

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed

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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

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CASE COMMENT: KARUPPUDAYAR V. STATE REP.
BY THE DEPUTY SUPERINTENDENT OF POLICE,
LALGUDI, TRICHY & ORS.

AUTHORED BY: ARYAN QURESHI (3rd Year)
& SIYA GUPTA (2nd Year)¹

Indian Institute of Management, Rohtak

CITATION:

2025 SCC Online SC 215

BENCH:

Justices B.R. Gavai and Augustine George Masih

INTRODUCTION:

The said case pertains to a criminal appeal arising out of Special Leave Petition (Criminal) No. 8778-8779 of 2024, wherein the appellant, Karuppudayar, challenged the judgment and final order dated 28th February 2024, passed by the learned Single Judge of the High Court of Madras at Madurai. The case revolved around the alleged commission of offenses under Sections 294(b) and 353 of the Indian Penal Code, 1860², read with Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989³. The prosecution's case was that the appellant had insulted and intimidated a Revenue Inspector using caste-based slurs in a public office, thereby violating the provisions of the SC-ST Act. The appellant sought the quashing of the criminal proceedings under Section 482 of the Code of Criminal Procedure, 1973, on the ground that the alleged incident did not occur in "public view," a key requirement under the Act. The Supreme Court, in its judgment delivered on January 31, 2025, ruled in favor of the appellant, setting aside the High Court's order and quashing the criminal proceedings, holding that the essential ingredients of the alleged offenses were not met. This judgment by the Supreme Court allows us to understand the object of the law and how the term "place in public view" should be defined, which being the essential

¹ 5-year Integrated Programme in Law

² **Indian Penal Code, 1860** (Act No. 45 of 1860).

³ **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989** (Act No. 33 of 1989).

ingredient to the law not present in the present facts of the case.

BACKGROUND AND FACTS OF THE SPECIAL LEAVE PETITION:

The present appeals arise from the judgment and final order dated '28th February 2024' passed by the *learned Single Judge* of the *High Court of Madras at Madurai* in **Criminal Original Petition (MD) No. 6676 of 2022** and **Criminal Miscellaneous Petition (MD) No. 4621 of 2022**. The Appellant had filed these petitions under *Section 482* of the Code of Criminal Procedure, 1973 (CrPC)⁴, seeking to quash the criminal proceedings in *Spl. S.C. No. 7 of 2022*, pending before the I Additional District and Sessions Judge (PCR), Tiruchirappalli. The High Court dismissed the petitions, leading to the present appeals by way of special leave.

On 2nd September 2021, The Appellant approached Respondent No. 3 (*Mr. Ravikumar, Revenue Inspector*) to inquire about the status of a petition filed in the name of the Appellant's father regarding the inclusion of his father's name in the patta (land ownership document) for land situated in Natham UDR, Sembarai village. A quarrel ensued between the Appellant and Respondent No. 3, during which the Appellant allegedly abused Respondent No. 3 using his caste name in the *Revenue Divisional Office, Lalgudi, Tiruchirappalli*. Respondent No. 3 filed a complaint with Respondent No. 2 (*Sub-Inspector of Police, Lalgudi Police Station, Trichy*). A case was registered as *Crime No. 676 of 2021* against the Appellant under, *Sections 294(b)* (obscene acts or words) and *353* (assault or criminal force to deter a public servant from discharging duty) of the *Indian Penal Code (IPC)*⁵. *Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC-ST Act)*⁶.

After investigation, Respondent No. 1 (*Investigating Officer/Deputy Superintendent of Police*) filed a charge sheet in the court of the *Judicial Magistrate, Lalgudi, Tiruchirappalli*. The case was committed to the Sessions Court, where *Spl. S.C. No. 7 of 2022* was initiated against the Appellant before the I Additional District and Sessions Judge (PCR), Tiruchirappalli.

The Appellant filed petitions under *Section 482 CrPC* before the High Court of Madras, seeking to quash the criminal proceedings in *Spl. S.C. No. 7 of 2022*. The learned Single Judge

⁴ Code of Criminal Procedure, 1973, s 482.

