

TAMIL NADU STATE JUDICIAL ACADEMY

**** VOL. XVII — PART 12 — DECEMBER 2021 ****

COMPENDIUM OF CASE LAWS



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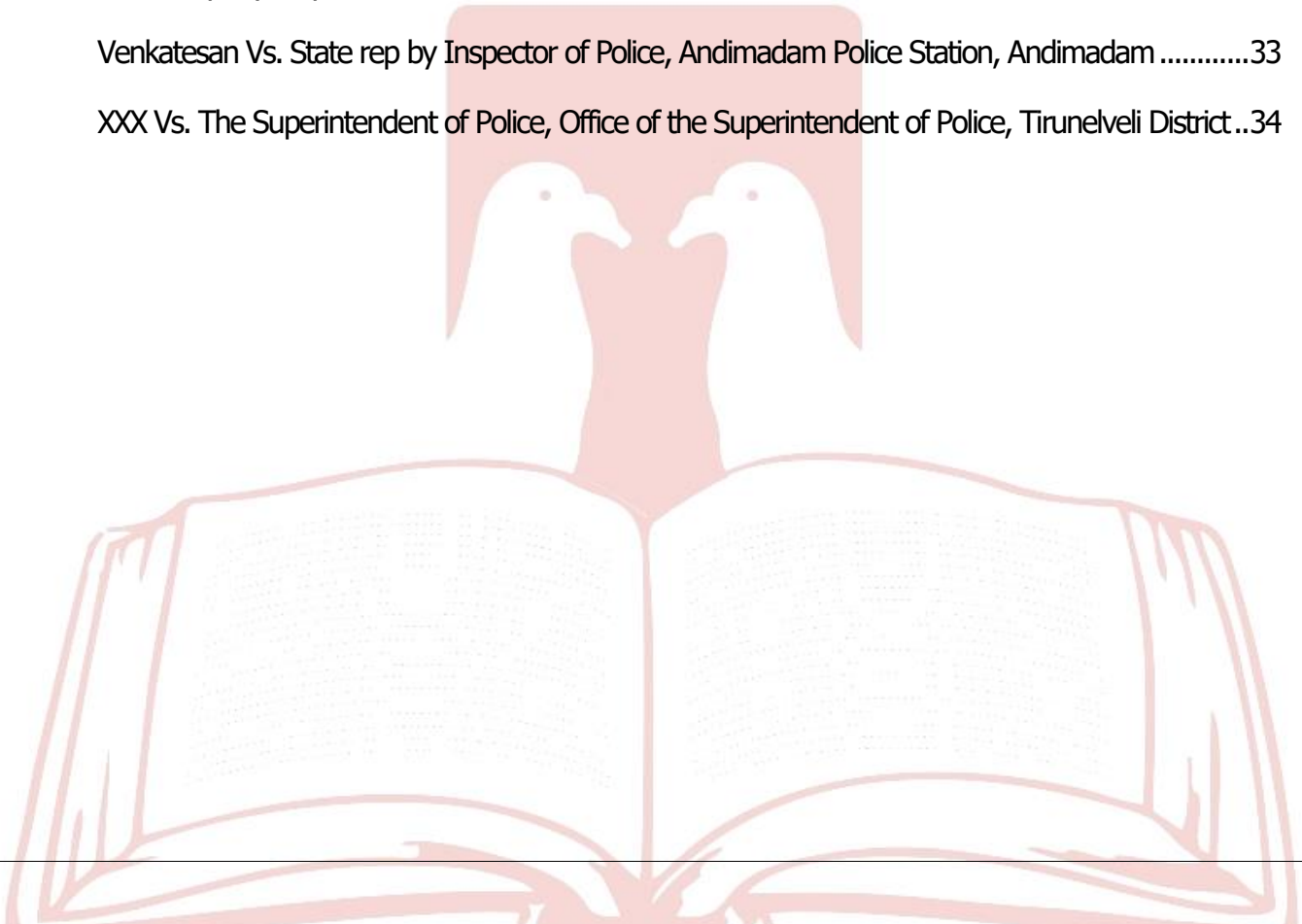


TABLE OF CASES**SUPREME COURT - CIVIL CASES**

S. No.	CAUSE TITLE	CASE No.	DATE OF JUDGMENT
1	<u>Gyan Prakash Arya Vs. Titan Industries Limited</u>	C.A. No.- 006876-006876/2021	22.11.2021
2	<u>Kewal Krishan Vs. Rajesh Kumar</u>	C.A. No. – 006989 - 006992/ 2021	22.11.2021
3	<u>State of Madhya Pradesh Vs. Ghisilal</u>	C.A. No. - 002153-002153/ 2012	22.11.2021
4	<u>State of Tamil Nadu Vs. National South Indian River Interlinking Agriculturist Association</u>	C.A. No.-006764-006764 / 2021	23.11.2021
5	<u>State of U.P. Vs. Vikash Kumar Singh</u>	C.A. No.-006868-006868 / 2021	22.11.2021

SUPREME COURT - CRIMINAL CASES

S. No.	CAUSE TITLE	CASE No.	DATE OF JUDGMENT
1	Arvind Kumar @ Nemichand and Others Vs. State of Rajasthan	Criminal Appeal Nos. 753, 756, 754 and 755 of 2017	22.11.2021
2	Pradeep S. Wodeyar Vs. The State of Karnataka	Criminal Appeal No.1288 of 2021	29.11.2021
3	Parveen @ Sonu Vs. State of Haryana	Criminal Appeal No. 1571 of 2021	07.12.2021
4	Rishipal Singh Solanki Vs. State of UP & Ors.	Crl.A. No.-001240-001240/ 2021	18.11.2021
5	Viram @ Virma Vs. The State of Madhya Pradesh	Crl.A. No. – 000031 – 000031/2019	23.11.2021

HIGH COURT - CIVIL CASES

S. No.	CAUSE TITLE	CASE No.	DATE OF JUDGMENT
1	<u>Commissioner of GST and Central Excise Vs. M/s.Bharat Electronics Limited</u>	W.A.No.2203 of 2021	18-11-2021
2	<u>Credit Suisse AG Vs. SpiceJet Ltd.</u>	Company Petition No.363 of 2015	06-12-2021
3	<u>Dheenadayalan & Ors. Vs. T.K. Boopathi & Ors.</u>	S.A.Nos.1171 & 1172 of 2014	02-12-2021
4	<u>Fit Person, Arulmigu Vettaikurumagan Thirukoil Vs. Nilambur Kovilakam Common Properties, rep.by its Executive Officer</u>	W.A. Nos.1243 of 2014	17-11-2021
5	<u>M. Sameeha Barvin Vs. The Joint Secretary, Ministry of Youth and Sports, Department of Sports, Government of India</u>	Writ Petition No. 16953 of 2021	20-12-2021
6	<u>M/s. Novex Communications Pvt. Ltd. Vs. DXC Technology Pvt. Ltd.</u>	Civil Suit Nos.407 and 413 of 2020	08-12-2021

