

MONTHLY
LEGAL
UPDATE
JULY|2025



MADRAS CHAMBER OF COMMERCE & INDUSTRY

Karumuttu Centre, 1Floor, 634, Anna Salai
Nandanam, Chennai - 600035 | Ph:24349452
Email: madraschamber@madraschamber.in
Website: www.madraschamber.in

RECENT DEVELOPMENT LEGAL INSIGHTS

1. PARLIAMENT PASSES BILLS OF LADING ACT, 2025: BOOST TO MARITIME MODERNISATION

In a major step toward reforming India's maritime trade framework, Parliament has passed the Bills of Lading Act, 2025, with the Rajya Sabha clearing the bill on Tuesday. The legislation aims to modernise and simplify maritime documentation by aligning it with international standards. A bill of lading is a critical legal document issued by a carrier to a shipper, detailing the type, quantity, condition, and destination of goods transported. The new law introduces a harmonised and digitised framework, enhancing legal clarity, efficiency, and transparency in shipping operations. Union Minister for Ports, Shipping, and Waterways Sarbananda Sonowal, said the law is part of India's broader maritime vision under the Sagarmala programme, which includes over 805 projects worth ₹5.5 lakh crore. He highlighted that port handling capacity has nearly doubled since 2014, with coastal shipping volumes rising from 87 to 165 million tonnes, and inland waterways cargo increasing from 18 to 145 million tonnes. Industry experts and logistics players have welcomed the reform as a transformative milestone, expected to improve trade competitiveness, reduce costs, and facilitate smoother cargo movement. This act is set to significantly strengthen India's legal and logistical maritime ecosystem.

2. KERALA HIGH COURT: VICTIM CANNOT BE RECALLED UNDER SECTION 311 CrPC TO CHANGE RAPE TESTIMONY

The Kerala High Court has ruled that powers under Section 311 of the Code of Criminal Procedure (CrPC) or the corresponding Section 348 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) cannot be misused to recall a rape or POCSO victim to alter her testimony during trial. Justice G. Girish observed that such powers must be exercised sparingly and only on valid and sufficient grounds, not to coerce a victim into retracting credible testimony. The Court was hearing a plea from an accused facing charges under Sections 376, 323, and 506 IPC, and Sections 3(a), 4, 7, and 8 of the POCSO Act, seeking to recall the minor survivor for further cross-examination after allegedly compromising the case. The accused argued that the earlier testimony was made under external influence, and that the victim was now willing to present a different version. However, the Court rejected this, noting the survivor had consistently maintained her statement before the police, magistrate, and during trial. The Court held that coercing a survivor to recall her allegations is impermissible and is an attempt to subvert the judicial process and further dismissed the petition.

3. SUPREME COURT QUASHES CRIMINAL CASE AGAINST BADMINTON STARS LAKSHYA AND CHIRAG SEN

The Supreme Court has quashed a criminal case against Olympic badminton players Lakshya Sen and Chirag Sen, along with their parents and coach U. Vimal Kumar, in connection with allegations of age fabrication and birth certificate tampering. The case had drawn widespread public and sporting attention after a private complaint filed in December 2022 alleged that the players' birth certificates were deliberately falsified to lower their recorded ages by over two years. The complaint claimed this was done to enable participation in age-specific categories such as U13 and U15 tournaments and to access associated government benefits. The allegations were primarily based on documents obtained via RTI and findings of a departmental inquiry. A bench comprising Justices Sudhanshu Dhulia and Aravind Kumar ruled that the FIR, lodged under Sections 420, 468, and 471 of the Indian Penal Code, lacked credible evidence and appeared to be motivated by personal vendetta. The Court noted that continuing with the proceedings would amount to an abuse of the legal process, especially considering the athletes' unblemished records and contributions to Indian sports. The Court also took note of medical age determination tests conducted during the investigation, which found no basis to support the claims of forgery. In February 2025, the Karnataka High Court had refused to quash the FIR, citing prima facie grounds. However, the Supreme Court had stayed the proceedings soon after and has now conclusively dismissed the case.

