

**MoidIn Vs. Chandu**

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**SooperKanoon Citation :** [sooperkanoon.com/788624](http://sooperkanoon.com/788624)

**Court :** Chennai

**Decided On :** Oct-03-1883

**Reported in :** (1883)ILR7Mad273

**Judge :** Charles A. Turner, Kt., C.J. and ;Hutchins, J.

**Appellant :** Moidin

**Respondent :** Chandu

**Judgement :**

Charles A. Turner, Kt., C.J.

1. There appears to be no provision in the Code for enforcing summarily a surety bond given under the section (349) and no appeal from an order refusing summary enforcement of the surety bond, and the only course open to the party who desires it should be enforced is to move the Court to put it in suit.
2. Whether, under the circumstances, the suit would succeed we need not now determine.
3. The appeal is dismissed with costs.