7	<u>Thiruvenkada Ramanujam Vs. Jeyaraman</u>	S.A(MD)No.761 of 2021	06-12-2021
8	<u>R.Ravindra Kumar Vs. S.B.S.Kumar & Ors.</u>	A.S.No.3 of 2018	25-11-2021
9	<u>R. Selvaraj & Anr. Vs. K. Krishnasamy & Ors.</u>	S.A.No.189 of 2010	08-12-2021
10	<u>V.V. Mohan Vs. M. Jothy</u>	C.R.P.(PD). No.484 of 2021	24-11-2021

HIGH COURT - CRIMINAL CASES

S. No.	CAUSE TITLE	CASE No.	DATE OF JUDGMENT
1	<u>Arun Kumar Vs. State, Rep. by Inspector of Police, Anuppapalayam Police Station, Thirupur District.</u>	CrI.A.No.64 of 2015	01-12-2021
2	<u>G. Mani @ Mani and Ors. Vs. State Represented by Inspector of Police, Royakottai Police Station, Krishnagiri District</u>	CrI.A.Nos.33 of 2018 and 443 & 357 of 2021 and CrI.M.P.No.7201 of 2021	29-11-2021
3	<u>Kumaresan Vs. State, Rep. by Inspector of Police, B6 Peelamedu Police Station, Coimbatore</u>	CrI. R. C. No.830 of 2021 and CrI. MP. 12033 of 2021	23-11-2021
4	<u>M. Maridoss Vs. State Rep. by Inspector of Police CCD-III Police Station, Madurai City</u>	CrI.O.P(MD)No.19872 of 2021 and CrI.M.P.(MD)No.11183 of 2021	14-12-2021
5	<u>Murugan Vs. State rep by its The Inspector of Police, Kottur Police Station, Coimbatore District</u>	CrI.A.No.434 of 2018	26-11-2021

6	<u>Muruganantham Vs. State, represented by The Inspector of Police Patteswaram Police Station Thanjavur District</u>	CrI.A.(MD) No.40 of 2019	29-11-2021
7	<u>Nilakaran @ Selvam Vs. State Rep. by Inspector of Police, Pasupathipalayam Police Station, Karur District</u>	CrI.A.(MD)No.330 of 2021 and CrI.M.P.(MD)No.5432 of 2021	02-12-2021
8	<u>State, Rep. by Inspector of Police, All Women Police Station, Keeranur Vs. Danish Patel</u>	R.T.(MD)No.3 of 2021 and CrI. A.(MD)No. 300 of 2021	03-12-2021
9	<u>Venkatesan Vs. State rep by Inspector of Police, Andimadam Police Station, Andimadam</u>	CrI.A.No.407 of 2017	24-11-2021
10	<u>XXX Vs. The Superintendent of Police, Office of the Superintendent of Police, Tirunelveli District</u>	CrI.O.P(MD)No.18486 of 2021	25-11-2021

SUPREME COURT - CIVIL CASES**Gyan Prakash Arya Vs. Titan Industries Limited****[C.A. No.- 006876-006876/2021]****Date of Judgment: 22.11.2021****Section 33 - Arbitration and Conciliation Act 1996**

The Hon'ble Supreme Court while deciding Civil Appeal on an issue under Section 33 of the Arbitration and Conciliation Act, 1996, which allows for correction of award only in case of arithmetical and/or clerical errors held that, "the original award was passed considering the claim made by the claimant as per its original claim and as per the statement of the claim made and therefore subsequently allowing the application under Section 33 of the 1996 Act to modify the original award in exercise of powers under Section 33 of the Act is not sustainable. ... Only in a case of arithmetical and/or clerical error the award can be modified and such errors only can be corrected." thus allowed the appeal.

Kewal Krishan Vs. Rajesh Kumar
[C.A. No. – 006989 - 006992/ 2021]
Date of Judgment: 22.11.2021

Section 54 - Transfer of Property Act, 1882 – Sale – Payment of Price – Immovable Property

The Hon'ble Supreme Court while deciding Civil Appeal on the issue about the payment of price being an essential part of a sale held that, "If a sale deed in respect of an immovable property is executed without payment of price and if it does not provide for the payment of price at a future date, it is not a sale at all in the eyes of law...a sale of an immovable property has to be for a price. The price may be payable in future. It may be partly paid and the remaining part can be made payable in future. The payment of price is an essential part of a sale covered by section 54 of the TP Act. If a sale deed in respect of an immovable property is executed without payment of price and if it does not provide for the payment of price at a future date, it is not a sale at all in the eyes of law. It is of no legal effect. Therefore, such a sale will be void. It will not affect the transfer of the immovable property" thus allowed the appeals.

State of Madhya Pradesh Vs. Ghisilal
[C.A. No. - 002153-002153/ 2012]
Date of Judgment: 22.11.2021

Urban Land (Ceiling and Regulation) Act, 1976 – Section 10(1) and 10(3) – Surplus land – Determination of Jurisdiction of Civil Courts

The Hon'ble Supreme Court while deciding Civil Appeal on the issue about Urban Land (Ceiling and Regulation) Act, 1976 held that, "the plaintiff filed a suit against a notification under Urban Land (Ceiling and Regulation) Act, 1976 on the ground that the possession was not taken, before the Urban Land (Ceiling and Regulation) Repeal Act 1999 came into force. This suit was decreed by the Trial Court. The appeal and thereafter the second appeal were dismissed against this Trial Court judgment...Various provisions of the Act make it clear that if any order is passed by the competent authority, there is provision for appeal, revision before the designated appellate and revisional authorities. In view of such remedies available for aggrieved parties, the jurisdiction of the civil courts to try suit relating to land which is subject-matter of ceiling proceedings, stands excluded by implication. Civil court cannot declare orders passed by the authorities under the ULC Act, as illegal or *non-est*. More so, when such orders have become final, no declaration could have been granted by the civil court. In this regard reference may be made to the judgment of this Court in the case of *Competent Authority, Calcutta*, under the Urban Land (Ceiling and Regulation) Act, 1976. We are totally in agreement with the aforesaid view taken by this Court". Thus, the appeal was allowed.