RECENT DEVELOPMENT LEGAL INSIGHTS

4. CENTRAL GOVERNMENT INTRODUCES NATIONAL SPORTS GOVERNANCE BILL

On July 23, 2025, the Indian Government introduced the National Sports Governance Bill in the Lok Sabha, aiming to establish a comprehensive legal framework to reform and regulate India's sporting landscape. Once enacted, it will become the National Sports Governance Act, 2025. Aligned with the Olympic and Paralympic Charters, the Act is designed to enhance transparency, accountability, athlete welfare, and dispute resolution mechanisms across all recognised sports bodies. It proposes the formation of key national and regional sports federations, each with General Bodies, Executive Committees, Ethics Committees, and Dispute Resolution Committees, ensuring inclusivity, gender balance, and representation of sportspersons of merit. A central feature of the Act is the creation of the National Sports Board (NSB)—a statutory authority responsible for granting recognition, conducting inquiries, enforcing ethics and safety norms, and overseeing compliance. The NSB will also manage the National Sports Election Panel to ensure free and fair elections. To handle disputes, the Act establishes the National Sports Tribunal, a quasi-judicial body with civil court powers under the Bharatiya Nagarik Suraksha Sanhita, 2023. The Tribunal will deliver quick, cost-effective resolutions, and its decisions will only be appealable before the Supreme Court. The legislation promises to elevate India's global sporting stature by institutionalising ethical governance, legal accountability, and athlete-centric reforms.

5. ECI TELLS SUPREME COURT: AADHAAR, RATION CARDS NOT PROOF OF VOTER ELIGIBILITY IN BIHAR ELECTORAL ROLL REVISION

The Election Commission of India (ECI) has informed the Supreme Court that Aadhaar cards and ration cards cannot be treated as conclusive proof of eligibility to vote during the ongoing Special Intensive Revision (SIR) of electoral rolls in Bihar. The ECI's submission came in response to concerns raised over exclusion of genuine voters from the rolls. The Commission clarified that proof of eligibility is determined by satisfying citizenship and age criteria, as per the Representation of the People Act, 1950 not merely on the basis of possession of identity documents such as Aadhaar or ration cards. The ECI emphasized that while such documents may be used for verification or authentication purposes, they do not confer citizenship, which is a prerequisite for voter registration. The Court was also informed that electoral registration officers have been instructed to ensure rigorous scrutiny during the revision process to maintain the integrity of the rolls. The clarification comes amid allegations of large-scale deletions and disenfranchisement in some areas of Bihar during the SIR process, ahead of upcoming local body and assembly elections. The SC is currently hearing a batch of petitions challenging alleged irregularities in the SIR process. The Commission reiterated that failure to feature in the electoral roll does not amount to termination of citizenship. The Supreme Court has warned that if systemic flaws are establish, it may consider quashing the entire exercise.

6. SC: AUTHORITY EMPOWERED TO IMPOSE MINOR PENALTIES CAN ISSUE CHARGESHEET FOR MAJOR PENALTIES

In a significant clarification under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 (CCS Rules), the Supreme Court affirmed that an authority competent to impose minor penalties can validly issue a chargesheet initiating major penalty proceedings. A bench of Justices Sanjay Kumar and Satish Chandra Sharma set aside the Karnataka High Court's ruling that had quashed a chargesheet issued by a General Manager (Telecom) against a former Sub-Divisional Engineer, who faced departmental proceedings for corruption, disproportionate assets, and two criminal cases. Endorsing Rule 13(2), the Supreme Court upheld the CAT's finding that a minor penalty authority can initiate major penalty proceedings, clarifying that although the General Manager could not impose such penalties, he was authorized to initiate them.

HIGHLIGHTS OF TAMIL NADU

FEARING ACTION DURING NGT-ORDERED INSPECTION, OVER 200 FIREWORKS UNITS IN TAMIL NADU'S VIRUDHUNAGAR DISTRICT REMAIN CLOSED

On July 8, taking suo moto cognizance of media reports on frequent accidents in firecracker units, the Southern Bench of the National Green Tribunal (NGT) directed the Virudhunagar District Collector and Chief Controller of Explosives, Petroleum and Explosives Safety Organisation (PESO) to form inspection teams to verify licence compliance and safety measures across fireworks units. Fearing stringent action for possible violations, over 200 manufacturing units in Virudhunagar district—including those in Sivakasi, Sattur, and Vembakottai—remained closed on July 14. The inspection teams were tasked with ensuring strict adherence to licence conditions and recommended safety protocols. The NGT ordered that any unit found in violation be subject to action, including closure, and granted 10 days for completion of the inspection. The Tribunal emphasized that even compliant units must undergo regular inspections and be issued advisories to ensure continued adherence to statutory norms.

