



**TAMIL NADU STATE JUDICIAL ACADEMY,
REGIONAL CENTRE, COIMBATORE**

***Report of Webinar Session XXVI for Senior Civil Judges
(Conducted through CISCO Webex)
on 19.03.2022 (Sunday) at 10.00 a.m.***

Webinar Session XXVI for Senior Civil Judges was held on 19th day of March 2022 through Cisco Webex platform by the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore and 139 Senior Civil Judges were nominated for this programme.

Webinar Session XXVI commenced with welcome address by the Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore at 10:00 am.

Thereafter, a session on "**Common Intention and Common Object: Joint Liability under section 34 and 149 of Indian Penal Code**" was conducted by the learned Resource Person Thiru. Michael Bharathi, Advocate, Sattur, Virudhunagar District. The Resource Person elaborately narrated Sections 34 and 149 of the Indian Penal Code, 1860 with judgments. He stated that, doing of a Criminal Act, by several persons, in furtherance of common intention of all are necessary elements for Section 34 IPC. He invited the attention of the participants to the decision of the Honorable Privy Council in *Ganesh Singh Vs. Ram Raja [(1869) 3 Beng LR (PC) 44, 45]* which pertains

to amendments in Section 34 of Indian Penal Code, 1860. He also referred the case of *Barendra Kumar Ghosh Vs. Emperor*, AIR 1925 P.C. 1 and explained that object may be common to several persons but intention may differ. He also explained the difference between Section 34 and Section 149 IPC.

Further, he cited the judgments of the Honorable Apex Court in *Virendra Singh Vs. State of Madhya Pradesh*, (2010) 3 SCC (Cri) 893 = (2010) 8 SCC 407 and *Vinnbhai Ranchhodbhai Patel Vs. Rajivbhai Dudabhai Patel & Others*, (2018) 3 SCC (Cri) 340 regarding Sections 34 and 149 IPC. He also cited the decision of the Honorable Supreme Court in *Manga @ Man Singh vs State of Uttarakhand*, (2013) 3 SCC (Cri) 621 regarding Section 141(3) IPC. Further, the learned Resource Person clearly explained the scope of Sections 141, 142, 149 IPC with illustrations.

In respect of alteration of charges, the decision of the Honorable Supreme Court of India in *Rohtas & another Vs. State of Haryana*, CDJ 2020 SC 880 was discussed by the resource person.

The resource person also cleared the doubts which were raised by the participant judges. The programme concluded with the vote of thanks by Assistant Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore.