**State of Tamil Nadu Vs. National South Indian River Interlinking
Agriculturist Association**
[C.A. No.-006764-006764 / 2021]
Date of Judgment: 23.11.2021

Constitution of India Article 14 and 26 – Judicial Review of Policy

The Hon'ble Supreme Court while deciding Civil Appeal on the issue about loan waiver to small and marginal farmers upheld the Tamil Nadu Government scheme which granted loan waiver to small and marginal farmers and held that, "...An examination of this issue must begin with the primary question of the meaning of the phrase 'policy'. A policy is the reasoning and object that guides the decision of the authority, which in our case is the State of Tamil Nadu. Statutes, notifications, ordinances, or Government orders are means for the implementation of the policy of the State. Therefore, it is not possible to completely appreciate the law without reference to the policy behind the law. The judicially evolved two-pronged test to determine the validity of the law vis-à-vis Article 14 of the Indian Constitution, refers to the objective of the law because the 'policy' behind the law is never completely insulated from judicial attention.... However, it is settled law that the Court cannot interfere with the soundness and wisdom of a policy. A policy is subject to judicial review on the limited grounds of compliance with the fundamental rights and other provisions of the Constitution. It is also settled that the Courts would show a higher degree of deference to matters concerning economic policy, compared to other matters of civil and political rights.... The purpose of providing a waiver of agricultural loans for farmers is to uplift the distressed farmers, who have been facing the brunt of the erratic weather conditions, low produce, and fall in the prices because of the market conditions. The objective of promoting the welfare of the farmers as a class to secure economic and social justice is well recognized by Article 38. It needs to be determined if the classification based on the extent of landholding has a rational nexus to the object sought to be achieved....the benefit of the scheme is only provided to a specified class as small and marginal farmers constitute a class in themselves...The

Government of Tamil Nadu issued G.O Ms. No. 50 dated 13 May 2016 granting a waiver of outstanding crop loans, medium term (agriculture) loans and long term (farm sector) loans issued to small and marginal farmers. ...the exclusion of 'other farmers' – those who hold land exceeding 5 acres – from the land waiver scheme is discriminatory and violative of Article 14. ...the scheme be extended to all farmers including farmers whose landholding exceeds 5 acres...the purpose of providing a waiver of agricultural loans for farmers is to uplift the distressed farmers, who have been facing the brunt of the erratic weather conditions, low produce, and fall in the prices because of the market condition” thus allowed the appeal.

State of U.P. Vs. Vikash Kumar Singh
[C.A. No.-006868-006868 / 2021]
Date of Judgment: 22.11.2021

Services – Promotion – UP Service of Engineers (Irrigation Department) (Group A) Services Rules 1990 – Rule 5(iii) & 8 (iii) - Government Servants Relaxation in Qualifying Service for Promotion Rules 2006

The Hon'ble Supreme Court while deciding Civil Appeal on the issue about Government Servants Relaxation in Qualifying Service for Promotion Rules held that, "the relaxation may be at the discretion of the competent authority. The relaxation cannot be prayed as a matter of right. If a conscious decision is taken not to grant the relaxation, merely because Rule permits relaxation, no writ of mandamus can be issued directing the competent authority to grant relaxation in qualifying service. Therefore, the High Court has committed a grave error in issuing the writ of mandamus commanding the competent authority to grant relaxation in the qualifying service. Consequently, the High Court has also erred in quashing and setting aside the eligibility lists dated 18.03.2019 and 10.05.2019, which as such were prepared absolutely in consonance with the Rules, 1990 and Rules, 2006. The impugned judgments and orders passed by the learned Single Judge as well as the Division Bench of the High Court are not sustainable in law." thus allowed the appeal.

SUPREME COURT - CRIMINAL CASES

Arvind Kumar @ Nemichand and Others Vs. State of Rajasthan

[Criminal Appeal Nos. 753, 756, 754 and 755 of 2017]

Date of Judgment: 22.11.2021

Section 149 IPC - Section 161, 313 Cr.P.C - Section 99, Section 149 Indian Evidence Act, 1872

The Hon'ble Supreme Court while deciding a Criminal Appeal, held that, "... There is a subtle difference between a defective investigation, and one brought forth by a calculated and deliberate action or inaction. A defective investigation per se would not enure to the benefit of the accused, unless it goes into the root of the very case of the prosecution being fundamental in nature. While dealing with a defective investigation, a court of law is expected to sift the evidence available and find out the truth on the principle that every case involves a journey towards truth. There shall not be any pedantic approach either by the prosecution or by the court as a case involves an element of law rather than morality. An offense would involve an element of mental rebellion when the mind of a person creates an action not supported by the ethos and values of a social structure in the form of law. This deviant behaviour is the harbinger of an offense ultimately. A feeling of pain, sorrow or tragedy is mental. It is what we think and not what we suffer that constitutes an action in us. Such an action might at times create a social deviance. It is this part which is expected to be seen both by the Investigating Officer and the court while dealing with a criminal case. ...A fair investigation would become a colourable one when there involves a suppression. Suppressing the motive, injuries and other existing factors which will have the effect of modifying or altering the charge would amount to a perfunctory investigation and, therefore, become a false narrative. If the courts find that the foundation of the prosecution case is false and would not conform to the doctrine of fairness as against a conscious suppression, then the very case of the prosecution falls to the ground unless there are unimpeachable evidence to

come to a conclusion for awarding a punishment on a different charge. ...The principle that when a witness deposes falsehood, the evidence in its entirety has to be eschewed may not have strict application to the criminal jurisprudence in our country. The principle governing sifting the chaff from the grain has to be applied. However, when the evidence is inseparable and such an attempt would either be impossible or would make the evidence unacceptable, the natural consequence would be one of avoidance. The said principle has not assumed the status of law but continues only as a rule of caution. One has to see the nature of discrepancy in a given case. When the discrepancies are very material shaking the very credibility of the witness leading to a conclusion in the mind of the court that it is neither possible to separate it nor to rely upon, it is for the said court to either accept or reject....the failure of the prosecution to act fairly and place all relevant materials with regard to the occurrence before the court enabling it to take just and fair decision has caused serious prejudice to them. A fair criminal trial encompasses a fair investigation at the pre-trial stage, a fair trial where the prosecution does not conceal anything from the court and discharges its obligations in accordance with law impartially to facilitate a just and proper decision by the court in the larger interest of justice concluding with a fairness in sentencing also....Motive might lose its significance when adequate evidence in the form of eyewitnesses are available to the acceptance of the court. But, when a motive might have the impact of introducing a perceptible change to the very case projected by the prosecution, in favour of the accused, it cannot be brushed aside. It becomes more relevant when an accused sets up the plea of private defence. A common object and a motive may get interconnected. Thus, a deliberate and intentional avoidance of unimpeachable evidence qua motive would make the version of the prosecution a serious suspect." thus dismissed the appeal.

Pradeep S. Wodeyar Vs. The State of Karnataka
[Criminal Appeal No.1288 of 2021]
Date of Judgment: 29.11.2021

Sections 409, 420, 120B IPC - Sections 4(1) and 4(1)(A) of the Mines and Mineral (Development and Regulation) Act 19571 - Rule 165, 144 Karnataka Forest Rules 1969.

