

In Re: Subramania Ayyar

In Re: Subramania Ayyar

SooperKanoon Citation : sooperkanoon.com/804369

Court : Chennai

Decided On : Aug-01-1913

Reported in : 29Ind.Cas.329

Appellant : In Re: Subramania Ayyar

Judgement :

ORDER

1. In this case the petitioner was convicted by a Bench of five Magistrates, one of whom had not heard all the evidence. This vitiates the conviction-vide Section 530 of the Criminal Procedure Code, and *Hardwar Singh Lal v. Khega Ojha* 20 C.P 870 [followed in *Queen-Empress v. Basappa* 18 M.P 394 : 2 Weir 17 and *Damri Thakur v. Bhowani Sahoo* 23 C.P 194. The conviction and sentence are set aside, and a re-trial is ordered.