

In Re: Abdul Kadir Saheb

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SooperKanoon Citation : sooperkanoon.com/791553

Court : Chennai

Decided On : Nov-17-1908

Reported in : 4Ind.Cas.1107a

Judge : Munro and ;Sankaran Nair, JJ.

Appellant : In Re: Abdul Kadir Saheb

Judgement :

1. We have no doubt that the appellant has been rightly convicted under Section 19(c) and Section 20 of the Arms Act. As to the offence under Section 19(f), Section 29 of the Arms Act lays down that no proceeding shall be instituted against any person in respect of such an offence without the previous sanction of the District Magistrate. No such sanction was obtained till after commitment. Neither Section 532 nor Section 537, Criminal Procedure Code, can cure the omission. The conviction under Section 19(f) is, therefore, set aside. We reduce the sentence to six weeks' rigorous imprisonment.