The Hon'ble Supreme Court while deciding a Criminal Appeal, held that, "it is not obligatory on the part of the Court to issue a fully reasoned order for taking cognizance on the basis of a police report... the Magistrate needs to apply his mind to the materials placed before him before taking cognizance, they have been differentiated on facts from the present case as unlike the present case where cognizance was taken based on the SIT report, in those cases cognizance was taken based on a complaint... Since cognizance was taken by the Special Judge based on a police report and not a private complaint, it is not obligatory for the Special Judge to issue a fully reasoned order if it otherwise appears that the Special Judge has applied his mind to the material" thus dismissed the appeal.

See also:

- State of Gujarat v. Afroz Mohammed Hasanfatta, (2019) 20 SCC 539

Parveen @ Sonu Vs. State of Haryana
[Criminal Appeal No. 1571 of 2021]
Date of Judgment: 07.12.2021

Sections 120B, 302, 332, 353, 224, 225 IPC – Conspiracy

The Hon'ble Supreme Court while deciding a Criminal Appeal, held that, "It is fairly well settled, to prove the charge of conspiracy, within the ambit of Section 120-B, it is necessary to establish that there was an agreement between the parties for doing an unlawful act. At the same time, it is to be noted that it is difficult to establish conspiracy by direct evidence at all, but at the same time, in absence of any evidence to show meeting of minds between the conspirators for the intended object of committing an illegal act, it is not safe to hold a person guilty for offences under Section 120-B of IPC. A few bits here and a few bits there on which prosecution relies, cannot be held to be adequate for connecting the accused with the commission of crime of criminal conspiracy. Even the alleged confessional statements of the co-accused, in absence of other acceptable corroborative evidence, are not safe to convict the accused." thus allowed the appeal.

See also

- Indra Dalal v. State Of Haryana (2015) 11 SCC 31

Rishipal Singh Solanki Vs. State of UP & Ors.
[Crl.A. No.-001240-001240 / 2021]
Date of Judgment: 18.11.2021

Juvenile Justice Act 2015 – S. 94 – Determination of Age

The Hon'ble Supreme Court while deciding Criminal Appeal, held that, "the purpose of the Juvenile Justice Act 2015, the age recorded by the Juvenile Justice Board or the Child Welfare Committee of the person so brought before it will be deemed to be the true age of the person...the deeming provision Section 94 (3) of the JJ Act, 2015 is significant inasmuch as 'the controversy or the doubt regarding the age of the child brought before the Committee or the JJ Board is sought to be set at rest at the level of the JJ Board or the Committee itself...victim of the crime had approached the Supreme Court challenging the declaration of the accused as a juvenile, arguing that the matriculation certificate can't be a conclusive document for determining the age of the juvenile irrespective of other material discrepancies in the oral testimony of the witnesses or other documents being produced ...The age recorded by the Committee or the Board to be the age of the person so brought before it shall for the purpose of the JJ Act, 2015 be deemed to be the true age of the person. The deeming provision in sub-section (3) of section 94 of the JJ Act, 2015 is also significant inasmuch as the controversy or the doubt regarding the age of the child brought before the Committee or the JJ Board is sought to be set at rest at the level of the JJ Board or the Committee itself..." thus dismissed the appeal.

Viram @ Virma Vs. The State of Madhya Pradesh
[Crl.A. No. – 000031 – 000031/2019]
Date of Judgment: 23.11.2021

Murder – S. 302, 419 IPC – Appreciation of Evidence

The Hon'ble Supreme Court while deciding a Criminal Appeal, held that, "the Supreme Court has converted the conviction of appellants from Murder (S.302/149) to voluntarily causing grievous hurt by dangerous weapons (326/149) under the Indian Penal Code on the basis of inconsistencies between oral testimony of witnesses and medical evidence on record. ... examined the point relating to inconsistencies between the oral evidence and the medical opinion...the inconsistency between the medical evidence on record and the oral evidence of the witnesses was found to be sufficient to discredit the entire prosecution case.... there were inconsistencies between the oral evidence of the eye witnesses and the medical report. The medical report submitted therein established that there were only contusions, abrasions and fractures, but there was no incised wound on the left knee of the deceased as alleged by a witness. Therefore, the evidence of the witness was found to be totally inconsistent with the medical evidence and that would be sufficient to discredit the entire prosecution case..." thus partly allowed the appeal.

HIGH COURT - CIVIL CASES**Commissioner of GST and Central Excise Vs. M/s.Bharat Electronics Limited****[W.A.No.2203 of 2021]****Date of Judgment: 18.11.2021****Input Tax Credit - Input Tax / CENVAT Credit - Goods and Service Tax (GST)**

The Hon'ble Madras High Court while deciding a Civil Appeal seeking to revise the Form TRAN-1 resulting in deprivation of the Input Tax Credit, held that, "While there is no doubt that Input tax credit is a concession, and conditions attached thereto ought to be strictly complied, it is equally true that the Input Tax Credit is a beneficial scheme which is framed in larger public interest to bring down the cascading effect of multiple taxes / multi-point taxes... there is substantial compliance, denial of benefit of Input Tax Credit which is a beneficial scheme and framed with the larger public interest of bringing down the cascading effect of multiple taxes ought not to be frustrated on the ground of technicalities..." thus allowed the appeal.

See also

- Commissioner of Central Excise, Ludhiana Vs. Ralson India Ltd., 2006 (202) ELT 759
- Heritage Lifestyle and Developers and Private Limited vs. Union of India reported in 2016 SCC Online P&H 6549

Credit Suisse AG Vs. SpiceJet Ltd.
[Company Petition No.363 of 2015]
Date of Judgement: 06-12-2021

Section 433, Companies Act, 1956

The Hon'ble High Court in deciding a Company Petition referred to the decision in *Mathusudan Gordhandas & Co. Vs. Madhu Woollen Industries (P) Ltd. [(1971) 3 SCC 632]* and observed that, the Court, while examining the question, as to whether, a winding up proceeding is to be admitted or not must, upon the existence of a debt being proved, must consider whether [i] The defence of the Company is in good faith and one of substance; [ii] The defence is likely to succeed on point of law; and [iii] The company adduces prima facie proof of the facts on which the defence depends. Therefore, even after the Court comes to the conclusion that there is a debt existing, the Company Court sitting in winding up proceedings need not automatically issue an order for winding up.

The Court observed that the Respondent Company had not chosen to terminate the contract, and had continued to avail the services, and therefore "it cannot now turn around and say, there is a violation of the provisions of the Aircraft Act or the C.A.R. Rules made there under and therefore the liability ceased."

The Court found that the Respondent Company had failed to satisfy the three-pronged test as suggested by the Apex Court in the case of *Mathusudan Gordhandas*, and hence "had rendered itself liable to be wound up for its inability to pay its debts under Section 433 (e) of the Companies Act 1956."

The Court held that the Respondent Company is to be wound up and directed the Official Liquidator to take over the assets of the Respondent Company. The Company Petition was allowed.