MADRAS HIGH COURT TELLS TAMIL NADU TO PROVIDE RS 25 LAKH AID IN CUSTODIAL DEATH CASE

The Madras High Court's Madurai Bench on Tuesday directed the Tamil Nadu government to pay an interim compensation of Rs. 25 lakh to the family of Ajith Kumar, who died in custody on June 28. The court noted the state's cooperation in the investigation and ordered an enhancement of the interim compensation already given. The order came after the state submitted its report in the custodial death case. The government informed the court that it had already paid Rs 7.5 lakh as interim compensation, along with allotting three cents of land and a government job to Ajith Kumar's brother. However, the court deemed the amount inadequate in light of the findings of the post-mortem report and directed the state to pay a total of Rs 25 lakh as interim relief. The case has been adjourned to July 28.

BLURRING THE LINE: TAMIL NADU GOVERNMENT FACES LEGAL HEAT OVER IAS OFFICERS' APPOINTMENT AS OFFICIAL SPOKESPERSONS

PIL in Madras HC challenges Tamil Nadu govt's appointment of IAS officers as spokespersons, citing lack of legal backing and political overreach. A controversial administrative decision by the Tamil Nadu government is now under judicial scrutiny, as a Public Interest Litigation (PIL) has been filed in the Madras High Court challenging the appointment of four senior IAS officers as official government spokespersons. The petitioner, Advocate M. Sathya Kumar, alleges that the move is not only unconstitutional but also legally unsound, as it was executed via a press release without any statutory or executive order backing it.



ARTIFICIAL INTELLIGENCE IN THE MUSIC INDUSTRY

-BY SUBATHRA MYLSAMY

Introduction

World Intellectual Property Day is celebrated on April 26th each year. This year, the event highlights the essential role of creativity in shaping our modern world, with a special focus on the role of artificial intelligence (AI) in the music industry. The spotlight is on this sector as it continues to emerge as a culturally rich and economically vital field. The theme underscores the importance of fair and balanced protection for creators, ensuring that artistic expression continues to thrive while fostering sustainable growth within the industry.

The Expanding Universe of Music Industry

Today, music goes far beyond melodies and lyrics—it encompasses a wide range of digital content, including composition and creation, distribution, background scores, and platforms for brand development. In this evolving ecosystem, intellectual property (IP) plays a crucial role in ensuring that creators can secure exclusive rights, monetize their work, and protect their innovations.

IP rights empower artists, songwriters, and producers to control the use of their creations and safeguard the brand identities of musicians and labels. Additionally, trade secrets are essential in defending the technological innovations that support the music industry, such as audio compression algorithms and real-time analysis tools.

Ethical considerations are increasingly relevant, especially with the rise of AI-generated music. Therefore, all aspects of IP should be carefully considered to ensure responsible and fair use of AI in music creation. The song “Now and Then” also made history as the first AI-assisted song. The restorative AI techniques to resurrect a demo recording by the late John Lennon. It has been officially recognized by the Recording Academy.

Adapting For A Modern World

The tremendous evolution in how we create, share, and experience music calls for an equally agile legal framework. One of the most significant developments disrupting the industry is AI-generated music. With generative models now capable of producing entire compositions in seconds, the line between tool and creator is becoming increasingly blurred.

Current copyright laws in many countries remain centered on human authorship, leading to confusion when AI is involved. South Korea has become the first country to directly address this issue by establishing a legal framework for works co-created by humans and AI.

The World Intellectual Property Organization (WIPO) is leading global discussions through its Standing Committee on Copyright and Related Rights (SCCR). These efforts include exploring innovative models of authorship, new registration systems, and digital identifiers to manage AI-assisted content in a fair, practical, and equitable way.

OP.ED (CONT'D)

Safeguarding The Music Industry in the Time of Artificial Intelligence

Licensing is a critical aspect of the music industry, especially when dealing with samples, remixes, and collaborative projects. Emerging technologies such as blockchain and smart contracts are transforming this space. These technologies offer a wider range of services, including automated, tamper-proof licensing systems and real-time royalty tracking, ensuring accurate and timely payments.

Many of these solutions are being addressed at the international level to tackle imbalances in the digital music economy. It is essential for rights holders to remain informed throughout the licensing process, right up to the end user. Additionally, restrictions on the use of AI should be explicitly included in licensing agreements, with clear penalties for unauthorized AI-generated content.

Today, music branding goes far beyond names, logos, or album covers. Modern artists are making headlines by licensing their voices for AI-generated content, often offering shared royalties and related services. This marks a significant shift toward broader and more inclusive definitions of creative ownership. From voiceprints and virtual avatars to custom sound effects, musicians are increasingly exploring innovative ways to own and monetize their identities in the digital age.

