



Indian Law Reports - Kerala Series

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High Court has the power/duty to ensure that an inequity that could result from setting aside the impugned award rendered without jurisdiction, is not further perpetuated by relegating the illegal award to be subjected to scrutiny before a Court of competent jurisdiction— Pooram Finserv Private Limited (NBFC) v. Santhosh Kumar Robinson K.S. - I.L.R. 2024 (4) Ker. 546. [Neutral Citation - 2024:KER:68246](#)

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After a proper and careful evaluation, if the Court comes to a conclusion that the witnesses before whom confession was made are credible and the confession was voluntary, coupled with confession being clear, specific and unambiguous, Court can act upon it and a conviction can be based on such evidence—Conditions to be satisfied before acting upon an extra-judicial confession, elucidated—Jayan @ Jayakumar v. State of Kerala, I.L.R. 2024 (4) Kerala 558. [Neutral Citation - 2024:KER:68019](#)

If evidence is clear and unambiguous, and the circumstances prove the guilt of the accused, the same is not weakened even if motive is not a very strong one—Jayan @ Jayakumar v. State of Kerala, I.L.R. 2024(4) Kerala 558. [Neutral Citation 2024:KER:68019](#)

When an incriminating circumstance is put to accused and the said accused either offers no explanation or offers an explanation which is found to be untrue, then the circumstance becomes an additional link in the chain of circumstances to make it complete—Where an accused is alleged to have committed murder of his wife, and the Prosecution succeeds in leading evidence to show that offence had taken place in dwelling home where husband also normally resided, the non-furnishing of explanation or furnishing false explanation as to how the wife suffered injuries, is a strong circumstance which indicates that he is responsible for commission of the crime—Jayan @ Jayakumar v. State of Kerala, I.L.R. 2024 (4) Ker. 558. [Neutral Citation - 2024:KER:68019](#)

The rights of the landowner or any intermediary over the leasehold land shall stand extinguished on issuance of Purchase Certificate - Vadakkayil Balan v. Prabhakaran Nambiar A.K., I.L.R. 2024 (4) Ker. 609. [Neutral Citation - 2024:KER:71258](#)

Right to Maternity Benefit—Full period of Maternity benefit cannot be denied based on the duration of the employee's contract—The determining factor is the entitlement of the woman in question - Saranya P.B @ Zaira Sharaf v. Managing Director, Vyttila Mobility Hub Society, I.L.R. 2024 (4) Ker 578. [Neutral Citation No. 2024:KER:66033](#)

Passport and other travel documents can be refused if the presence of the person in the foreign country is likely to prejudice the friendly relations with India - Shanid @ Shani v. State of Kerala, I.L.R. 2024 (4) Ker. 602. [Neutral Citation - 2024:KER:72238](#)

Ingredients to constitute offences under Sections 341 and 354, IPC elucidated—Intention to outrage or knowing it to be likely that accused will thereby outrage defacto complainant's modesty is necessary—Test of outrage of modesty is whether a reasonable man will think that the act of the offender was intended to or was known to be likely to outrage the modesty of the woman - Vaheed M.A. v. Lathika K.K., I.L.R. 2024 (4) Ker. 584. [Neutral Citation - 2024:KER:69787](#)

Applies only if the members of a joint family resides or intend to reside in the common house - Vadakkayil Balan v. Prabhakaran Nambiar A.K., I.L.R. 2024 (4) Ker. 609. [Neutral Citation 2024:KER:71258](#)

On failure of the mutawalli of the Wakf in moving appropriate application under Section 54, beneficiary of the wakf can institute a suit complaining that mutawalli has failed to discharge his duties—On such a suit being instituted, it is always open for the Tribunal to direct the Wakf Board to cause an enquiry and submit report before the Tribunal for appropriate decision—If a mutawalli has got an alternate mode to enforce the right to recover arrears of rent or to cause eviction of encroachers, it is equally possible to hold that a person who is aggrieved by inaction of mutawalli to take appropriate action could maintain an independent suit before Tribunal - *Habeeb Muhammed S. v. Edava Muslim Jama-ath*, I.L.R. 2024 (4) Ker. 551. [Neutral Citation No. 2024:KER:68698](#)
