

**In Re: P. Muneyya**

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**SooperKanoon Citation :** [sooperkanoon.com/800945](http://sooperkanoon.com/800945)

**Court :** Chennai

**Decided On :** Dec-13-1911

**Reported in :** (1913)ILR36Mad471

**Judge :** Sundara Ayyar and ;Spencer, JJ.

**Appellant :** In Re: P. Muneyya

**Judgement :**

ORDER

1. The order of the Sub-Divisional Magistrate is absolutely illegal. He says 'provided that Silam Ramudu's alibi which is supported by the Second Court witness Papanna Narasimham is found on investigation to be true, I sanction the prosecution of Parala Muneyya and Lingam Appayya for the offence of perjury and of Sikkala Papayya for presumably abetting them,' No sanction can be granted of a provisional character in case certain conditions are satisfied in the future. It was the duty of the Magistrate before granting sanction to satisfy himself that there was, at the time of the order, a permit facie case against the petitioners here.

2. We set aside the order.