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The Scope of Teachers' Disciplinary Powers: An Analysis of the Kerala High Court's Ruling on Corporal Punishment and Criminal Liability

AUTHOR Durgesh Singh, Rahul Sundaram

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Introduction

The intersection of educational discipline and criminal liability has long presented complex challenges for the Indian judiciary, particularly in an era where child rights are increasingly emphasized yet traditional disciplinary methods persist in educational institutions. The recent judgment of the Kerala High Court in *Sibin S.V. v. State of Kerala* (Crl.M.C. No. 7868 of 2025, decided on February 3, 2026) offers significant insights into the legal boundaries of teachers' disciplinary authority and the circumstances under which classroom correction crosses into criminal conduct. This case, arising from a seemingly routine incident of corporal punishment at a private school in Thiruvananthapuram district, required the High Court to navigate the delicate balance between protecting children from cruelty and preserving educators' legitimate authority to maintain discipline. The judgment not only clarifies the interpretation of "dangerous weapon" under the newly enacted Bharatiya Nyaya Sanhita but also reaffirms the continued applicability of traditional common law defences for reasonable chastisement within the framework of contemporary child protection legislation.

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Factual Matrix and Procedural History

The petitioner, Sibin S.V., aged thirty-six years and residing at Saju Nivas, Nettathanni, Mulloor Post, Neyyattinkara, Thiruvananthapuram, was employed as a teacher at VPS Malankara School, Venganoor, when the alleged incident occurred on February 10, 2025, at approximately 12:30 p.m. According to the prosecution's case, which formed the basis of Crime No. 293 of 2025 registered at Vizhinjam Police Station, the accused petitioner allegedly voluntarily caused hurt to his student, the de-facto complainant, by beating him with a cane on his buttocks within the staff room of the school. The prosecution sought to invoke Section 118(1) of the Bharatiya Nyaya Sanhita, 2023, which penalizes voluntarily causing hurt by dangerous weapons or means, and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, which prohibits cruelty to children by persons having actual charge or control over them.

Notably, there existed a three-day delay between the alleged incident and the registration of the First Information Report on February 13, 2025. The medical evidence, comprising the Accident Register cum Wound Certificate issued by the Community Health Centre at Vizhinjam, indicated that the child was brought for examination only on February 13, 2025, at approximately 7:00 p.m., presenting with a history of pain over the buttocks. Significantly, the examining doctor found no external injuries upon the child, a fact that would later assume considerable importance in the judicial assessment of the case's merits. The matter eventually proceeded to the Additional Sessions Court (Atrocities and Sexual Violence against Women and Children) at Thiruvananthapuram as Sessions Case No. 1401 of 2025, from which the petitioner approached the High Court seeking quashing of all further proceedings under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Rival Contentions Before the High Court

The counsel for the petitioner, advanced a multi-pronged submission seeking the quashing of proceedings. The primary contention asserted that the entire case was false and foisted against the petitioner, motivated perhaps by extraneous considerations rather than genuine grievance. Substantively, it was argued that the allegations, even if accepted at face value, did not constitute the offences as alleged in the charge sheet. The petitioner specifically challenged the applicability of Section 118(1) of the BNS, contending that a cane could not legally qualify as a "dangerous weapon" within the meaning of that provision. Furthermore, the defence invoked the traditional common law protections available to educators, arguing that the

alleged act was performed bona fide for the purpose of maintaining school discipline and improving the student's character and conduct, and therefore fell within the protective ambit of Sections 88 and 89 of the Indian Penal Code (now incorporated in the BNS), which provide general exceptions for acts done in good faith for the benefit of children with the consent, express or implied, of their guardians.

The State of Kerala vigorously opposed the petition for quashing. The prosecution maintained that the allegations prima facie disclosed the commission of cognizable offences under both Section 118(1) of the BNS and Section 75 of the JJ Act, and that the continuation of trial proceedings was essential to determine the truth of the allegations and to serve the larger interest of child protection. The prosecution's opposition rested on the premise that modern educational philosophy and child rights legislation had substantially curtailed, if not eliminated, the traditional latitude afforded to teachers in matters of physical discipline, and that any act of corporal punishment necessarily attracted penal consequences under contemporary law. Despite service of notice, the de-facto complainant did not appear before the High Court to advance any independent submissions.

