

THE MADRAS POLICE JOURNAL

(Issued under the authority of the Inspector-General of Police)

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THE MADRAS POLICE JOURNAL

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EDITORIAL

We again request contributors, whose articles have yet to appear in print, to continue to be patient, above all, not to, on this score, cease sending us their efforts. Let them remember that all things come to those who watch and wait !

We continue our articles on the different units which go to make up the Madras Police, started in our previous number. We make particular mention of the fact, so that it may serve as a reminder to the few district officers from whom articles of this kind are still awaited.

Our other feature—" News and Views," also started in the last issue, likewise continues. But its further viability is doubtful, unless we are helped in keeping it alive. We, therefore, reiterate our request for " brief items of information relating to police activities of all kinds and from all over, with photographs."

We have been, it may be noticed, more prompt in delivering the goods this time, than we were with the last issue. We undertake to do our best not to lag behind again.

THE STORY OF THE MADRAS C.I.D.

BY

F. V. ARUL, I. P.,

Deputy Inspector-General of Police, C.I.D. & Railways

14 JUL 1956

The genesis of the C.I.D. of this State is to be found in the formation in 1888, at the instance of the Government of India, of a Special Branch of the Police Department for the collation of intelligence of a social and political nature. A senior District Superintendent of Police designated as Assistant with the Government of Madras was placed in charge of this new department and attached to the Secretariat ; this new organisation absorbed the Newspaper Section of the Secretariat in so far as Indian-owned English newspapers were concerned which were a small number at that time.

This state of affairs continued until 1902 when the matter was examined afresh by the Indian Police Commission whose president was the Hon'ble Sir Andrew H.L. Fraser, K.C.S.I., the Indian members being the Hon'ble the Maharaja of Darbhanga, K.C.I.E., and Dewan Bahadur S. Srinivasaraghava Iyengar, C.I.E. The Commission held the view that there must be a proper system for securing regular information of the operations of organised crime, well regulated communication of intelligence from one district or province to another, combined action between the officers of different localities, and the capacity for systematized action from one centre. They also considered it essential that the District Police should be assisted by a central provincial bureau for the collection and distribution of information regarding certain kinds of crime and certain classes of criminals and by a small staff of trained detectives to be available to help in investigations when required by local officers. They therefore recommended that there should be in each Province a special officer of the rank of Deputy Inspector-General of Police entrusted with the following duties :—

1. to be in direct administrative charge of the Railway Police ;
2. in respect of crime outside the jurisdiction of the Railway Police, to be the head of an establishment for receiving, collating and distributing information over all the districts of the Province and advising and assisting in local investigations as required ;

3. to be the head of the Provincial Finger Print Bureau ;
4. to have under his general control the Special Branch for the collection of intelligence.

As a result of these recommendations a Provincial Criminal Investigation Department was formed in this State in 1906 and the first Deputy Inspector-General of Police in charge of this department was Mr. F. Fawcett, I.P., who served till 1908. The Special Branch with the Newspaper Section referred to in the first paragraph was transferred from the Secretariat to the new department and in order to enable the Deputy Inspector-General of Police to tour freely over the Province and to relieve him of the large mass routine correspondence which would inevitably arise, the District Superintendent of Police originally in charge of the Special Branch was made Personal Assistant to the Deputy Inspector-General of Police, C.I.D. With the formation of the C.I.D. in 1906 the Finger Print Bureau which until then had been attached to the office of the Inspector-General of Police was also transferred to the new department. It must also be pointed out that the Special Branch, which was directly under the charge of the Personal Assistant to the Deputy Inspector-General of Police, C.I.D. who as already stated was of the rank of a District Superintendent of Police, comprised of executive officers who attended to both Special Branch and Crime Branch work. In other words there was no rigid division as between the Special Branch and the Crime Branch.

