

In Re: Perumal Konan and ors.

In Re: Perumal Konan and ors.

SooperKanoon Citation : sooperkanoon.com/812949

Court : Chennai

Decided On : Feb-22-1940

Reported in : AIR1941Mad71a

Appellant : In Re: Perumal Konan and ors.

Judgement :

ORDER

Lakshmana Rao, J.

1. The temples were broken into and the idols were removed for celebrating a festival and the taking was not dishonest. The conviction under Sections 457 and 380, I.P.C., is therefore unsustainable but the petitioners would be guilty under Section 147, I.P.C., as their common object was to enforce a right by means of criminal force, and violence was used in prosecution of the common object. The conviction under Sections 457 and 380, I.P.C., is therefore set aside and the conviction under Section 147, I.P.C., will stand. But the consequences were not serious and the case was taken up on a private complaint. Under the circumstances the sentences already undergone are sufficient and the sentence of the petitioners under Section 147, I.P.C., is reduced to the period already undergone.