Dheenadayalan & Ors. Vs. T.K. Boopathi & Ors.
[S.A.Nos.1171 & 1172 of 2014]
Date of Judgment: 02-12-2021

Grama Natham land — adverse possession

The Hon'ble High Court decided on a Second Appeal arising from a suit for delivery of possession and permanent injunction.

The Court observed that, "It is well settled that Grama Natham lands will not vest with the Government. The first occupier of the land shall be considered as the occupant and he is entitled to the title. It cannot be divested from him by issuing notices either under Land Encroachment Act or under Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948".

The Court referred to the decision in *A. Koman Vs. T.S. Balasubramaniyan [2004 (3) CTC 489]*, wherein it was held that estoppel will not apply against a tenant who was forced to pay the rentals under the threat of eviction and thereafter, attorned the Government as landlord. The Court found that the Defendants are the first occupants of the Grama Natham land and they continued as such, over and above the statutory period, and have perfected their title through adverse possession.

The Court found that from 1959, neither the plaintiffs nor their predecessors have filed any Suit for recovery of possession and it was first filed only in 1982. As per Article 67 of the Limitation Act, 1963, the Suit for recovery of possession shall be filed by the landlord within 12 years. Therefore, the Suit is hit by law of limitation.

The Court held that the decree and judgment passed by the First Appellate Court suffers from illegality and erroneous appreciation of evidence. The Court set aside the impugned judgment and dismissed the suit. Thus, the Second Appeals were allowed.

Fit Person, Arulmigu Vettaikurumagan Thirukoil Vs. Nilambur Kovilakam
Common Properties, rep.by its Executive Officer
[W.A. Nos.1243 of 2014]
Date of Judgment: 17-11-2021

The Tamil Nadu Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1968

The Hon'ble High Court decided a Writ Appeal on the following issues:

- [1] Whether or not the order passed by the Learned Single Judge without impleading the fit person and the HR & CE department is correct in law?
- [2] Whether or not the finding of the Learned Single Judge that the temple is a private temple be upturned?
- [3] Whether the provisions of the Act have the effect of divesting the temple from Nilambur Kovilakam?

On the first issue, the Court relied on the decision in *Udit Narain Singh Malpaharia Vs. Additional Member Board of Revenue, Bihar & Anr. [AIR 1963 SC 786]*, and observed that the Court has the discretion to add and implead all parties for completely settling all the questions that may be involved, and held that since the Fit Person has been granted leave and other affected parties have also come on record, answering the issues on merits is the right course.

On the second issue, the Court referred to the decisions in *Subramania Aiyar & Ors. Vs. Lakshmana Goundan [AIR 1920 Mad 42]*, and observed that a proper fact finding in appropriate proceedings is required and the "said exercise cannot be carried on in a writ petition under Article 226 in the teeth of the declaration by the appropriate statutory body". Examining the issue from the fundamental rights perspective, the Court found that, "there is no discrimination or violation of Right to Life or any practice of untouchability or Right to Practice their religion so as to ignore the Lawful order of the

appropriate authority and hold otherwise". Consequently, the Court found held that finding that the temple is private in nature cannot be upturned.

On the third issue, the Court referred to the decision in *Raja Somasekar Chikka & Anr. Vs. Paduravatamma & Ors. [1999 5 SCC 199]*, and found that Section 3 of the Tamil Nadu Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1968, is subject to Section 14 and the effect thereof is that only the cultivable and other vacant sites are vested in the Government, and wherever there is a building, the building and the site thereof on which the building stands were vested with the respective owners of the building. This apart, Section 3(c), only extinguishes the right created by the Janmi in favour of the third parties vis-a-vis the Government and not the rights of the Janmi, viz., Nilambur Kovalakam. The Court referred to the decision in *Zamindar of Ettayapuram Vs. Panchayat Board, Kalugumalai [75 LW 364]*, and observed that "vesting under Section 14 takes place immediately and is not dependent on any contingency. ... Dual ownership is a recognized concept in India and therefore such an approach cannot be faulted with."

The Court held that the Respondent's rights over the temple are not affected or divested. Thus, the Writ Appeal was dismissed.

**M. Sameeha Barvin Vs. The Joint Secretary, Ministry of Youth and Sports,
Department of Sports, Government of India**
[Writ Petition No. 16953 of 2021]
Date of Judgment: 20-12-2021

Article 15(1), Constitution of India, 1950 — Rights of Women athletes with disabilities

The Hon'ble High Court decided on a Writ Petition challenging the non-selection of a woman athlete with disabilities. The Court adopted the lens of intersectionality to examine the issue of discrimination on grounds of both gender and disability. On the concept of intersectionality, the Court observed that "difficulties and barriers faced by a person facing any one axis of discrimination, for example- gender, are different from a person facing multiple axis of discrimination like disability, caste and gender together. The different identities within the same person intersect and co-exist in a way so as to give the individual a qualitatively different experience than any one of the individual markers of discrimination or any of the individual characteristics."

The Court referred to the decisions in *Patan Jamal Vali Vs. State of Andhra Pradesh [AIR 2021 SC 2190]* and *Vikash Kumar Vs. UPSC [(2021) 5 SCC 370]*, and observed that violence against women with disabilities can be classified as traditional forms such as physical, sexual and emotional and non-traditional forms, such as deprivation of medication, restriction for access to mobility or communication equipment, personal care and hygiene, medical consultation, fear of institutionalisation, etc.

On the doctrine of reasonable accommodation as defined under Section 2(6) of the RPwD Act, the Court observed that, "the reason cited for not permitting the petitioner to travel along with her male competitors, smacks of blatant discrimination cloaked in protectionism, which is anathema to the substantive equality as envisaged under the Constitution of India". The Court referring to the decision in *Anuj Garg Vs. Hotel Association of India [AIR 2008 SC 663]* observed that, "Rather than citing the reason of unsafe travel, it is incumbent on the State to ensure safety and security of its women,

disabled or otherwise". ... The discrimination caused to women is often couched in 'protectionism' citing traditional concepts of stereotyped roles for women and the purported concern for their safety and security. This is also known as "romantic paternalism" of American jurisprudence.

The Court referring to the decisions in *Ministry of Defence v. Babita Puniya* [(2020) 7 SCC 469] and *Lt. Col. Nitisha and Ors. Vs. Union of India & Ors.* [AIR 2021 SC 1797], observed that, "It is important to identify these instances of systemic and indirect discrimination, couched in neutrality and seemingly innocent reasons perpetuated by social conditioning but which cannot stand scrutiny before law in the teeth of the expansive substantive equality as envisioned and envisaged in our Constitution, and to discard them just as stark instances of discrimination."