In 1910 apparently in view of the national movement for the freedom of India, the British officers who were then in charge of the C.I.D. replaced the Indian clerical staff of the Special Branch by British Inspectors and Sergeants, the seniormost Inspector being made the Manager of the whole office. Had those British officers been endowed with a larger perspective they would have refrained from such a mean act for nothing could have stopped the surging tide of Indian nationalism. In 1920 the importance of the Special Branch was recognised by the conversion of the post of Manager into that of Assistant Deputy Inspector-General of Police with rank equivalent to that of a Deputy Superintendent of Police. This set-up continued till 1923 when a campaign for rigid economy resulted in the abolition of one Range Deputy Inspector-General of Police. This forced on the Deputy Inspector-General of Police, C.I.D. and Railways, the charge of the Eastern Range comprising the districts of Tanjore, Trichinopoly and South Arcot. At the same time it resulted in the abolition of the post of Assistant Deputy Inspector-General of Police.



Sri N. PITCHANDI,
The State Examiner of Questioned Documents at work



MR. F. FAWCETT, I.P.
The First D.I.G. C.I.D. & Railways of Madras, 1906-1908



SRI A. V. SUBRAMANIAM,
The Foot-Prints Expert.



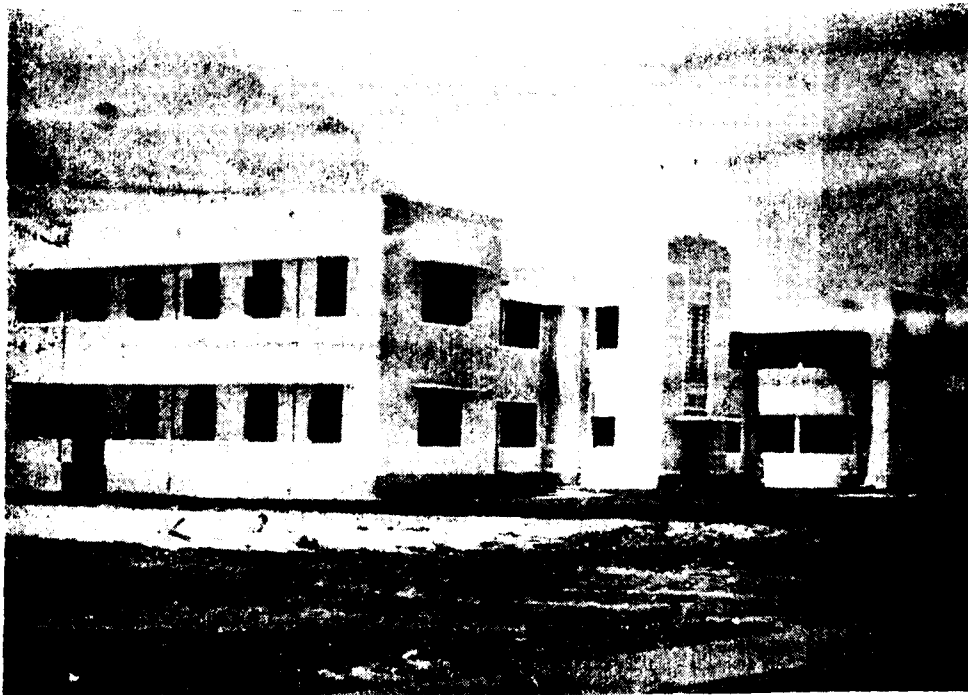
SRI A. KALYAN SUNDARAM,
Coin & Currency Expert.

