

The Queen Empress Vs. Krishnappa and Murugappa

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Court : Chennai

Decided On : Dec-14-1883

Reported in : (1883)ILR7Mad276

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

Appellant : The Queen Empress

Respondent : Krishnappa and Murugappa

Judgement :

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

1. We are of opinion that the evidence warranted the conviction.
2. The sick person, by becoming a passenger in a train at a time when he was, to his knowledge, suffering from cholera, did an act which he must have known was likely to spread the infection of a disease dangerous to life; and he did so 'negligently,' that is, neglecting the precautions which would have obviated risk to his fellow passengers in that he gave no notice of his condition to the Company's servants, who would have either provided separate accommodation for him or have lawfully prevented him from travelling. The second accused abetted the act. We see no reason to interfere.