BLOGS

Last Minute Revision for CLAT PG: Important Judgements for the Month of February- Part II

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Preparing for CLAT 2025 and looking for comprehensive resources? Read this post to go through Part II of the important judgements of February.

Convicted Prisoners Can Argue Appeals Via Video Conference: Madras High Court

Case: R. Subramanian v. State of Tamil Nadu

Background: R. Subramanian, a convicted businessperson serving a 20-year sentence for financial fraud, filed a petition before the Madras High Court requesting permission to argue his appeals via videoconferencing. He cited logistical challenges, including travel difficulties and lack of access to legal resources while in prison. He claimed that denying him virtual access would violate his constitutional right to a fair trial.

Court's Observation: The Court observed that the right to appeal is fundamental under Article 21 of the Indian Constitution, ensuring access to justice and personal liberty. It acknowledged that prisoners face genuine constraints when appearing in court physically due to security concerns and logistical issues. While granting blanket permission was deemed impractical, the Court stressed the importance of technology in promoting access to justice.

Decision: The High Court allowed Subramanian's request, directing prison authorities to set up a dedicated space with stable internet access and technical assistance. It emphasised that video conferencing must be used effectively in such cases to balance prisoners' legal rights with administrative efficiency.

Police Cannot Recover Money Like a Civil Court: Supreme Court

Case: Lalit Chaturvedi & Ors v. State of Uttar Pradesh & Anr

Background: Lalit Chaturvedi and his associates entered into a business agreement that later fell through due to contractual disputes. The aggrieved party filed a police complaint alleging fraud and breach of trust. The police, acting beyond their jurisdiction, issued recovery notices and attempted to mediate the financial dispute as if they were a civil court.

Court's Observation: The Supreme Court reiterated the difference between civil and criminal disputes, emphasising that police have no authority to intervene in contractual disagreements unless criminal intent is clearly established. It criticised the practice of treating breach of contract cases as criminal offences, which undermines judicial integrity and blurs the civil-criminal divide.

Decision: The Court quashed the criminal proceedings and ordered the police to cease efforts to recover money. It reaffirmed that financial disputes arising from contracts must be resolved through civil litigation, not police intervention.

POCSO Act Meant to Protect Minors, Not Criminalise Consensual Relationships: Karnataka High Court

Case: **G. Raghu Varma v. State of Karnataka**

Background: A 21-year-old man, G. Raghu Varma, was charged under the POCSO Act and the Child Marriage Prohibition Act after marrying his 17-year-old partner with their families' consent. Following a dispute with her family, a criminal case was filed against him, alleging sexual offences due to the girl's minority status.

Court's Observation: The High Court clarified that the POCSO Act is designed to prevent sexual exploitation of minors, not criminalise consensual adolescent relationships formed with mutual understanding. It highlighted the necessity of distinguishing between exploitative offences and consensual relationships, especially in cases involving socio-economic hardships.

Decision: The court quashed the charges, recognising the couple's stable relationship and family support. It urged the government to consider legal reforms balancing the Act's protective goals with evolving social contexts involving consensual adolescent relationships.

Misrepresentation of Religious Icons Cannot Infringe Property Rights: Madras High Court

Case: E. Shakthi Murugan v. District Collector

Background: E. Shakthi Murugan filed a petition seeking removal of a large stone obstructing the entrance to his private property. Local residents claimed the stone was a religious idol and argued that its removal would offend religious sentiments. Despite Murugan asserting that the stone was a mere obstruction placed maliciously, officials hesitated to act due to community pressure.

Court's Observation: The Court ruled that property rights are constitutionally protected and cannot be infringed by superstitious beliefs or unsubstantiated religious claims. It clarified that simply covering a stone with cloth or applying religious symbols does not make it sacred or immune from legal action. Religious sites must have historical, cultural, and community recognition backed by established legal status.

Decision: The court ordered the immediate removal of the stone, directing district authorities to protect Murugan's access to his property. It warned against the misuse of religious claims to justify encroachments, emphasising the balance between property rights and genuine religious protections.