In 1928 the organisation of the C.I.D. was gone into thoroughly by Mr. F. A. Hamilton, the then Inspector-General of Police, who recommended that the Crime Branch should be separated from the Special Branch with a District Superintendent of Police in charge of it to be designated as the Superintendent of Police, Crime Branch, C.I.D. It was also proposed that the Personal Assistant to the Deputy Inspector-General of Police C.I.D. should be redesignated as the Superintendent of Police, Special Branch, C.I.D. One further recommendation was that an additional post of a Range Deputy Inspector-General of Police should be sanctioned so that the Deputy Inspector-General of Police, C.I.D. may be relieved of the Eastern Range. Such a measure would help him to pay undivided attention to the work of the C.I.D. The Government however sprang a surprise on the Department in that though they agreed to the formation of a separate Crime Branch as distinct from the Special Branch they ordered the transfer of the Special Branch and the Crime Branch to the direct charge of the Inspector-General of Police and at the same time increased the Range jurisdiction of the Deputy Inspector-General of Police, Railways and Eastern Range by adding the districts of Chingleput and Nellore. These changes took effect from the 30th of April 1929 and continued till the 7th April 1930, when at the instance of the Government of India, the Government of Madras sanctioned an additional post of a Range Deputy Inspector-General of Police. As a result the Deputy Inspector-General of Police, Railways was relieved of the Eastern Range and the charge of the C.I.D. was restored to him. This set-up continued practically unchanged for the next two decades.

In July 1946 the 'X' Branch of the C.I.D. was constituted with a District Superintendent of Police in charge for the purpose of investigating into suspected cases of corruption on the part of public servants. With the partition of Andhra in October 1953 the post of Superintendent of Police, 'X' Branch was abolished and the task of supervising this Branch was entrusted to the Superintendent of Police, Crime Branch, C.I.D. In 1949 the Government sanctioned the post of a Director of Prosecutions of the rank of a Deputy Superintendent of Police to conduct prosecutions before the Tribunal for Disciplinary Proceedings. This post is shortly to be replaced by that of a legal adviser to the Deputy Inspector-General of Police, C.I.D., recruitment to this new post being made from the ranks of the Assistant State Prosecutors in Madras City and Assistant Public Prosecutors, Grade I in the mofussil. I must not fail to mention that with the secession of Andhra



Searching for Finger Prints on articles from a scene of crime



The New Headquarters of the Police Radio Branch

of the rank of an Inspector of Police was trained in the Henry System and attached to the office of the Inspector-General of Police. In the year 1897 the Government of Madras appreciating the infallible nature of identification by Finger Prints apprised the Courts in the State of the same and urged on them to utilise the services of the Finger Print Expert. The Courts commenced to summon the Inspector of Police as an expert witness from the year 1898. The following year the Government of India who had also been fully convinced of the effectiveness of the new system passed a Special Act in the Legislature (Act V of 1899) amending the Law of Evidence to the extent of declaring as relevant the testimony of the Finger Print Expert. With the passage of time the staff of the Finger Print Bureau was expanded and in 1942 it was moved to Vellore along with the general evacuation of offices from Madras consequent on World War II. The Bureau continues to function at Vellore under the direct charge of the Principal, Police Training College. There are now very nearly five hundred thousand finger print slips on record.