The Court issued several directions to the Respondent Authorities, the sum and substance of which are as follows: [1] to prevent or prohibit unfair discrimination against the women athletes with disabilities [2] to provide adequate financial assistance and all other requisites to the women athletes with disabilities [4] To give effect to the principle of reasonable accommodation by providing all assistance that are required / requested by the females athletes with disabilities so as to enable them to participate in the international games, on par with males. [5] to ensure safety and security of the female athletes with disabilities during their travel, irrespective of number of participants, so as to inspire their confidence freely and take part actively in the events at all levels. [6] to sensitize the male counter parts and inculcate the sense of equality in their minds. [7] to reward all the disabled women participants in the international games, irrespective of their achievements or otherwise.

M/s. Novex Communications Pvt. Ltd. Vs. DXC Technology Pvt. Ltd.
[Civil Suit Nos.407 and 413 of 2020]
Date of Judgment: 08-12-2021

Section 33, Copyright Act, 1957

The Hon'ble High Court decided a Civil Suit on the issue, Whether the plaintiff is legally permitted to issue or grant license under the Copyright Act without being the copyright society as contemplated under Section 33 of the Copyright Act, 1957?

The Court discussed the series of developments in the Copyright Act, 1957 and observed that, "A careful examination of Section 33(1) and the second proviso shows that its operation is confined to prohibiting the commencement and carrying on of the business of issuing or granting licenses, and does not touch upon the right of the owner, in his individual capacity, to continue to have the right to grant licenses in respect of his own works. ... By authorizing entities other than copyright societies to engage in the business of granting licenses, the Court would be clearly rendering the legislative emphasis on the word "only", occurring in the second proviso to Section 33, completely redundant." The Court differed from the decision of the Delhi High Court in *Novex Communications Pvt. Ltd. Vs. Lemon Tree Hotels Ltd. [2019 SCC Online Del 6568]*, wherein it was observed that the second proviso is intended only for cases where copyright societies have acquired an exclusive authorization from the owners under Section 34(1)(a) of the Act. The Court observed that it would completely obliterate the well-defined classes to which the first and second proviso to Section 33 applies. The Court held that the Plaintiff is in the business of issuing licenses for on-ground performance rights in various sound recordings, and that they do not fall within the meaning of a copyright society under Section 33. ... "It must necessarily follow that the very substratum for the relief of injunction and damages, claimed in the two suits, must crumble like a pack of cards." Thus, the Civil Suit was dismissed.

Thiruvenkada Ramanujam Vs. Jeyaraman
[S.A(MD)No.761 of 2021]
Date of Judgment: 06.12.2021

Title to property — Cancellation of Patta — Power of revenue authorities

The Hon'ble High Court decided on a Second Appeal against the judgement which had confirmed the judgement and decree granting the relief of declaration, permanent injunction and cancellation of the patta issued to the Appellant/Defendant.

The court observed that, "when the title to the property is disputed, the revenue authorities has got no authority to decide the issue and it has to be decided only by the competent civil Court."

The court found that, "The patta issued in favour of the Defendant will not confer any title to the Defendant, as the Defendant had obtained the UDR patta by malpractices and he has not established his case that the suit properties are joint family properties."

The Court held that, the factum of possession was also proved by the Plaintiff and in the absence of any other evidence other than UDR patta issued by the revenue authorities, the Plaintiff is entitled for the relief of declaration and permanent injunction, and cancelled the patta issued in favour of the Defendant. The Court directed the revenue authorities to issue patta to the Plaintiff.

The Court upheld the judgement of the trial Court and the First Appellate Court. Thus, the Second Appeal was dismissed.

R. Ravindra Kumar Vs. S.B.S.Kumar & Ors.**[A.S.No.3 of 2018]****Date of Judgment: 25.11.2021****Section 96 - Order XLI Rule 1 – CPC – Section 58(f) - Transfer of Property Act**

The Hon'ble Madras High Court while deciding an Appeal under Section 96 read with Order XLI Rule 1 challenging the dismissal of his suit filed for recovery of a sum of Rs. 15,20,874/- with interest at 1.70% per annum on Rs.15,00,000/- from the date of suit till the date of realization. The suit has been filed as a mortgage suit on the basis of a mortgage by deposit of title deeds held that, "even if the burden of proof does not lie on a party the Court may draw an adverse inference if he withholds important documents in his possession which can throw light on the facts at issue. It is not, in our opinion, a sound practice for those desiring to rely upon a certain state of facts to withhold from the Court the best evidence which is in their possession which could throw light upon the issues in controversy and to rely upon the abstract doctrine of onus of proof" thus dismissed the appeal.

See also

- Gopal Krishnaji Kelkar Vs. Mohammad Haji Latif and others IR 1968 SC 1413

R. Selvaraj & Anr. Vs. K. Krishnasamy & Ors.**[S.A.No.189 of 2010]****Date of Judgment: 08-12-2021****Permanent injunction — possession**

The Hon'ble High Court decided on a Second Appeal against the modification of decree in a suit for injunction.

Relying on the decision in *Balkrishna Dattatraya Galande Vs. Balkrishna Rambharose Gupta & Anr. [Civil Appeal No.1509 of 2009, dated 06.02.2009]*, the Court observed that, "in a suit for permanent injunction to restrain the 1st Defendant from interfering with the Plaintiffs' possession, the Plaintiffs will have to establish that as on date of the suit, they were in lawful possession of the suit property and 1st Defendant tried to interfere or disturb such lawful possession."

The court found that "the plaintiff himself admitted that at the time of filing the suit, the said survey number is not under his possession, further, after giving undertaking to remove the encroachment, the question of possession does not arise."

The Court further found that the findings arrived at by the first appellate Court is on the factual aspects and therefore no substantial question of law has arisen in the present appeal.

The court confirmed impugned judgement modifying the decree of the first Appellate Court and. Thus, the Second Appeal was dismissed.

V.V. Mohan Vs. M. Jothy
[C.R.P.(PD).No.484 of 2021]
Date of Judgment: 24-11-2021

Section 14(1)(b), Tamil Nadu Buildings (Lease and Rent Control) Act

The Hon'ble High Court dealt with a Civil Revision Petition challenging the order of the Appellate Authority reversing the order of eviction in a petition filed under Section 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act seeking eviction for the purpose of demolition and re-construction.

The Court referred to several decisions of the Madras High Court* and found that, "No doubt, the language of Section 14(2)(b) requires the landlord to undertake to demolish the building within a particular time, to commence demolition and complete it within a particular time and such undertaking is to be furnished prior to the order of eviction. But, the object of the requirement is only to ensure that the landlord does not take an order of eviction under Section 14(1)(b) and retains the building as it is. 14. ... The power of re-entry is also given to the tenant, in the event the building is not demolished as undertaken, de hors the point on time at which the undertaking is given. ... The right of the tenant is protected. Therefore, I do not think it will be proper, while considering the beneficial legislation, to project an interpretation that it would render the right redundant. The very purpose of the enactment is to protect the tenant from unreasonable eviction. The said enactment cannot be used to unleash unreasonableness on the landlord."