Jurisprudential Framework and Legal Provisions

The adjudication of this matter required the High Court to interpret and harmonize several distinct statutory provisions spanning criminal law and child protection legislation. Section 118(1) of the Bharatiya Nyaya Sanhita, 2023, which replaces Section 324 of the Indian Penal Code, penalizes whoever voluntarily causes hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which, used as a weapon of offence, is likely to cause death, or by various other specified dangerous means including fire, heated substances, poison, corrosive substances, explosives, or deleterious substances. The punishment prescribed extends to three years of imprisonment, or fine up to twenty thousand rupees, or both. The critical interpretative question before the Court was whether a cane, as allegedly used in this case, could be characterized as an instrument likely to cause death when used as a weapon of offence.

Simultaneously, the Court had to consider Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, which creates a specific offence for persons having actual charge of or control over a child who assault, abandon, abuse, expose, or wilfully neglect the child, or cause or procure such child to be assaulted, abandoned, abused, exposed, or neglected, in a manner likely to cause unnecessary mental or physical suffering. This provision carries enhanced punishment of imprisonment up to three years and fine up to one lakh rupees.

The defense of the petitioner rested substantially upon the general exceptions to criminal liability codified in the penal statute, particularly Section 88, which exempts from criminality acts not intended to cause death, done by consent in good faith for the benefit of the person suffering harm, and Section 89, which extends similar protection to acts done in good faith for the benefit of children under twelve years of age or persons of unsound mind, by or with the consent of their guardians. These provisions embody the common law principle of parental and quasi-parental authority, recognizing that those entrusted with the care of dependent persons must possess reasonable latitude to act for their welfare, including the imposition of corrective discipline.

Judicial Precedents and Their Application

Justice C. Pratheep Kumar, presiding over the case, undertook a comprehensive survey of judicial precedents from the Kerala High Court itself, which had previously grappled with analogous situations involving disciplinary measures by educators. The Court first examined *K.A. Abdul Vahid v. State of Kerala* (2005(2) KLT 72), wherein a Madrassa teacher had been accused of inflicting corporal punishment upon a ten-year-old student. In that decision, the High Court had elucidated that teachers possess implied consent or authority to maintain school discipline and train students according to institutional rules, and that when a teacher chastises a student bona fide for improving character and conduct, the Court must ascertain whether the act was genuinely performed with good intention. The *Abdul Vahid* judgment emphasized that if the teacher acted without intent to injure but merely to correct, and the punishment was proportionate to the child's age and the circumstances, the act might not attract penal provisions despite causing some physical pain.

The Court then considered *Rajan @ Raju v. Sub Inspector of Police, Farook Police Station* (2019(1) KLT 119), which reinforced the principle that parents, teachers, and persons standing in loco parentis are entitled to apply a reasonable degree of force as a disciplinary measure to children old enough to understand the purpose of such correction. This judgment clarified that Sections 79 and 80 of the IPC would protect such actions when performed without criminal intention. However, the Court in *Rajan* also established the critical limitation that if punishment is inflicted out of spite, unbridled fury, excitement, or rage, or if the force applied is unreasonable or immoderate, the protection of these provisions would be unavailable. The judgment further

recognized that when parents entrust their children to educational institutions, they impliedly consent to the child being subject to the school's disciplinary regime, including reasonable physical correction when necessary.

More recently, in *Jomi v. State of Kerala* (2024(2) KLD 230), the High Court had occasion to reiterate that the absence of malafide intention on the part of a teacher in inflicting corporal punishment for the well-being of the student and for maintaining institutional discipline would preclude a finding that the offence under Section 75 of the JJ Act was made out. This line of authority consistently emphasizes that the teacher's peculiar position in society, charged with the simultaneous responsibilities of education and character formation, necessitates a nuanced approach that distinguishes bona fide disciplinary measures from criminal assault.

Analysis and Reasoning of the Court

Justice Pratheep Kumar approached the matter by first examining the threshold question of whether the allegations, even if proven, would constitute the offences charged. Regarding Section 118(1) of the BNS, the Court engaged in statutory interpretation of the phrase "dangerous weapon." The provision specifically enumerates instruments for shooting, stabbing, or cutting, and instruments which, when used as weapons of offence, are likely to cause death. The Court observed that the weapon allegedly employed by the petitioner was merely a cane, a traditional instrument of school discipline that does not possess the lethal characteristics contemplated by the statute. The Court concluded that a cane could not reasonably be characterized as an instrument likely to cause death when used as a weapon of offence, and therefore the fundamental ingredient of Section 118(1) was absent. This finding alone would have been dispositive of the charge under that provision, but the Court proceeded to examine the JJ Act charge as well.