The AI Music Industry in India

In India, many musicians are experimenting with current artificial intelligence technologies, with some even declaring that certain compositions were created without human involvement. However, there is growing concern that AI-generated music should match the emotional intelligence of human creations. Several musicians have emphasized that every musical piece requires emotion, leading to complications such as copyright infringements and ethical concerns.

To address these challenges, protecting artists' rights through clear licensing agreements is essential. In some instances, the voices of deceased musicians are being regenerated using AI in such cases, prior permission must be obtained from the families of the deceased. While this raises sensitive ethical issues, it also has the potential to reshape the voice of Indian music on a global scale.

The Metaverse and Music's Next Frontier

As live performances expand into immersive 3D worlds, the metaverse presents new challenges for music intellectual property (IP). Key questions arise—such as who owns a virtual concert, and what rights apply when fans remix or co-create content using an artist's material in a shared environment.

To navigate these uncertainties, musicians are increasingly relying on digital tools to secure their rights and revenue streams in these uncharted territories. These innovations support the development of adaptable IP laws that protect both originality and collaboration. As virtual economies mature, legal frameworks must strike a careful balance between enabling creative exploration and ensuring fair compensation for artists.

OP.ED (CONT'D)

Conclusion

The modern music landscape is a dynamic and evolving form. As the industry becomes more decentralized and technologically complex, our understanding and application of intellectual property must evolve as well. By ensuring that legal systems adapt alongside artistic tools, we can help sustain a global ecosystem where creativity thrives and the music never stops.



JUDGMENT ARTICLE

'Bonafide need' of legal heirs of landlord(s) in tenant(s) eviction

IN SUPREME COURT OF INDIA, CRIMINAL APPELLATE JURISDICTION

In Supreme Court, Criminal Appellate
 Criminal Appeal No. 2613 of 2014

Murlidhar Aggarwal (deceased)
 through his legal heir Atul Kumar Aggarwal Aggarwal(s)

Versus

Mahendra Pratap Kakan (deceased)
 through his legal heirs and Others Kakan(s)

Culminating a legal battle that began 60 years ago, the Hon'ble Supreme Court pronounced a landmark judgement in April 2025 that has far reaching impact on disputes between landlords and tenants under various State Rent Control Acts

FACTS & BACKGROUND

- 13th October 1952 - Ram Agya Singh (Kakan's predecessor / 'Kakan') took 10-year lease of a cinema theatre called Mansarovar Palace in Allahabad [Property] from the property owner Ram Swarup Gupta.
- 26th March 1962 - Murlidhar Aggarwal ('Aggarwal') purchased the Property from owner.
- 1965 - Aggarwal approached Additional District Magistrate and Additional Commissioner and obtained eviction order under U.P. (Temporary) Control of Rent and Eviction Act of 1947 [1947 Act]. Tenant Ram Agya Singh appealed to U.P. State Govt which cancelled this eviction order.
- 1974 - Murlidhar Aggarwal appealed to a single judge bench of HC which quashed State Govt order. But, this single judge bench order was annulled by a Division Bench of HC. Thus, tenant Ram Agya Singh continued to occupy the Property, even though his 10-year lease had already expired in 1962.
- 1975 - Murlidhar Aggarwal made fresh appeal to District Court for eviction of tenant from Property, under new Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act of 1972 [1972 Act]. Note: 1947 Act was temporary and got replaced by 1972 Act in U.P. and similar such Acts in other states.
- 1983 - Prescribed Authority (District Magistrate) ordered eviction of tenant. Tenant appealed to Appellate Authority (Additional District Judge UP HC, Allahabad) which annulled Prescribed Authority's order and allowed Tenant to continue in the property.
- 1999 - Murlidhar Aggarwal filed fresh appeal in U.P. High Court and initiated a trial
- During the trial, Murlidhar Aggarwal passed away; his legal heir and son Atul Kumar Aggarwal became the Aggarwal who continued to fight for eviction of Kakan-tenant.
- January 2013 - U.P. High Court rejected appeal of Aggarwal and allowed Kakan to continue.
- In 2017, Aggarwal appealed to Supreme Court for eviction of Kakan from property.

SC pronounced its verdict on this case on 24th April 2025, finally bringing this long-drawn case to an end.