Thus, the Court set aside the order of the Appellate Authority and restored the order of the Rent Controller. The Civil Revision Petition was allowed.

See Also

- Lakshmi Vs. M.V. Balamurali & Anr. [2007 (2) CTC 518]
- Harikrishnan Daga Vs. Loknath Rao [2013 (4) LW 107]
- P.L.L. Rajamani Achi Vs. M.Govindaraj & Anr. [2017 SCC OnLine Mad 6568]
- S. Sundararajan Vs. A. Mary Josephine [2019 SCC OnLine Mad 10227]

HIGH COURT – CRIMINAL CASES**Arun Kumar Vs. State, Rep. by Inspector of Police, Anupparpalayam Police Station, Thirupur District.****Cri.A.No.64 of 2015****Date of Judgment: 01-12-2021****Section 374 CrPC – Sections 498(A) and 306 IPC – Suicide note – error in conviction**

The Hon'ble High Court dealt with a Criminal Appeal filed under Section 374 Code of Criminal Procedure to set aside conviction imposed on the appellant for the offence under Sections 498(A) and 306 IPC. The issue before the Hon'ble High Court in this case was whether, suicide note has been proved in the manner known to law. There was no positive evidence available on record to show that the deceased alone wrote the suicide note. The Hon'ble High Court upon considering the facts and circumstances of the case has come to a conclusion that, the learned Sessions Judge has committed an error in laying conviction under Sections 498(A) and 306 of IPC. Accordingly, the conviction and sentence passed by the learned Sessions Judge, was set aside.

**G. Mani @ Mani and Ors. Vs. State Represented by Inspector of Police,
Royakottai Police Station, Krishnagiri District
Crl.A.Nos.33 of 2018 and 443 & 357 of 2021 and Crl.M.P.No.7201 of 2021
Date of Judgement: 29-11-2021**

Gang rape – Sections 341, 323, 506(ii), 392 read with Section 379 IPC, 376 (D) IPC –
Section 4 of TN Prohibition of Women Harassment Act

The Hon'ble High Court dealt with Criminal Appeals under Section 374 (2) of Criminal Procedure Code, 1973 to set aside the conviction and sentence imposed by the trial court. The contention of the appellants was that the Identification Parade had inherent flaws and prescribed procedures had not been followed. It was observed that, Identification parade is only to ensure that there is no false/mistaken identification and also that it is not the rule of law but a rule of prudence. Further it was observed that, until the occurrence of the incident, the accused were unknown persons to the victim and she had no motive, whatsoever. The Hon'ble High Court also observed that, "both these victims were so much traumatized that they corroborated each other's evidence in all material particulars right from the first instance of narration to the police till the testimony in the Court". Therefore, in conclusion the Hon'ble High Court dismissed the Criminal appeal and all the other connected matter and upheld the conviction and sentence of the trial court.

See Also:

- P.Babu and others vs. State of Andhra Pradesh [(1994) 1 Supreme Court Cases 388]
- B.Bhadriah and others Vs. State of Andhra Pradesh (1995 Supp(1) Supreme Court Cases 262)

**Kumaresan Vs. State, Rep. by Inspector of Police, B6 Peelamedu Police
Station, Coimbatore**
Crl. R. C. No.830 of 2021 and Crl. MP. 12033 of 2021
Date of Judgment: 23-11-2021

Section 397 and 401 CrPC – NDPS Act – no cross examination – remand in judicial custody

The Hon'ble High Court dealt with a Criminal revision filed under Section 397 and 401 of Criminal Procedure Code to set aside the Docket order. It was observed that, the Trial Court, found A3 indulging in dilatory tactics and dragging on the proceedings and relied on the ratio laid down by the Hon'ble Apex Court in the case of State of U.P. Vs. Shambhu Nath Singh (2001) 4 SCC 667, that, "if the accused or his counsel does not cooperate for day to day examination of witnesses, the Court can remand the accused to custody or in alternate, when the accused is absent and the witness is present to be examined, the Court can cancel the bail, already granted to him" and therefore remanded the petitioner to judicial custody. On the perusal of the deposition of PW3 by the Hon'ble High court, it was observed that, PW3 had not deposed anything about the petitioner/A3 and there was also no necessity for the petitioner/A3 to cross examine the witnesses. The Hon'ble High Court reiterated the decision in the case of State of U.P. Vs. Shambhu Nath Singh and made it clear that, only when the accused and the counsel are absent and only when dilatory tactics is adopted by the accused, the Court can impose cost on the party who wants adjournment or if the accused is on bail cancel the bail granted to him. In this case, the petitioner was present before the Court on the date of hearing and he had only stated that there is no cross examination on his side. In conclusion, the High Court allowed the criminal revision.

**M. Maridoss Vs. State Rep. by Inspector of Police CCD-III Police Station,
Madurai City**
Crl.O.P(MD)No.19872 of 2021 and Crl.M.P.(MD)No.11183 of 2021
Date of Judgment: 14-12-2021

Sections 124(A), 153(A), 504, 505(1)(b) & 505(2) IPC – Right to freedom of speech and expression – not an absolute right – subject to reasonable restrictions – Article 19(2) of the Constitution

The Hon'ble High Court dealt with a Criminal Original Petition to quash the FIR registered on the file of the first respondent for the offences under Sections 124(A), 153(A), 504, 505(1)(b) & 505(2) of IPC. The contentions of the *defacto* complainant, i.e., respondent 2, is that, the Petitioner, a political commentator on the social media had tweeted questioning the if 'Tamilnadu is becoming another Kashmir under the present government', and thus causing disaffection and hatred towards a democratically and duly elected popular government. The petitioner stated that the said tweet was removed within a couple of hours and argued that, he is entitled to freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution of India and has been falsely implicated in the said case. The respondents argued that, the right to freedom of speech and expression is not an absolute right and that it is very much subject to reasonable restrictions set out under Article 19(2) of the Constitution. Relying on several landmark decisions, the Hon'ble Madras High Court held that, the petitioner is entitled to the constitutionally guaranteed fundamental right to freedom of speech and expression and thereby allowing the Criminal OP and quashed the FIR, terming it illegal.

