFATH
58.	K. MURUGAN
59.	V. KANNAN
60.	B. JEYAPRAKASH
61.	S. KARTHIKEYAN
62.	J. SATHISKUMAR
63.	S. SATHESH
64.	K. VELUMAYIL
65.	K.G. LOURDUSAMI
66.	K. KANNAN
ERODE DISTRICT	
67.	K. UMAMAHESWARI
68.	R. KAVITHA
69.	R. RAJESWARI
70.	L. BALASUBRAMANIAM
71.	R. SUDHAMANI
72.	R. PALANISAMY
73.	M. REVATHI
74.	J. SARAVANAN

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
75.	V. POONGOTHAI
76.	N. PRIYA
77.	T. INDURANI
78.	P. JOHN PRABHU
79.	E.R. RAMESH
80.	K. ANANTH
81.	S. NATHIYA
KARUR DISTRICT	
82.	R. KIRUBA
83.	T.PITCHAIMUTHU
84.	A.MAHAMUNI
85.	S.MATHIYALAGAN
86.	S. KIRUBANANTH
87.	A. BALAKUMAR
88.	P. KATHIRVEL
89.	A.PANDIAN
90.	G.MUTHUKUMAR
91.	V.THANGAVEL
92.	R.SELVABALAJI
93.	R.SOWMIYA
94.	S. SAMPATH
95.	S. BANUMATHY

IX. NODAL OFFICERS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
96.	M. LATHAA, Administrative Officer, TNSJA
97.	B. WILSON, Section Officer, TNSJA

XI. STAFF MEMBERS OF TNSJA HEADQUARTERS, CHENNAI	
S. No.	Name (Mr./Ms./Mrs.)
98.	K. THIRUGNANA SAMPANTHAM, Assistant Section Officer
99.	S. RAHMATHUNNISA, Assistant
100.	S. MONISHA, Xerox Operator

X. RESEARCH ASSISTANTS OF TNSJA	
S. No.	Name (Mr./Ms./Mrs.)
101.	K. JITHIN GEORGE JACKSON
102.	THEJASWINI SRIKANTH
103.	K.INDULEKHA

XII. STAFF MEMBERS OF TNSJA REGIONAL CENTRE, COIMBATORE	
S. No.	Name (Mr./Ms./Mrs.)
104.	S.MURUGESAN, Librarian
105.	RM. VISUWANATHAN, Section Officer
106.	R. VADIVEL, Technical Assistant to Librarian
107.	S. MAGESWARI, Assistant Section Officer
108.	R.PARIMALAM, Assistant Section Officer
109.	G. MANOHARAN, Assistant
110.	A. SIJU RESHMI, Assistant
111.	B. KEERTHANA, Typist



TAMIL NADU STATE JUDICIAL ACADEMY
and
TAMIL NADU STATE LEGAL SERVICES AUTHORITY
In association with
UNICEF

**Workshop on Children in Conflict with Law and Child Victims
For the Secretaries of District Legal Services Authorities,
Principal Magistrates and the Panel Lawyers of
the Juvenile Justice Boards**
(for the districts of Namakkal, Nilgiris, Salem and Tiruppur)

on 28.11.2021 at TNSJA Regional Centre, Coimbatore

List of Participants

I. HON'BLE JUDGE (Through Virtual Mode from Chennai)	
1.	Hon'ble Mr Justice N. ANAND VENKATESH Judge, High Court of Madras/Member, Board of Governors, TNSJA

II. OFFICIAL FROM UNICEF	
2.	Mr. G. KUMARESAN, Social Policy Specialist, UNICEF

III. RESOURCE PERSONS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
3.	K. RAJASEKAR, Member Secretary, Tamil Nadu State Legal Services Authority, Chennai
4.	D. LINGESWARAN, Director, Tamil Nadu State Judicial Academy
5.	N. ALICIA, Assistant Sessions Judge, Additional Special Court for trial of criminal cases related to elected members of Parliament and members of Legislative Assembly of Tamil Nadu, Chennai
6.	E.V.CHANDRU @ E.CHANDRASEKARAN, Advocate, High Court of Madras

IV. OFFICERS, TNSJA REGIONAL CENTRE, COIMBATORE	
S. No.	Name and Designation (Mr./Ms./Mrs.)
7.	S.P. RISHIROSHAN, Deputy Director, TNSJA Regional Centre, Coimbatore
8.	V.L. SANTHOSH, Assistant Director, TNSJA Regional Centre, Coimbatore

V. SECRETARIES OF DISTRICT LEGAL SERVICES AUTHORITIES	
S. No.	Name and Designation (Mr./Ms./Mrs.)
9.	V. BREZNEV, Sub Judge, Kangeyam/ Secretary, District Legal Services Authority, Tiruppur (i/c)
10.	S. THANGARA, Secretary, District Legal Services Authority, Salem
11.	C. SRIDHAR, Sub Judge, Uthagamandalam / Secretary, District Legal Services Authority, Nilgiris (i/c)
12.	V. SREE VIDYA, Principal Sub Judge, Namakkal / Secretary, District Legal Services Authority, Namakkal (i/c)

VI. PRINCIPAL MAGISTRATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
13.	G. KALAIVANI, Judicial Magistrate I, Salem
14.	M. JAYANTHI, Judicial Magistrate I, Namakkal
15.	R. KARTHIKEYAN-II, Judicial Magistrate, Additional Mahila Court, Tiruppur
16.	N. BHARATHIRAJAN, Judicial Magistrate, Uthagamandalam