JUDGMENT ARTICLE (CONT'D)

ISSUES UNDER CONSIDERATION

1. On what grounds under the 1972 Act can a tenant be ordered to vacate a property rented or leased by him?
2. What is the concept of 'bona fide' need, both tenant's and owner's, in an eviction case? And, how to apply this concept while adjudicating on the case?

While adjudicating upon this case, Supreme Court has provided clarity on interpretation of the following key Sections of the 1972 Act, salient clauses of which are given below for understanding this case:

1. Section 16 -Allotment and Release of Vacant Building: The Prescribed Authority (District Magistrate) is empowered to either allot to a tenant or release to a landlord a vacant building in the following situations:

- a) Landlord has a bona fide i.e. genuine requirement of the property either for his residential occupation or for conducting his business or for objectives of a charitable trust of which he is a trustee.
- b) Such charitable trust does not discriminate its beneficiaries on basis of religion or caste or place of birth.
- c) Landlord's property is in dilapidated condition and is to be demolished for re-construction.
- d) Where property is let out for business purpose, the greater the period in which tenant has been doing his business, the lesser justification for property to be released to landlord.
- e) Where tenant has access to another suitable property for doing his business without substantial loss, the greater justification for property to be released to landlord.

2. Section 21 -Proceedings for release of building under occupation of tenant: The Prescribed Authority (District Magistrate) may order the eviction of tenant from the property under any of the following conditions:

- a) Landlord has bona fide requirement of the property as already explained above in 1. a), b) and c).
- b) Where tenant has occupied the property before commencement of, or, landlord has purchased it after commencement of the 1972 Act, landlord cannot get possession for a period of 3 years from date of purchase; an eviction notice to be issued to tenant 6 months prior to lapse of 3-year period.
- c) If property is rented to tenant for non-residential purpose, landlord to pay compensation of 2 years rent.
- d) If tenant is from armed forces and occupying property for residential purpose, he cannot be evicted; in event of such tenant's death during action, his legal heirs can continue to occupy the property.
- e) If landlord is either active or retired from armed forces, property shall be vacated for his residential purpose; if dead, his widow or family shall get possession of the property. If such landlord owns more than one property, then the eviction order shall apply to any one property only.
- f) If tenant has bought or has rented another residential property in the same municipal limits, then he will not be able to lay claim on the property which landlord has applied for re-possession.
- g) Landlord can apply for re-possession within 1 year of his retirement from employment; property can be re-possessioned only at the time of actual retirement.

Supreme Court has also referred to its own verdicts in following similar cases for interpretation of the above Sections of the 1972 Act:

- Joginder Pal v/s Naval Kishore Behal (2002) 5 SCC 397
- Dwarkanprasad v/s Niranjan and Anr. (2003) 4 SCC 549
- Mohd. Ayub and Anr. v/s Mukesh Chand (2012) 2 SCC 155



JUDGMENT ARTICLE (CONT'D)

- Ganga Devi v/s District Judge, Nainital and Ors. (2008) 7 SCC 770
- Bhagwan Dass v/s Jiley Kaur (Smt) and Anr. 1991 Supp (2) SCC 300
- Sushila v/s IInd Addl. District Judge, Banda and Ors. (2003) 2 SCC 28
- Nidhi v/s Ram Kripal Sharma(D.) Thru LRs (2017) 5 SCC 640
- Sheshambal (D.) Thr. LRs. v/s Chelur Corporation Chelur Building and Ors. (2010) 3 SCC 470

ANALYSIS & JUDGMENT

a) Aggarwal's 'bona fide' requirement of property for his and subsequently his legal heir's occupation has been established beyond doubt by the following facts:

1. Aggarwal had business interests other than this property, as was repeatedly argued by Kakan and accepted by lower courts, but the total income from all these businesses was not sufficient for sustaining Aggarwal's dependent family which included his physically handicapped son.
2. Mere indulgence of Aggarwal in other business interests in order to support his family does not preclude him from having bona fide requirement of the property. In other words, Aggarwal could not have been idle while waiting for re-possessioning his property.
3. Kakan could not establish any deceit or malintent in Aggarwal's bona fide need for property for him and his family, as contended by Kakan and illogically accepted by Appellate Authority.

b) Kakan himself had been doing the several other businesses including cinema houses in various cities in U.P. In comparison to Aggarwal, Kakan was financially better placed as was established by the quantum of annual income tax paid by him.

c) Property was leased to Kakan in 1952. As against the 10-year lease period that had lapsed in 1962, Kakan has occupied the property for a period of 31 years as of 1983.