⁵ Indian Penal Code, 1860, ss 294(b), 353.

⁶ Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, ss 3(1)(r), 3(1)(s).

dismissed the petitions, holding that no prejudice would be caused to the Appellant if subjected to trial.

ISSUES:

Issues in the said case were

- Whether the Revenue Divisional office, Lalgudi, Tiruchirappalli, be considered to be a “Place in public view” according to the SC/ST (Prevention of Atrocities) Act?
- Can the act by the appellant be considered an offense under 3 (r) and 3 (s) of the SC/ST act if there were no witnesses?

JUDGEMENT

The Supreme Court, in **Karuppudayar v. State Rep. by the Deputy Superintendent of Police, Lalgudi Trichy & Ors.**⁷, held that the allegations made in the FIR, even if taken at face value, do not constitute an offense under **Sections 3(1)(r) and 3(1)(s) of the SC/ST (Prevention of Atrocities) Act, 1989**. The court ruled that for an offense under these provisions to be established, the act of insult or abuse must occur **in a place within public view**, which was not the case here.

Referring to **Swaran Singh v. State**⁸ and **Hitesh Verma v. State of Uttarakhand**⁹, the court reaffirmed that a “**public place**” and “**a place within public view**” are distinct. The incident in question occurred inside the complainant's office, without independent public witnesses. Thus, it did not meet the criteria of being in a **public view**. The court applied the **Bhajan Lal principles**¹⁰ and held that since no prima facie offense was made out, the High Court erred in dismissing the appellant's plea under **Section 482 of the CrPC**. Consequently, the Supreme Court quashed the criminal proceedings against the appellant.

Karuppudayar v. State Rep. by the Deputy Superintendent of Police, Lalgudi Trichy & Ors, 2025 SCC Online SC 215

⁷ *Karuppudayar v State Rep by the Deputy Superintendent of Police, Lalgudi, Trichy & Ors* 2025 SCC Online SC 215.

⁸ *Swaran Singh v. State*, (2008) 8 SCC 435, 736d-e.

⁹ *Hitesh Verma v. State of Uttarakhand and another*, AIR 2020 SC 5584.

¹⁰ *State of Haryana and others v. Bhajan Lal and others*, 1992 SCC (Cri) 426.

ANALYSIS OF THE JUDGEMENT AND LEGAL IMPLICATIONS

Upon the analysis of the judgement, there are few observations which can be made on how the law has been interpreted by the supreme court.

Section 3 (r) and 3 (s) of the *SC/ST (Prevention of Atrocities) Act, 1989* state:

“3. Punishments for offences of atrocities. –

(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, --

(a)

(b)

XXX XXX XXX

(r) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(s) abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;”¹¹

According to the abovementioned section, there arises a question of what can be defined under **“any place within public view”** and second, how can it be determined that the person (accused) has intent to humiliate the victim.

For the first part of the law in question, the case **“Swaran Singh and others v. State through Standing Counsel and another”**¹² was referred to in the judgment. In this case, the court had made a distinction between a **“public place”** and a **“place within public view”**. The distinction was made in such manner, that if the place where the offence has been committed is private property but is under public scrutiny then the place cannot be a public place but will still be considered **“any place within public view.”** Hence, when an act of insult or abuse by caste name occurs, on a private property with any witness who would be considered as part of public then the act would be considered an offence. But if such was to happen at the home of the victim and the parties to witness the act were the family and friends of the victim, they were not to be considered as public.

This interpretation is derived from the fact that the intent to humiliate or such said humiliation of the person victim to the offence will only take place when there would be a person, who

¹¹ Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (India).

¹² *Swaran Singh v. State*, (2008) 8 SCC 435, 736d-e.

didn't know about the caste of the person, to witness such act. The Oxford dictionary defines '**Humiliation**' as the feeling of being ashamed or stupid and having lost the respect of other people¹³, which means that can only be humiliated under the scrutiny of the public, hence, if there were no witnesses in the four walls of the Revenue Divisional office, Lalgudi, Tiruchirappalli, at the time of the act then, the act was not an offence.

