

In Re: Yedama Subbaramiah

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SooperKanoon Citation : sooperkanoon.com/787155

Court : Chennai

Decided On : Jan-05-1934

Reported in : (1934)66MLJ408

Appellant : In Re: Yedama Subbaramiah

Judgement :

ORDER

Bardswell, J.

1. The conviction of the petitioner for offences punishable under Sections 225-B and 353, I.P.C. and the sentences therefor must be set aside. The warrant of arrest, the execution of which was resisted by the petitioner, is clearly an illegal one. The warrant of arrest was signed by the Deputy Nazir, an officer who had not been empowered legally or given any lawful authority to sign warrants, and the fact that it had been the practice for a considerable time for such warrants to be signed by the Deputy Nazir cannot make the signing of them by that officer legal in the absence of due authorisation. The petitioner who has been admitted to bail is acquitted and set at liberty and his bail bond will be discharged.