

**In Re: Hussaln Beg**

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**SooperKanoon Citation :** [sooperkanoon.com/787738](http://sooperkanoon.com/787738)

**Court :** Chennai

**Decided On :** Oct-02-1908

**Reported in :** 3Ind.Cas.612

**Judge :** Munro and ;Pinhey, JJ.

**Appellant :** In Re: Hussaln Beg

**Judgement :**

ORDER

1. We are of opinion that cases under Section 565 (4) of the Code of Criminal Procedure should be dealt with under the first part of Section 176 of the Indian Penal Code. We are fortified in this opinion by the ruling in Panatulla v. Queen-Empress 15 C. 386 in which it was held that the aggravated penalty constituted by the second Clause of Section 177 of Indian Penal Code can only be inflicted when the information required to be given relates to the commission of some particular offence and not of offences generally. The words for the purpose of preventing the commission of an offence' in Section 176 of the Indian Penal Code should, we think, be construed in the same way. The information required to be given under Section 565 (4) of the Criminal Procedure Code cannot be said to be required for the purpose of preventing the commission of any particular offence though it may be required for the purpose of preventing the commission of offences generally.