But same cannot be said in case of every office we come across, in a country like India, due to the population and the infrastructural problems, we may come across offices or chambers of personnel which may still be considered under public scrutiny. For e.g. Taking the case of chambers of lawyers, such chambers are often visited by the clients and other colleague of the lawyers. In many places chambers are constructed in such sense that the people outside the chambers or in adjacent chamber may hear the conversation (or loud conversations) inside the chambers. Then in such a case, these chambers may be construed to be "any place in the public view" as the activities within the chambers are in public scrutiny.

Therefore, not all places within the 4 walls can be considered to be excluded from the interpretation of the term "any place within the public view." Such an exclusion shall be made on case-to-case bases and on the facts of the case in question.

Analysis of Possible Misconduct Under the Advocates Act, 1961

Under the Advocates Act, 1961¹⁴, an advocate is expected to uphold the dignity of the profession and adhere to ethical standards. If Karuppudayar, the appellant, is indeed an advocate, his alleged conduct raises concerns regarding professional misconduct under the following provisions:

1. Section 35 - Punishment for Professional Misconduct

Section 35 of the Advocates Act, 1961, empowers the **State Bar Council** to take disciplinary action against an advocate found guilty of professional misconduct. The possible penalties include:

- Reprimand,

¹³ '**Humiliation**' (noun) – Definition, Pictures, Pronunciation and Usage Notes *Oxford Advanced Learner's Dictionary* (OxfordLearnersDictionaries.com)

<https://www.oxfordlearnersdictionaries.com/definition/english/humiliation> accessed 7 February 2025.

¹⁴ Advocates Act, 1961 (India).

- Suspension from practice for a specified period,
- Removal of the advocate's name from the roll (disbarment).

Relevance to the Case: If Karuppudayar, acting as an advocate, used caste-based slurs and **intimidated a public official (Revenue Inspector)**, it could constitute misconduct that damages the integrity and reputation of the legal profession. Even though the Supreme Court quashed the criminal case on technical grounds, the **ethical violation remains**, warranting possible disciplinary proceedings.

2. Violation of Rules 36 to 42 of the Bar Council of India Rules¹⁵

These rules outline ethical and professional responsibilities for advocates. The relevant violations may include:

- *Rule 36 - Prohibition Against Personal Advertisement and Solicitation*
- *Rule 39 - Duty to Maintain Respect for Court and Public Officials*
- *Rule 42 - Duty to Conduct Himself with Dignity and Self-Respect*

These rules outline ethical and professional responsibilities for advocates. Rule 36 prohibits advocates from advertising or promoting themselves through misconduct. If the appellant misused his position as an advocate to pressure or intimidate a public official, it could be seen as an improper exercise of influence, thereby violating this rule. Rule 39 mandates that advocates must show respect towards courts, judges, and public officials, and any act of abuse or insult, particularly in the form of caste-based slurs towards a Revenue Inspector, would constitute disrespect toward a public servant and a breach of professional ethics. Similarly, Rule 42 requires advocates to conduct themselves with dignity and self-respect, maintaining decorum in both professional and personal life. If Karuppudayar engaged in aggressive, abusive, or caste-based intimidation, it damages the reputation of the profession and could serve as grounds for disciplinary action.

Q. Can This Be Considered “**Misconduct by the Court**”?

- **No**, the court itself did not engage in misconduct.
- However, the advocate (appellant) **may have engaged in professional misconduct** by violating Rules 36 to 42 of the Bar Council of India Rules.

¹⁵ Bar Council of India Rules 1975, rr 36, 39, 42.

- The **State Bar Council or the Bar Council of India (BCI)** can initiate an inquiry under **Section 36 of the Advocates Act** if a complaint is filed.

