

In Re: Annakamu Chettiar

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Court : Chennai

Decided On : Nov-14-1958

Reported in : AIR1959Mad342; 1959CriLJ1084

Judge : Ramaswami, J.

Acts : [Indian Penal Code \(IPC\), 1860](#) - Sections 351, 352, 353 and 503

Appeal No. : Criminal Revision Case No. 533 of 1958 and Crl. Revn. Petn. No. 508 of 1958

Appellant : In Re: Annakamu Chettiar

Advocate for Def. : V.V. Radhakrishnan, Adv. for ;Public Prosecutor

Advocate for Pet/Ap. : T.R. Ramachandran, Adv.

Judgement :

ORDER

Ramaswami, J.

1. It was argued by the learned counsel Mr. Ramachandran that when the revision petitioner threatened to kill the Revenue Inspector for lawfully distraining his properties, that would not amount to the offence of assault, for which he has been convicted under Section 353 I. P. C. I agree. If the words had been accompanied by any gesture --but unfortunately regarding which there is no evidence -- that

would certainly amount to assault. In this case, however, the offence would clearly fall under Section 503 I. P. C. namely, the offence of criminal intimidation. The illustration given in this section is appropriate to this case. 'A, for the purpose of inducing B to desist from prosecuting a civil suit, threatens to burn B's house. A is guilty Of criminal intimidation.' The revision petitioner for the purpose of inducing the revenue inspector to desist from distraining his properties, threatened to kill the revenue inspector, and therefore he is guilty of criminal intimidation. The conviction is altered from Section 353 I. P. C. to Section 503 I. P. C. The sentence is maintained. The revision petition is dismissed.

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