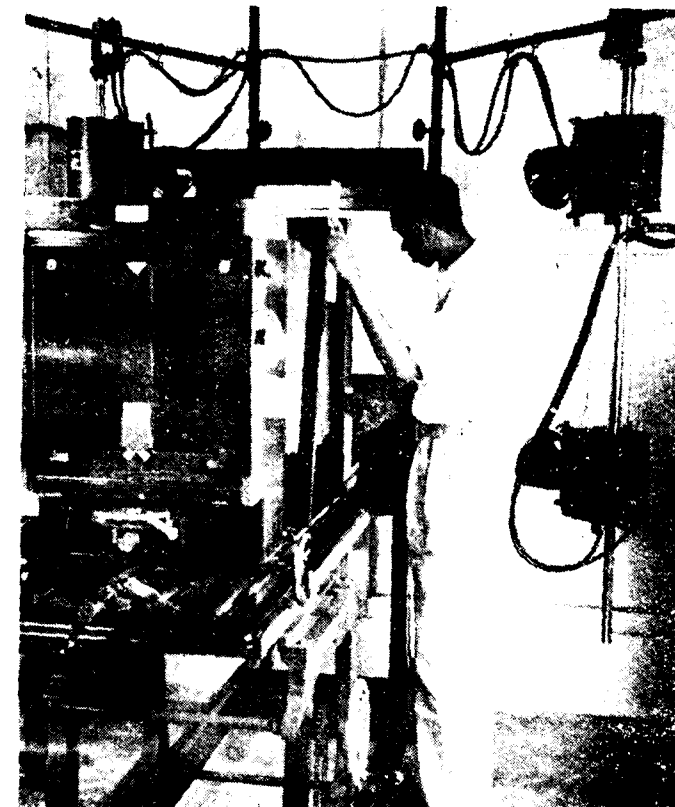
The Deputy Inspector-General of Police, C.I.D. and Railways has also under his control the Police Shorthand Bureau. Prior to 1919 some Sub-Inspectors of Police had been trained in Shorthand during the course of their training in the Police Training School and sent out to Districts to record speeches at public meetings in addition to their Station work. As this arrangement was not found quite satisfactory a Central Bureau of Shorthand Reporters was formed in 1919 at Vellore so that there may be a trained group of full time steno-graphers to meet the needs of the Police Department. The late Rao Sahib M. Srinivasa Rao, Fellow and Local Representative of the Incorporated Phonographic Society of London, was the Instructor and he later originated the system of Shorthand in Tamil, Telugu and Kanarese. The system of Urdu Shorthand followed in the Bureau is the one developed by the Government of the United Provinces and taught in the Lucknow Christian College. The system of Malayalam Shorthand followed in the Bureau is the one formulated by Mr. Pandalay of Travancore.

One other ancillary unit under the control of the Deputy Inspector-General of Police, C.I.D., is the Police Radio Branch, which is under the direct charge of a Police Radio Officer of the rank of a District Superintendent of Police. This Branch, had a humble beginning in the year 1946 with a few stations located in the important towns in the composite Madras State. This Wireless grid has now considerably expanded and all the districts head-

the districts of Chingleput and North Arcot which had hitherto been attached to the Range Deputy Inspector-General of Police at Bellary were placed under the charge of the Deputy Inspector-General of Police, C.I.D. and Railways. Thus after a lapse of 23 years the latter officer had again to undertake Range duties in addition to his specialist work. This anomaly was happily removed on the 1st November 1955 when an additional Range was sanctioned with headquarters at Tiruchirapalli consequent on the absorption of the Prohibition Department.

Another important Branch of the C.I.D. is the office of the State Examiner of Questioned Documents. This office was constituted in 1951 and to it is attached a small police laboratory where expert work in ballistics, foot prints, coin and currency and document investigation is undertaken. There is also a photographic section attached to this office. Active steps are being taken to develop this small institution into a full fledged Forensic Science Laboratory. It is now well recognised that laboratory scientists can be of immense help to the investigating officer in difficult cases if they are brought into the picture even at the start of investigations. There is no doubt that enormous labour and time spent on investigations on wrong lines could be saved through laboratory help. The proposals formulated for the establishment of such a laboratory envisage various types of document investigation including typewriting examination, examination of erasures using ultraviolet and infra-red rays, microscopy and microchemical tests for vegetable fibres, hairs, dirt, dust, glass, paints, etc., restoration of filed off numbers on cycles and other metallic objects, using detective dyes, fluorescent powders and radio active detectors, examination of tool marks including identification of stolen copper wires, examination of automobile accidents including detection of the direction of forces in broken windows, identification of automobile and other glass, etc., examination of firearms, bullets, cartridge cases, etc., including chemical tests for powder residues, detection of lead in tissues, clothing, etc., examination of foot prints, tyre impressions and wheel tracks, examination of counterfeit coin and currency notes and scientific photography.

