

In Re: Narayana Padayachi

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SooperKanoon Citation : sooperkanoon.com/824047

Court : Chennai

Decided On : Oct-18-1912

Reported in : (1914)ILR37Mad280; 25Ind.Cas.1008

Judge : Napier, J.

Appellant : In Re: Narayana Padayachi

Judgement :

ORDER

Napier, J.

1. The accused in this case was charged with an offence under Section 26 of Act V of 1882. This offence is compound-able under Section 55 of the Act. It is Admitted that the accused has paid Rs. 2 by way of compensation to the village monegar for the Forest Authorities.

2. Section 53 provides that on such payment no farther proceedings shall be taken against such person. This section must mean that proceedings in progress must lapse. That being so, the Magistrate had no jurisdiction to convict the accused. I set aside the conviction and order the fine to be refunded.