

In Re: K.K.N. Mallick

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Court : Chennai

Decided On : Sep-14-1949

Reported in : AIR1950Mad307

Judge : Somasundaram, J.

Acts : Extradition Act, 1903 - Sections 3 and 9

Appeal No. : Criminal Misc. Petn. No. 2244 of 1949

Appellant : In Re: K.K.N. Mallick

Advocate for Def. : K. Veerasami, Adv. for Advocate-General and ; G. Gopinath, Adv. for Crown Prosecutor

Advocate for Pet/Ap. : B.T. Sundararajan, Adv.

Disposition : Petition allowed

Judgement :
ORDER

Somasundaram, J.

1. There is no political agent now in Mysore. Therefore Section 9, Extradition Act, applies as it is stated that the requisition of the State is under Section 9 of the Act, which attracts the provisions of Section 3 of the Act. The Magistrate must therefore

follow the provisions of Section 3 of the Act. It is conceded it has not been followed in this case. I therefore quash the proceedings in the case and direct the Magistrate to follow the provisions of Section 3 of the Act.

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