

(1910) 05 MAD CK 0021

In the Madras High Court

In Re: Krishnaswamy Udayan and Others

Date of Decision : 02-05-1910

Acts Referred:

Citation : 7 Ind. Cas. 712

Hon'ble Judges : Sankaran Nair, J

Bench : Single Bench

Judgement

Sankaran Nair, J.—It seem to be clear that the petition said to have been presented by one of the accused to the Deputy Magistrate ought to have been received in evidence.

2. If the letter alleged to have been written by some of the prosecution witnesses would show that the evidence now given is unreliable, then the accused ought to have been allowed to recall those prosecution witnesses to be examined about that letter. I, therefore, set aside the judgment in appeal, direct the Sessions Judge to cause the production of the petition by the Deputy Magistrate, re-call and examine the prosecution witnesses about the letter alleged to have been written by them and dispose of the appeal in accordance with law.