

(1922) 09 BOM CK 0019

Bombay High Court

Case No: None

In Re: S.P. Nataraja Pillai

APPELLANT

Vs

RESPONDENT

Date of Decision: Sept. 28, 1922

Acts Referred:

- Penal Code, 1860 (IPC) - Section 21(8)

Citation: (1923) ILR (Bom) 90

Hon'ble Judges: Wallace, J

Bench: Single Bench

Judgement

Wallace, J.

Petitioner, an agent of the Society for the Prevention of Cruelty to Animals, has been appointed in respect of offences u/s 53, Madras Act III of 1888, a member of the Madras City Police Force constituted under that Act. By virtue of that appointment he is empowered to arrest offenders under that section.

2. It appears to me clear that he is, so far as his inclusion in the Madras City Police force operates, an officer of Government, whose duty is to bring offenders to justice. He is therefore a public servant within the definition of Section 21 (8) of the Indian Penal Code.

3. The case reported in Upendra Kumar Ghose v. The King-Emperor (1) is in favour of this view.

4. This petition fails and is dismissed.