See Also:

- Muniswami Naicker Vs. P.Kanniappa Naicker (1949) 2 MLJ 767
- Vasireddi Sivalinga Prasad Vs. Emperor (1941) MWN (Crl.) 31
- Manzar Sayeed Khan and Ors. vs. State of Maharashtra and Ors (2007) 5 SCC 1
- Arnab Manoranjan Goswami v. State of Maharashtra (2021) 2 SCC 427
- Vinod Dua vs. Union of India (UOI) and Ors. AIR 2021 SC 3239

**Murugan Vs. State rep by its The Inspector of Police, Kottur Police Station,
Coimbatore District
Crl.A.No.434 of 2018
Date of Judgement: 26-11-2021**

Murder and rape – missing links in the chain of events – circumstantial evidence – DNA typing

The Hon'ble High Court dealt with a Criminal Appeal filed under Section 374(2) CrPC to set aside the judgement of the trial court. The contentions of the petitioners are that, there are missing links in the chain of events narrated by the prosecution witnesses and that the accused/petitioner was seen by more than one person in the vicinity of the occurrence of crime immediately before and after the offence. The prosecution has relied upon the circumstantial evidence in the instant case as there were no direct eye witness to the crime. The Hon'ble High Court observed that, the evidence adduced by the prosecution constituting circumstantial evidence coupled with scientific evidence in the form of DNA typing in support of the charge does furnish an unassailable basis to hold the appellant guilty of the charges for which he was convicted. In fine, the Court dismissed the appeal and confirmed the conviction of the trial court.

**Muruganantham Vs. State, represented by The Inspector of Police
Patteswaram Police Station Thanjavur District
Crl.A.(MD) No.40 of 2019
Date of Judgement: 29-11-2021**

Section 302 IPC modified to Section 304(II) – culpable homicide not amounting to murder

The Hon'ble High Court dealt with a Criminal Appeal under Section 374(2) of the Code of Criminal Procedure, 1973 to set aside the judgement of the trial court and acquit the appellant. The appellant in this case was found guilty by the Trial Court for the offence under Sections 302 and 294(b) I.P.C. The Trial Court, appreciating the evidence held that the accused was found guilty for the charges under Sections 302 and 294(b) I.P.C. The contention of the appellant was that the Trial Court failed to appreciate the evidence of the prosecution witnesses in a proper perspective and there is embellishment and improvement in the case of the prosecution, which would go to show that the case of the prosecution is highly improbable. On perusal of the arguments and evidence placed before the Hon'ble High Court, it was held that, offence under Section 302 I.P.C is not made out and thus, modified the conviction and sentence imposed on the appellant. In fine, the Hon'ble High Court partly allowed the criminal appeal.

**Nilakaran @ Selvam Vs. State Rep. by Inspector of Police, Pasupathipalayam
Police Station, Karur District
Crl.A.(MD)No.330 of 2021 and Crl.M.P.(MD)No.5432 of 2021
Date of Judgment: 02-12-2021**

Sections Section 374 (2) Cr.P.C. – Sections 302, 307 and 324 I.P.C– murder – life imprisonment.

The Hon'ble High Court dealt with a Criminal Appeal against the conviction and sentence of the trial Court. The accused in this case was found guilty and sentenced under Sections 302 and 324 of IPC by the trial court. The Hon'ble High Court carefully perused the facts, evidence and arguments of both the sides and as the facts of the case seemed similar to the case of Ramesh Vithalrao Thakre and another Vs. State of Maharashtra [2009 (17) SCC 438]. Relying on the precedent Hon'ble High Court held that the offence committed by the appellant falls under the definition of culpable homicide not amounting to murder and punishable under Section 304(ii) of I.P.C. As a result, the punishment of life imprisonment was set aside, instead, the Hon'ble Court convicted the appellant under Section 304(ii) of I.P.C.

State, Rep. by Inspector of Police, All Women Police Station, Keeranur Vs. Danish Patel
R.T.(MD)No.3 of 2021 and CrI. A.(MD)No. 300 of 2021
Date of Judgment: 03-12-2021

Refer Trial – Criminal Appeal – Section 366 and 374 (2) CrPC – Confirmation of Capital Punishment

The Hon'ble High Court decided a Referred Trial seeking confirmation of capital punishment imposed on accused and a Criminal Appeal filed by the accused challenging the conviction and sentenced awarded. The Hon'ble High Court had to decide on whether the prosecution has proved the guilt of the charges framed and if so whether the death penalty is the appropriate sentence. The prosecution in this case was able to establish that the death was caused due to the injury, but failed to prove that the particular injury was intended by the accused. The Hon'ble High Court observed that, Clause 3 of Section 300 of I.P.C. as explained by the Hon'ble Apex Court to punish under Section 302 of I.P.C. the bodily injury caused must be the injury intended to be inflicted. Whereas, to punish under Section 304 (i) of I.P.C., it is sufficient to prove intention to cause such bodily injury as is likely to cause death. Further the Court held that, the death of the victim falls under the definition of culpable homicide not amounting to murder and deserves to be punished under Section 304 (ii) of I.P.C., since the death is caused without any intention to cause death and such bodily injury is not likely to cause the death *per se* but for the infection caused. In conclusion, the judgement of the trial court is modified accordingly.

See Also:

- Rajwant Singh v. State of Kerala [AIR 1996 SC 1874]
- Virsa Singh vs. State of Punjab [AIR 1958 SC 465]
- Kikar Singh vs. State of Rajasthan [1993 AIR 2426]

**Venkatesan Vs. State rep by Inspector of Police, Andimadam Police Station,
Andimadam
Crl.A.No.407 of 2017
Date of Judgement: 24-11-2021**

Section 374(2) CrPC – Section 436 IPC – Non-Compoundable Offence

The Hon'ble High Court dealt with a Criminal Appeal has been filed under section 374(2) of Criminal Procedure Code to set aside the conviction of the trial court. The trial after considering the materials on record has found the accused guilty for the offence under Section 436 of IPC. The appellant in this case admitted the fairness of the finding of the Courts below, and his only endeavour was to get a reduction of punishment. The Hon'ble High Court taking into consideration of the settlement of the dispute between the accused and his sister / defacto complainant and the affidavit filed in this regard and also considering the fact that the accused has already undergone 6 ½ years of Rigorous Imprisonment, though the Court felt that some lenience may be shown in the punishment, despite the matter was compromised, the offence under which the accused was convicted falls under the category of non-compoundable offence. Therefore, the Hon'ble High Court held that, such a case is not compoundable even with the permission of the Court.

**XXX Vs. The Superintendent of Police, Office of the Superintendent of Police,
Tirunelveli District**

Crl.O.P(MD)No.18486 of 2021
Date of Judgement: 25-11-2021

Section 482 CrPC – POCSO Act – threat – cancellation of bail

The Hon'ble High Court had to deal with a Criminal Original Petition filed under Section 482 of CrPC., to direct the 1st and 2nd respondents to provide adequate police protection to the life and limb of the petitioners. The petitioners in the case are a mother and daughter duo seeking protection from the third respondent, who was released on bail and was charged under POCSO Act for having physical relationship with the daughter when she was a minor. The contention is that, the third respondent was continuously threatening the petitioners. It was held that, since the petitioners are residing within the jurisdictional limits of the second respondent, the second respondent was specifically mandated to ensure the physical safety of the petitioners. Further, the court directed the Inspector of Police, Sankarankovil Town Police Station to take note of the allegations made by the petitioners and move the jurisdictional Court for cancellation of bail.