I had mentioned in passing in the third paragraph supra that with the formation of the C.I.D. in 1906, the Finger Print Bureau which until then had been attached to the office of the Inspector-General of Police was transferred to the new Department. It is interesting to observe that the system of criminal identification by means of finger prints was started in this State in 1895 which is much earlier than in many Western Countries. An officer



THE PHOTOGRAPHIC SECTION



THE FINGER PRINT BUREAU

quarters are in communication with Madras. Superior officers of the Police Department camping in remote and out of the way places are provided with mobile radio sets which enable them to keep in touch with their headquarters. With improved finances, it is hoped to connect important subdivision and circle headquarters in the districts.

The mofussil towns of Madurai, Coimbatore and Tiruchy have been provided with an Urban network of 9, 6 and 8 mobile stations respectively. These stations are mainly used for law and order purposes within the towns. They are particularly useful in the case of serious fires, labour trouble and strikes.

The Malabar Special Police and the Special Armed Police—the two armed battalions of this State—have their own radio networks, and they are linked with the State Radio network as and when required. Static and control stations are located at battalion headquarters, while one mobile station has been sanctioned for the use of each active company. When on operational duty a company is able to communicate with headquarters through the medium of this mobile station.

The Madras City Police has a V.H.F. radio network of 2 static and 10 mobile stations, which are mounted on vehicles. This network serves the needs of the city, and in addition it is used in connection with piloting and escorting duties of V.I.Ps. in the city and in the mofussil. The Madras public are now familiar with the 'Dial 93' system by which immediate police help is made available in all cases of disturbances to the public peace, road accidents, fires, etc.

The Control Station of the Madras Police Network has all along been located in a private building on San Thome High Road, but the day is not far off when this Branch will be housed in an imposing building of its own. In April last year the Public Works Department commenced the construction of this building, which is located on the Marina and adjacent to the office of the Deputy Inspector-General of Police, Railways & C.I.D., Madras.

These then are the various facets of the Madras C.I.D., the main branch of which came into existence exactly half a century ago and has been consistently rendering useful service both to the State and the public.

A RESURRECTION

BY

P. K. PADMANABHAN

Sub-Inspector of Police, Pattambi, Malabar District

Kattukkal is a quiet little station house in 'Nallalam' district. Gopalan Nair, a villager, reported that his brother, Raman Nair, was missing since a week and was believed to have been murdered and secretly buried.

In the said village, a Homoeopathic doctor was practising. A lady of easy virtue and her young educated daughter were the centre of attraction for local youngsters, including the doctor and the man reported to be missing. A certain Ahmed Kutty was a paramour of the mother. The doctor and Raman Nair had been running a race for the daughter. Both were married men.

The girl had been to a festival at a place adjacent to the village and her two lovers were also there. Late in the night, she returned home, closely followed by the two swains, between whom there was much fretting and fuming. An affray ensued, at which Ahmed Kutty was also present, in support of the doctor. Raman Nair had been missing ever since.

His brother, relations and friends made frantic attempts to trace him but were unsuccessful. Meanwhile, the doctor and Ahmed Kutty likewise disappeared. The general feeling was that Raman Nair had been murdered by the doctor with the connivance of Ahmed Kutty, and the body secretly disposed off. The women folk among his relations started beating their breasts and crying, while neighbours did their best to console them.

Panic spread among the villagers. Petitions were sent in all directions to the local D.S.P., Collector and M.L.As., to Ministers and so on.

The local police registered a case of suspected murder. The usual express reports were sent. Enquiries were made vigorously and the entire village, jungle, river bed, vacant ground, burial places, and the house compounds of suspected persons were searched and even dug up here and there, but to no avail. Several villagers were interrogated yet no clue was forthcoming. Many opined that the Sub-Inspector was meek and luke-warm in his efforts and wanted third degree methods to be employed on suspects. Loud was their talk of so and so, Police officers who had detected such and such

murder case by strong-arm methods, and poor was their opinion of the Sub-Inspector investigating the case and his softness.

