

In Re: Appu Goundan

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SooperKanoon Citation : sooperkanoon.com/793802

Court : Chennai

Decided On : Mar-31-1938

Reported in : AIR1938Mad784; 175Ind.Cas.891; (1938)2MLJ43

Appellant : In Re: Appu Goundan

Judgement :

ORDER

Horwill, J.

1. I find no reason to interfere. A statement by an accused person that the offence committed by him is a more serious one, not triable by the Magistrate, does not deprive the Magistrate of jurisdiction unless the prosecution accept the truth of that statement or the Magistrate is of opinion that it is true. As the accused was found in possession of wash, the presumption set out in Section 64 operates and the accused is presumed to have committed an offence punishable under Section 55 of Act I of 1886.

2. The Criminal Revision Petition is dismissed.