d) Appellate Authority had reversed the Prescribed Authority's eviction order of 20th December 1983 solely on the basis of Aggarwal's statement that he had no other business interests; Appellate Authority did not consider the fact that the other businesses of Aggarwal did not provide him with sufficient income for his and his family's sustenance.

e) Appellate Authority wrongly concluded that though Kakan-tenant had several other businesses, these businesses were running at a loss and the subject property was the only gainful business for Kakan and that Kakan would be put to additional hardship in event of eviction from the property.

f) During his tenancy in the property, there is no evidence of Kakan having made any attempt to look for alternative accommodation. This becomes a determining factor for deciding bona fide requirement of Aggarwal. In the present case, Kakan had not made any attempt for alternative accommodation.



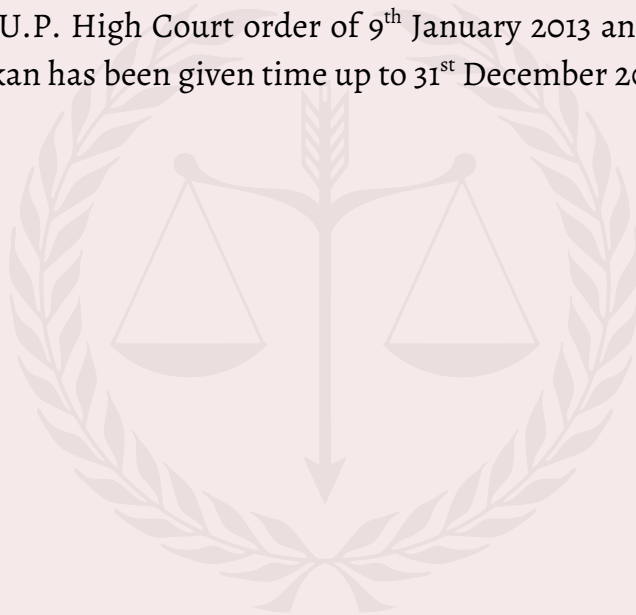
JUDGMENT ARTICLE (CONT'D)

g) Appellate Authority accepted Kakan's argument that after the death of original Aggarwal, the legal heirs of Aggarwal had no bona fide requirement of the property. Whereas, Section 21 (7) empowers the legal heirs to continue the litigation by substituting need of deceased Aggarwal with their own needs. In present case, Aggarwal's legal heir is a physically handicapped person with no reliable business to carry out.

h) In conclusion, following principles are to be given due consideration in any tenancy dispute:

1. Bona fide requirement of landlord to be viewed with a liberal approach.
2. Hardships of tenant and landlord to be weighed and evaluated.

Supreme Court has set aside U.P. High Court order of 9th January 2013 and has allowed re-possession of the property by Aggarwal. Kakan has been given time up to 31st December 2025 to vacate property.



IN THE COURT ROOM : LANDMARK JUDGMENTS OF THE SUPREME COURT OF INDIA



On May 7, 2025, the Supreme Court of India issued a decisive ruling in *Mahnoor Fatima Imran & Ors. v. M/s Visweswara Infrastructure Pvt. Ltd. & Ors.*, a case that will have lasting implications for property law and real estate transactions across the country. The dispute centered on the ownership of 53 acres of land in Raidurg Panmaktha, Telangana. The appellants, who claimed ownership through registered sale deeds executed by M/s Bhavana Cooperative Housing Society, ultimately saw their position overturned. The Supreme Court found that the Society itself lacked valid title to the land and, as a result, could not legally transfer ownership to the appellants, regardless of the fact that the sale deeds had been registered. The Court's reasoning was straightforward and robust. Registration of a sale deed, it held, is only a procedural step and does not automatically confirm ownership if the seller does not have lawful title. Ownership can only be transferred by a person who rightfully holds it. The judgment also clarified that unregistered sale agreements are not legally sufficient to transfer title, reinforcing the requirements of the Registration Act, 1908. This judgment is likely to be cited for years to come as a benchmark for clarity and caution in real estate dealings. It sends a clear message to all parties involved in property transactions: only valid, lawful title can support a legitimate transfer of ownership.