The murder of Raman Nair was the talk in every house in the village and neighbourhood, in public vehicles by drivers, conductors and passengers, by litigants and vakils in Courts, and by idlers in the bazaar.

Certain political parties held meetings and took out processions in protest against the passive conduct of the investigation by the police; M.L.As. presided and passed lengthy resolutions requesting the Government to depute the C.I.D. for enquiry; deputations waited on the Chief Minister, Home Minister and others. Two months passed and yet, no trace of the murdered man was found. A general criticism of police investigation and officers was the rule of the day.

Factionists reaped a rich harvest by exploiting the troubled situation. Accusations were made alleging that the dead body or its mangled remains had been found in this dried up well or that jungle land belonging to the opposite faction. The usual police interrogation and search followed to the delight of these mischief mongers, who made every attempt to get the police to harass the innocent.

The situation created a headache at all levels. Gazetted Officers, both Police and Revenue, trekked to the village, and instructions followed through proper channels.

Three months later, Gopalan Nair, the complainant in the case reported that he had traced some of his brother's bones near a river bed. An inquest was held and the bones seized with great hopes. Alas! The Veterinary Surgeon dashed all such hopes to the ground. The bones were pronounced those of some bovine animal.

Agitation by political parties continued in full swing. The local police were greatly worried. Even the Doctor and Ahmed Kutty could not be traced for interrogation. All prayed for the soul of the poor murdered Raman Nair, when, one fine morning, information was received that the missing Raman Nair had been seen by someone in Pollachi a month earlier.

The clue was followed up and it took the police to Pollachi. Here in a hotel was the "dead man" very much alive and kicking, and busily engaged in carrying out the duties of a cook! The Sub-Inspector could hardly believe his eyes at first. He touched the man, questioned him closely and

finally agreed that it was not a ghost, but indeed Raman Nair in flesh and blood. Raman Nair was brought back in triumph to the village. The villagers were amazed. The politicians and critics of the Police, hung their heads in silence for once. The Sub-Inspector heaved a vast sigh of relief. It would be a long time before the local politicians ventured to mislead higher authorities again with tales of dead men. For, this dead man for one had a tale to tell, and it would be against them and not the Police—for a change!

"May God strike me dead if I did it," cried a Cockney when the jury had convicted him. There was a pause, and then the judge, in measured tones, said: "Prisoner at the Bar, Providence not having seen fit to interpose in your case, it is my duty to impose the sentence of the law. Five Years, penal servitude."

(From "The Garda Review"—February '56).

"My Bird, My Dog"

*Oft have I heard these words and seen,
These creatures captive held—
Birds whose sweet notes should be heard at dawn,
Chanting in chorus their mating song.
Pacing twixt bars—
Gazing with wistful eye,
At glimpses of sunlit sky—
Is it nothing to you, All you who pass by?
Dogs held in leash, at the owners will,
Compelled through fear to be quiet and still—
Dogs held in leash by night and by day,
Just led or driven the owners way—
Owner or friend, theres a difference, you know.
Any dog merely owned would tell you so—
But owner and friend—ah! the smiling face,
For a joyous bark, a scamper, a race.
Will no one hear their cry?
Will no one heed their plea?
And plead their cause,
The right to liberty?
But man replies remorselessly,
For us, 'tis a pleasing and useful thing
For dogs best watch and birds best sing—
When in captivity—
The gift of joyous liberty,
The gift to all Organic Life,
Flowing from HIM, the fountain of Life,
Withheld from these, the "Lesser Beings."
By man who aims at mastering—
Is it nothing to you, All you who pass by?*

(From "Off Duty" of the Ceylon Police, October 1954).

PATROLLING BY DELHI POLICE

NEW "DISC SYSTEM" BRINGS DOWN CRIME RATE

(Issued by Press Information Bureau, Government of India)

While Delhi lies asleep after the day's labour, the capital's police—two-third of its total strength—is out on patrol duty to prevent crime being committed.