Turning to Section 75 of the JJ Act, the Court applied the principles distilled from its previous decisions. The medical evidence assumed critical significance at this stage. The fact that the examining doctor observed no external injuries, despite the child's presentation three days after the alleged incident, supported an inference that the physical force applied was minimal and controlled rather than excessive or malicious. The Court found that the petitioner had used only minimum corporal punishment for enforcing discipline in the school, and that there existed no evidence suggesting any guilty intention to cause hurt to the de-facto complainant or to treat him with cruelty. The location of the alleged beating the buttocks was specifically noted as indicative of the petitioner's intention to inflict temporary pain for corrective purposes rather than to cause lasting injury or humiliation.

The Court synthesized the jurisprudential principles to hold that school teachers, by virtue of their position, possess authority to enforce discipline and correct pupils entrusted to their charge. This authority derives from the implied consent of parents who, by enrolling their children in educational institutions, delegate disciplinary powers to the teaching staff. When a student fails to adhere to institutional rules and a teacher administers proportionate corporal punishment with the genuine intention of improving the student's character and conduct, the act falls within the protective ambit of the general exceptions, provided it is not tainted by malafide intention or excessive force. The Court emphasized that each case must be evaluated on its particular circumstances, as no generalized principle can accommodate the infinite variety of situations that may arise in educational settings.

However, the judgment also contained an important cautionary note. The Court observed that teachers bear a solemn duty to exercise restraint and control in imposing punishments upon pupils under their care. Unwieldy, uncontrolled, and emotional attacks cannot be condoned under the guise of discipline. The protection of the law extends only to reasonable, bona fide disciplinary measures, and evaporates when punishment is inflicted out of fury, excitement, or rage, or when it causes unreasonable physical suffering or harm to the child. This balancing approach seeks to preserve necessary disciplinary authority while preventing its abuse.

Finally, the Court considered whether, in the totality of circumstances, the continuation of criminal proceedings would serve any useful purpose. The three-day delay in registration of the FIR, the absence of external injuries on medical examination, the minimal nature of the alleged punishment, and the absence of any evidence suggesting malafide intention or cruelty all militated against prolonging the criminal process. The Court concluded that no useful purpose would be served by continuing the proceedings against the petitioner, and that quashing was warranted in the interest of justice and to prevent abuse of the process of the court.

Final Disposition

In the result, the Criminal Miscellaneous Case was allowed. The High Court quashed all further proceedings against the petitioner in Sessions Case No. 1401 of 2025 pending before the Additional Sessions Court (Atrocities and Sexual Violence against Women and Children) at Thiruvananthapuram, arising out of Crime No. 293 of 2025 of Vizhinjam Police Station. The order was passed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, which confers upon the High Court the power to quash proceedings to prevent abuse of process or in the interest of justice.

Conclusion

The judgment in *Sibin S.V. v. State of Kerala* represents a significant contribution to the jurisprudence concerning the boundaries of lawful disciplinary authority in educational settings. By holding that a cane does not constitute a “dangerous weapon” under Section 118(1) of the BNS and that bona fide corporal punishment proportionate to the circumstances does not attract Section 75 of the JJ Act, the Court has reaffirmed the continued viability of traditional disciplinary methods when exercised with restraint and good faith. At the same time, the judgment’s emphasis on the duty of teachers to maintain control and the conditional nature of legal protection is a necessary safeguard against abuse. This decision will provide important guidance to trial courts, educators, and parents in navigating terrain where child protection concerns intersect with the practical necessities of school discipline. The ruling demonstrates that the Indian judiciary, while fully committed to protecting children from genuine cruelty and abuse, remains cognizant of the distinctive role of teachers in character formation and the legal protections necessary to enable them to fulfill that role effectively. As educational institutions and legal frameworks continue to evolve, this judgment offers a balanced template for distinguishing legitimate disciplinary measures from criminal conduct, ensuring that the laudable goals of child protection do not inadvertently disable the very mechanisms of socialization and character development that schools are entrusted to provide.

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