VII. ASSISTANT PUBLIC PROSECUTORS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
17.	V.VASUKI, Assistant Public Prosecutor Grade II JMC.No. I, Namakkal and Juvenile Justice Board (i/c), Namakkal,
18.	R. THANGARAJ, Assistant Public Prosecutor Grade II JMC.No. VI, Coimbatore and Juvenile Justice Board (i/c), Nilgiris
19.	M. KAVITHA, Assistant Public Prosecutor Grade II JMC.No. I, Tiruppur and Juvenile Justice Board (i/c), Tiruppur,
20.	P. LAKSHMI PRABA, Assistant Public Prosecutor Grade II, JMC No. VI, Salem and Juvenile Justice Board (i/c), Salem

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
NAMAKKAL DISTRICT	
21.	C.NANDHINI BHAVANI
22.	K.SAKTHIVEL
23.	R.UDAYAKUMAR
24.	V.SRI RATHIKA DEVI
25.	V.RAJAGOPAL
26.	SRINITHYANANDA DEEPAN
27.	V.KANIMOZHI
28.	K.SELVI
29.	R.REVATHI
30.	C.DINESHKUMAR
31.	M.SASIKALA
32.	P.AMUTHA
33.	G. SOWMIYAYASHMIN
NILGIRIS DISTRICT	
34.	L. SRUTHI
35.	N. RESHMA
36.	NAJUMA BAI NAZEER
37.	T. GEETHA
38.	K. MENEGA
39.	ARUNA KRISHNAN
40.	H. BHEEMARAJ
41.	NIRMALA SELVI
42.	M.JAYANTHI
43.	H. RAJESH
44.	K.B. SHANKAR
45.	B. RAVICHANDRAN
46.	A. KAVITHA

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
47.	K. PITCHAIAMMAL
48.	P. ARUNA
SALEM DISTRICT	
49.	T. ASOKAN
50.	S. JENCY
51.	M. PICHAI NAGARAJAN
52.	L. MAYAKANNAN
53.	V. NATARAJAN
54.	K. TAMILARASAN
55.	D. SHYAMALA
56.	R. VISHNUPRIYA
57.	M.V. SARANYA
58.	S. KARTHICK
59.	P. KANAGARAJ
60.	S. NITHYA
61.	G. SENTHIL MURUGAN
62.	M. GOVINDARAJAN
63.	P. SAKTHIVEL
TIRUPPUR DISTRICT	
64.	A. JEGADEESH
65.	P.V. PRAKASH
66.	K. SAI BARATH
67.	M. SIVASANKARI
68.	P. PALPANDIAN
69.	B.THINGALAVAL
70.	M. AMUTHA
71.	K. GANAPATHY
72.	R. CHELLAPANDY

VIII. PANEL ADVOCATES OF JUVENILE JUSTICE BOARDS	
S. No.	Name of Advocates (Mr./Ms./Mrs.)
73.	M.MOHAMMAD KHAN
74.	S. JEEVARATHINAM
75.	O. UTHAYA SOORIYAN
76.	S. ARISTATLESIVAM
77.	A. ANTHONISHARLIN
78.	A. AMARNATH

IX. NODAL OFFICERS	
S. No.	Name and Designation (Mr./Ms./Mrs.)
79.	M. LATHAA, Administrative Officer, TNSJA
80.	B. WILSON, Section Officer, TNSJA

XI. STAFF MEMBERS OF TNSJA HEADQUARTERS, CHENNAI	
S. No.	Name (Mr./Ms./Mrs.)
81.	K. THIRUGNANA SAMPANTHAM, Assistant Section Officer
82.	S. RAHMATHUNNISA, Assistant
83.	S. MONISHA, Xerox Operator

X. RESEARCH ASSISTANTS OF TNSJA	
S. No.	Name (Mr./Ms./Mrs.)
84.	K. JITHIN GEORGE JACKSON
85.	THEJASWINI SRIKANTH
86.	K.INDULEKHA

XII. STAFF MEMBERS OF TNSJA, REGIONAL CENTRE, COIMBATORE	
S. No.	Name (Mr./Ms./Mrs.)
87.	S. MURUGESAN, Librarian
88.	G. SENTHIL KUMAR, Section Officer
89.	RM. VISUWANATHAN, Section Officer

XII. STAFF MEMBERS OF TNSJA, REGIONAL CENTRE, COIMBATORE	
S. No.	Name (Mr./Ms./Mrs.)
90.	R. VADIVEL, Technical Assistant to Librarian
91.	A. MUTHUMARI, Assistant Section Officer
92.	J. VENNILA, Assistant Section Officer
93.	V. ANANDEVALLI, Computer Operator
94.	G. MANOHARAN, Assistant
95.	E. PRIYANGA, Typist

LET ME BE A BUTTERFLY!

*She trespassed your land,
Laid me in your Lawn!*

*I Managed to eat
Few of your leaves and
Destroyed some plants*

*Oh! Gardener!
Do not stamp me out!*

*Few days later- I
Cocooned like a shell;
To protect me from hell*

*Oh! Gardener!
Crush me not
To a cruel death!*

*Flapping my wings;
Causing no typhoons!*

*Oh! Gardener!
Believe no Lorenz!*

*Netting me Strong;
Letting out not
Is not at all right!
Have no Strength
Today to fight;
Morrow I may not
Be a Butterfly!*

- Lee



TAMIL NADU STATE JUDICIAL ACADEMY, HEADQUARTERS, CHENNAI
No. 30(95), "Malligai" P.S.K.R. Salai, Greenways Road, R.A. Puram, Chennai - 600 028.

REGIONAL CENTRE, COIMBATORE
No.251, Scheme Road, Race Course,
Coimbatore - 641 018

REGIONAL CENTRE, MADURAI
Alagar Koil Road, K. Pudur
Madurai - 625 002