SUPREME COURT REINFORCES TITLE CLARITY IN LAND DISPUTE: THE MAHNOOR FATIMA IMRAN JUDGMENT



SUPREME COURT LIMITS HIGH COURT'S POWER TO ENHANCE SENTENCE IN NAGARAJAN V. STATE OF TAMIL NADU



In a landmark judgment delivered on June 4, 2025, the Supreme Court of India clarified critical aspects of appellate jurisdiction and the constitutional right to appeal in criminal cases. The case arose from a complex criminal matter involving Nagarajan, who was convicted by the Trial Court for trespassing and outraging the modesty of a woman, and acquitted of abetment of suicide charges related to the victim's subsequent death. The Trial Court sentenced Nagarajan to imprisonment for offenses under Sections 354 (outraging modesty) and 448 (house trespass) of the Indian Penal Code, while acquitting him of the charge under Section 306 (abetment of suicide). On appeal, the Madras High Court dismissed Nagarajan's appeal but, in a controversial move, suo motu initiated a revision proceeding and enhanced his sentence by convicting him under Section 306 IPC, a charge of which he had been acquitted by the Trial Court. This action was taken without any appeal or revision application filed by the State or complainant seeking enhancement. The Supreme Court set aside the High Court's suo motu revision and the enhanced conviction, reaffirming the principle of *reformatio in peius* which protects an appellant from being placed in a worse position as a result of filing an appeal. The Court emphasized that the right to appeal against conviction is not merely statutory but also a constitutional right of the accused, ensuring fair treatment in the appellate process. It held that a High Court cannot, on its own motion, enhance the sentence or convict an accused of a charge for which they were acquitted, unless the prosecution has filed an appeal or revision seeking such relief.

IN THE PARLIAMENT



LEGISLATIVE HIGHLIGHTS AND PROCEDURAL SCRUTINY IN PARLIAMENT: RAJYA SABHA DEBATES, LOK SABHA DISRUPTIONS, AND FAREWELL REFLECTIONS

In the Rajya Sabha, significant debate centered on the Carriage of Goods by Sea Bill, 2025. Shri M. Thambidurai emphasized the bill's provisions on port-related rights, responsibilities, and tariffs, while also highlighting pressing concerns about maritime security, including rising drug and arms trafficking along India's 9,500 km coastline, urging urgent protective measures. Shri Ayodhya Rami Reddy Alla lauded it as landmark legislation with the potential to reshape maritime trade, stressing the need for port modernization, regular reviews, and alignment with global trade demands. In the Lok Sabha, the Readjustment of Representation of Scheduled Tribes in Assembly Constituencies of the State of Goa Bill, 2024, was scheduled for presentation by Shri Arjun Ram Meghwal but could not proceed due to continuous opposition disruptions. Procedural legal aspects were also prominent in the Rajya Sabha. Shri Harivansh Ji, the Deputy Chairman, highlighted the constitutional requirement for oath or affirmation under Article 99, stating that deviations from the prescribed format could invalidate the oath. He also informed the House that 30 notices under Rule 267 were received but declined due to non-conformity with the prescribed format. These notices concerned varied issues, including alleged discrimination against Bengali migrant workers and concerns regarding the Election Commission's Special Intensive Revision of electoral rolls in Bihar. An alleged violation of Rule 235(2) concerning member conduct was also brought to the Chair's attention.

OPERATION SINDOOR IN THE LOK SABHA

A special debate on 'Operation Sindoor' was held in the Lok Sabha, with Defence Minister Rajnath Singh delivering the opening remarks and issuing a strong warning to Pakistan that strikes would resume if it engaged in any further misadventures. Prime Minister Narendra Modi praised the speeches delivered by Defence Minister Rajnath Singh and External Affairs Minister S. Jaishankar during the session, noting that Singh had offered "an insightful perspective on the success of India's security apparatus and the courage of our armed forces." During the debate, Rajnath Singh lauded the Indian armed forces for their execution of Operation Sindoor and highlighted that the Centre had granted them full operational freedom to select targets. He emphasized that the operation's 'politico-military objective' was not to initiate a war, but to compel Pakistan to cease its proxy war through terrorism. Singh revealed that in May, more than 100 terrorists were eliminated during precision strikes that targeted nine terrorist infrastructure facilities in Pakistan and Pakistan-occupied Kashmir. The Defence Minister also clarified to Parliament that India had halted its military action in May after fully achieving its political and military objectives. He dismissed any suggestions that the operation was paused due to external pressure, calling such claims "baseless and absolutely wrong," and reaffirmed his commitment to truthfulness in public life.



