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In Re: Muthumada Nadan

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Court : Chennai

Decided On : Sep-13-1915

Reported in : AIR1915Mad1214(2); 31Ind.Cas.347

Judge : Sadasiva Aiyar and ;Phillips, JJ.

Appellant : In Re: Muthumada Nadan

Judgement :

1. The use of a knife by the accused when there was no appreciable risk of even serious hurt to his person makes it difficult to hold that Exception 4 to Section 300, Indian Penal Code, could apply to his case. See Kadalkarayandi v. Emperor 4 Cr. L. Rev. 373.

2. On the evidence the learned Sessions Judge rightly convicted the appellant of murder. The sentence of transportation for life, passed on the appellant, being the lessor of the only two possible sentences for the offence, is confirmed and this appeal is dismissed.

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