

Queen-empress Vs. Krishtnayyan

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SooperKanoon Citation : sooperkanoon.com/787526

Court : Chennai

Decided On : Oct-08-1891

Reported in : (1892)ILR15Mad156

Judge : Arthur J.H. Collins, Kt., C.J. and ;Wilkinson, J.

Appellant : Queen-empress

Respondent : Krishtnayyan

Judgement :

1. To sustain a conviction under Section 21 (d) of the Forest Act there must be some evidence either that defendant pastured the cattle or permitted them to trespass in the reserved forest. In the present case all that the prosecution proved was that defendant's cattle were found in a reserve. Such cattle may be impounded, but the owner cannot be held liable unless some overt act of his be proved. We set aside the conviction and sentence and direct that fine be repaid.