

Pichai Rowthan Vs. Emperor

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Court : Chennai

Decided On : Oct-31-1912

Reported in : 17Ind.Cas.569

Judge : Sadasiva Aiyar, J.

Appellant : Pichai Rowthan

Respondent : Emperor

Judgement :

ORDER

Sadasiva Aiyar, J.

1. Reading the deposition of the petitioner as a whole, I cannot say that the Magistrate's action requires interference of this Court under its revisional powers which are not exercised as matter of course.

2. As regards the delay of 5 days in taking action under Section 476, Criminal Procedure Code, the Full Bench case in Aiyakannu Pillai v. Emperor 4 M.L.T. 404 : 19 M.L.J. 42 does not decide that the action should be taken invariably in the course of the judicial proceeding or at its conclusion. If it is taken within reasonable promptitude, that is, so shortly after the conclusion of the proceedings as to make it practically the continuation of the same proceeding, it will suffice. I hold that the action taken by the Magistrate in this case was prompt enough.

3. The petition is rejected.

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