Aftermath of The Judgement

The judgment in *KARUPPUDAYAR v. STATE REP. BY THE DEPUTY SUPERINTENDENT OF POLICE, LALGUDI, TRICHY & ORS.* has significant implications for the Indian legal landscape, particularly concerning the interpretation and application of the Scheduled Castes and *Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC-ST Act)* and the exercise of powers under *Section 482 of the Code of Criminal Procedure (CrPC)*. The Supreme Court clarified the scope of *Sections 3(1)(r) and 3(1)(s) of the SC-ST Act*, which penalize intentional insult, intimidation, or abuse of a member of a Scheduled Caste or Scheduled Tribe **“in any place within public view.”** The Court held that for an offence to be made out under these provisions, the incident must occur in a place where members of the public can witness or hear the act. A private place, such as an office or a closed room, does not qualify as a place **“within public view”** unless it is accessible or visible to the public. This interpretation narrows the scope of the SC-ST Act in cases where the alleged offence occurs in a private setting, even if some individuals, such as colleagues or friends, are present.

The judgment also reaffirmed the principles laid down in *State of Haryana v. Bhajan Lal (1992)*, which outline the circumstances under which criminal proceedings can be quashed under Section 482 CrPC. The Court emphasized that courts can quash proceedings if the allegations in the FIR, even if taken at face value, do not disclose a cognizable offence. This reinforces the judiciary's role in preventing the misuse of criminal laws and protecting individuals from frivolous or malicious prosecutions. However, the Court reiterated that the power to quash should be exercised sparingly and only in the “rarest of rare cases.” This approach ensures that judicial intervention remains exceptional and does not undermine the legal process.

The judgment may lead to stricter scrutiny of complaints filed under the SC-ST Act, particularly regarding the requirement of the offence being committed “in public view.” It may discourage the filing of complaints under the SC-ST Act for incidents that occur in private settings, as such cases may not meet the legal threshold for prosecution. At the same time, it may also reduce the potential misuse of the SC-ST Act for personal vendettas or to settle private

disputes. This balance is crucial to ensure that the Act is not weaponized for purposes other than its intended goal of protecting marginalized communities from caste-based atrocities.

The judgment highlights the judiciary's role in balancing the rights of the accused with the need to protect marginalized communities from caste-based discrimination and violence. By quashing the proceedings in this case, the Court emphasized that the SC-ST Act should not be invoked in situations where the essential ingredients of the offence are not met, even if the allegations are serious. This approach underscores the importance of ensuring that criminal laws are applied in a manner consistent with their legislative intent. It also sets a precedent for future cases involving the interpretation of Sections 3(1)(r) and 3(1)(s) of the SC-ST Act¹⁶. Courts will likely refer to this decision to determine whether an alleged offence occurred “in public view,” reinforcing the need for careful examination of the facts of each case before invoking the SC-ST Act.

While the judgment protects individuals from frivolous prosecutions, it may also raise concerns among marginalized communities about the dilution of the SC-ST Act's protective provisions. There may be calls for legislative or judicial clarification to ensure that the SC-ST Act continues to serve its intended purpose of preventing caste-based discrimination and violence. The broader implications of this judgment extend to other areas of criminal law, where courts are called upon to balance the rights of the accused with the need to prevent abuse of legal processes. By emphasizing the importance of ensuring that the essential ingredients of an offence are met before allowing prosecutions to proceed, the judgment may influence future interpretations of criminal laws in India.

CONCLUSION

In conclusion, the judgment in **KARUPPUDAYAR v. STATE REP. BY THE DEPUTY SUPERINTENDENT OF POLICE, LALGUDI, TRICHY & ORS.** has far-reaching implications for the interpretation of the SC-ST Act and the exercise of judicial powers under **Section 482 CrPC**. While it strengthens the protection of individuals from frivolous prosecutions, it also raises important questions about the application of the SC-ST Act in cases involving private settings. After analyzing this case, it is evident that the Supreme Court has taken a different dimension in its approach, shifting the focus toward a more restrictive

¹⁶ Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (India).

interpretation of the term "public view" and emphasizing procedural safeguards against misuse. The decision is likely to influence future cases and may prompt further debate on the balance between preventing caste-based atrocities and safeguarding individual rights. This judgment underscores the judiciary's critical role in ensuring that laws are applied judiciously and in alignment with their legislative intent, while also addressing concerns about misuse and protecting the rights of all parties involved.

