

In Re: Oonna Mudali and ors.

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SooperKanoon Citation : sooperkanoon.com/802611

Court : Chennai

Decided On : Jul-26-1939

Reported in : (1940)2MLJ215

Appellant : In Re: Oonna Mudali and ors.

Judgement :

ORDER

Lakshmana Rao, J.

1. The offences disclosed are triabel by a Second Class Magistrate and it is not stated that he cannot adequately deal with them. That the case is counter to Preliminary Register Case No. 4 of 1938 which has to be committed to the Sessions is not a sufficient reason for treating it also as a Preliminary Register case. Vide In re Mounaguruswami Naicker (1932) 64 M.L.J. 150 : I.L.R. 56 Mad. 159 , and the order of the Sub-Magistrate converting the case into a Preliminary Register case cannot be sustained. It is therefore set aside and the case will be dealt with as a Calender Case.