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In Re: M. Venkataswami

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SooperKanoon Citation : sooperkanoon.com/791014

Court : Chennai

Decided On : Nov-30-1949

Reported in : AIR1950Mad406

Judge : Panchapakesa Aiyar, J.

Acts : Railways Act, 1890 - Sections 120

Appeal No. : Criminal Revn. Case No. 1572 of 1949 and Criminal Revn. Petn. No. 1489 of 1949

Appellant : In Re: M. Venkataswami

Advocate for Pet/Ap. : B. Lakshminarayana and ; S. Subbiah Chowdry, Advs.

Disposition : Petition dismissed

Judgement :
ORDER

Panchapakesa Aiyar, J.

1. I see no reason to interfere in revision in this case. Hurling down a bundle of bangles of a fellow passenger and breaking them will not allow a passenger, even though he is a railway official travelling in the train, not liable under Section 120, Railways Act, as such an act is not an act done or doable by a railway servant as such and the ruling in Gurunath Shankar v. Emperor : AIR1937 Bom357 will not

apply. There is no illegality or failure of justice in this case.

2. The petition is dismissed.

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