LEGAL NEWS

→ Lifestyle Equities CV and Lifestyle Licensing BV, had asserted they are the rightful proprietors of the Beverly Hills Polo Club (BHPC) mark, which comprises a distinctive logo featuring a charging polo pony with a mounted rider wielding a raised polo stick. They had also contended that Amazon Technologies, Cloudtail India Private Ltd and Amazon Seller Service Private Limited, have infringed their trademark by its unauthorised use on its platforms, causing consumer confusion and dilution of the plaintiffs' mark and goodwill. Following this, in *Amazon Technologies Inc. v. Lifestyle Equities CV & Anr.*, a Division Bench of the Delhi High Court stayed the ex-parte Single Judge judgment that had imposed ₹339 crore in damages and costs on Amazon. The Bench observed that there was no specific finding of Amazon Technologies' involvement in the alleged infringement, criticizing the Single Judge's reasoning as overly generalized and based on a presumption that Amazon Tech could infringe, rather than evidence that it did.

→ The Supreme Court observed that sudden braking on a highway, where high-speed travel is expected, can constitute negligence, as it enhanced the compensation for a 20-year-old engineering student who lost his leg in a 2013 motor accident. The incident occurred when the motorcycle he was riding collided with a car that abruptly braked, causing him to fall onto the road, where a bus coming from behind ran over his leg, leading to its amputation. Initially, the Motor Accident Claims Tribunal (MACT) awarded ₹91.62 lakhs, but deducted 20% for contributory negligence, including riding without a valid license, reducing the amount to ₹73.29 lakhs. The Madras High Court, on appeal, further slashed the compensation to ₹58.53 lakhs, modifying both the quantum and apportionment of liability: attributing 40% negligence to the car driver, 30% to the bus driver, and 30% to the appellant.

→ On July 31, the Supreme Court made a prima facie observation that its earlier judgment dated May 2, rejecting the resolution plan of JSW Steel for Bhushan Power and Steel Ltd (BPSL) and ordering the company's liquidation, may require reconsideration, as it appeared to contradict established legal precedents. A bench comprising Chief Justice BR Gavai and Justice Satish Chandra Sharma consequently recalled the May 2 judgment and decided to rehear the appeal challenging the resolution plan. The Court clarified that all arguments from the parties involved would remain open for a fresh hearing, scheduled for next Thursday.

→ In a critique of the ongoing prosecution in the cash-for-jobs corruption cases involving former Tamil Nadu Minister V. Senthil Balaji, the Supreme Court described the trial process as a "rudderless ship." A Bench comprising Justices Surya Kant and Joymalya Bagchi directed the Tamil Nadu government to submit a comprehensive list of all accused and witnesses, noting the large scale of the case, with over 900 accused in two matters and the total potentially nearing 2,000. Justice Kant observed that the prosecution had failed to suggest filtering the accused based on their level of culpability, which could have helped expedite the trial. He further remarked that bribe-givers, though technically offenders, were also victims, and prosecuting all of them would cause extreme delays. Justice Bagchi highlighted the logistical nightmare posed by such a massive trial, calling it the "most populated trial in India," and noted that even marking the appearance of all participants would require a cricket stadium.

→ On July 3, the Supreme Court stated that it would first examine the maintainability of the review petitions filed against the landmark Vijay Madanlal Choudhary judgment, which had upheld key provisions of the Prevention of Money Laundering Act (PMLA), before delving into the merits of the case. A bench comprising Justices Surya Kant, Ujjal Bhuyan, and N Kotiswar Singh scheduled the matter for hearing on August 6.

LEGAL TRIVIA

C, a tenant, vacated the rented premises in April 2023 after receiving a termination notice from landlord D. On 10th June 2025, C files a civil suit in the District Court seeking damages, claiming wrongful eviction and harassment. D contests the suit, arguing that it is barred by limitation under the Limitation Act, 1963. Is the suit filed by C within the limitation period?

Provide your answer by referring to the statutory provisions and any relevant case laws.



EDITORIAL TEAM

KNOWLEDGE CONTRIBUTORS:

SAVITHA KESAV JAGADEESAN

(KOCHHAR & Co) (CHAIR)

SUBATHRA MYLSAMY

(A K MYLSAMY & ASSO LLP)

IDEATION:

Ms. SAVITHA KESAV JAGADEESAN, CHAIR

DR. M. MAHALAKSHMI, CO-CHAIR

MR. R. THAZHALAN

Ms. SUBHATRA MYLSAMY

Ms. GODA RAGHAVAN

Ms. PAYAL SAHA

MR. K VIJAYA SHANKAR

Ms. MADHRI

Ms. ARVA MERCHANT

MR. M S BHARATH

MR. K INBARAJAN



MCCI

The Madras Chamber