

nothing to show that the Ábkári Act intended to narrow this definition. Sections 24 and 24a confer certain powers to be exercised by officers in charge of a station only; 24b confers a power on the head of a village; 24c expressly requires all police officers and heads of villages to comply with any lawful requisition of a renter on his agent. When therefore section 26 speaks of any police officer, it must be taken to include an officer of the village police.

There is consequently no ground to disturb the order passed by the Second-class Magistrate.

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### APPELLATE CIVIL.

*Before Mr. Justice Kernan (Officiating Chief Justice) and  
Mr. Justice Parker.*

LAKSHMANA (PLAINTIFF),

and

KULLAMMA (DEFENDANT).\*

*Married woman—Imprisonment for debt.*

1885.  
October 23.

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Married women against whom personal decrees for debt have been made are not exempt from arrest or imprisonment in execution of such decrees under the Code of Civil Procedure.

a case referred to the High Court under s. 617 of the Civil Procedure by Rámasámi Mudaliar, District Múnsif y.

case was stated as follows:—

suit was brought to recover a sum of money which the t contracted to pay to the plaintiff. It appears from the of the plaintiff and his witnesses that the deb had been ing against the defendant and her husband, and that the t, when a demand was made against her husband, under- ay the debt herself.

ecree was passed against the defendant Kullamma, who ed. She having failed to pay the decree amount, the vakil requested the Court to send her to jail; but this is opposed by the vakil for the judgment-debtor, who

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\* Referred Case 12 of 1885.

LAKSHMANA  
v.  
KULLAMMA.

argues that she cannot be sent to jail as she is a married woman and that she is only liable to the extent of her stridhanam.

“ There are two decisions of the Bombay High Court on the subject, one of which is reported at pp. 124, 125, Vol. I of the Law Reports, Bombay Series, and the other at p. 318 of Vol. IV of the same reports, which decide that any contract entered into by a Hindú married woman jointly with her husband or separately for herself must, in the absence of special circumstances, be considered as entered into with reference to her stridhanam, and that execution will only issue against her person.

“ In s. 550 of Mayne’s Hindú Law, however, Mr. Mayne says, ‘ when the suit is founded upon a purely personal debt or contract of her own, the decree can only be against her *own person* and property.’

“ There seems to be no Madras cases deciding the point, and I respectfully refer the question of the liability of the person of a married woman for a debt contracted by her, under the circumstances above mentioned, for the opinion of the Honorable the Judges of the High Court, and further request instructions as to whether I am to try the question, whether the defendant has got any stridhanam, in case their Lordships should hold that her person is not liable.”

Counsel were not instructed.

The judgment of the Court (Kernan, Offg. C.J., and Parker, J.) was delivered by

KERNAN, Offg. C.J.—We do not know any proviso which exempts married women, against whom personal have been made, from arrest or from being sent into civil in default of payment of the amount decreed. Section 6 Procedure Code, provides that nothing contained there exempt women (not bound to attend Court) from an execution.

There is no exemption of married women from arrest Code, nor is there any proviso that a married woman shall be liable to arrest to the extent of any stridhanam she may have or that such stridhanam alone should be made available. The defendant may be sent in custody to the Debtors’ Jail.

It is not necessary that we should make any further observation. The Munsif will follow the provisions of the Code.