

Madras High Court

In Re: Narayana Padayachi vs Unknown on 18 October, 1912

Equivalent citations: 25 Ind Cas 1008

Author: Napier

Bench: Napier

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.