Patrolling by the police is the most effective form of vigilance for the prevention and detection of crime. Policemen on patrol duty, whether during the day or at night, inspire confidence in the law-abiding citizen and awe in the criminal and the law-breaker.

The nature and degree of the arrangements vary with different localities. A number of reasons determine the patrolling strength—such as size of the area, its location and size of its population, record of crime of a locality, mileage of its roads and streets and rateable value of its property.

Night patrolling is done in summer usually between 11 and 5 and two parties take up duties for three hours each.

To be effective patrolling must be well organised and properly supervised. Till recently most areas of Delhi did not have a well-defined system of patrolling. Patrols, in parties of two, went out from the police station to their respective beats in localities, bazaars, by-lanes and far flung areas in and around the capital.

Much was left to the discretion of the patrolling parties and there was no sure check whether they have really covered the entire area in their beats. A fool-proof method was needed, therefore, which could provide adequate means to the supervisory officers to check that the entire area had been really covered.

Disc System

As an answer to this problem, a new system, known as "Disc System", was introduced last year.

A number of important fixed points are selected in patrol beats. The patrol parties are issued different types of discs. The first party, which functions between 11 and 2, places discs with one hole on the fixed points

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and, during the second round of covering the same points again, it places discs with two holes. The head constables or the assistant sub-inspectors whose duty is to check the patrol parties, are issued with a disc with a square hole and they too place these at the points as they make their rounds.

The second patrol party, which usually starts at 2, is similarly issued discs with triangular slits which they place at the fixed points during the first part of its patrol, and during the second half collects all the discs and brings them back to the unit headquarters.

The disc points are so selected that all the strategic places, congested areas, residences of criminals and houses of ill repute are covered.

The system pins down patrolling parties to particular areas and keeps them alert. And it makes hundred percent checking easy. The supervisory officer is required to submit daily patrol diaries. This serves as a check on their work and, also, helps in following the effectiveness of patrols.

At times, as and when the need arises, patrolling in the capital is further concentrated by pooling the strength of all the police stations and, in an emergency, by drawing upon the Delhi Armed Reserves. This process, in police parlance, is known as the "Second Phase".

The third phase is when the police carries out combing out operations. Areas where criminals are operating or happen to be concentrated are combed out. The police ring closes in on a specified area. Meanwhile, *nakabandi* is enforced, sealing all exits and routes. For such operations usually the Delhi Armed Reserves are called out. The exact methods applied, however, vary to suit different occasions depending on the characteristic modes of operations used by the criminals.

It is worth mention that as many as 739 criminals were apprehended by patrol parties during the first half of 1955 and stolen property worth about Rs. 9,767-13-0 was recovered as a result of their apprehension.

Day Patrols

As protection of life and property is not only a night-long process, day patrolling is also carried out during the hours of 10 to 6. This is done in localities where the inhabitants are out on their vocations or in congested areas to check the thefts and burglaries.

Some fixed points such as hotels and cinemas are regularly manned to check suspects and sometimes, to control traffic and render assistance to the needy.

Wireless vans are sent out for patrolling the city every evening. They help in co-ordination between patrol parties through wireless communication. Mounted police patrols supplement regular patrolling parties in certain areas like India Gate and Connaught Circus to maintain law and order.

Armed Guards against hold-ups

To intercept culprits in cases of raids and hold-ups in banks and pay offices an elaborate plan is put into operation in the first week of every month.

Under this scheme the old city and New Delhi are sealed with wireless vans at strategic points on the main roads. They are linked with pickets on other small roads and paths. Armed guards provide internal patrolling and internal pickets are located at vantage points. Continuous inter-communication is kept up for exchange of urgent intelligence.

The result of the new system is that the crime situation in the capital has improved considerably.

The incidence of crime in Delhi during the first half of the current year was only 275.7 per lakh of population. It is lower than similar-period figures for other metropolitan cities like Calcutta and Bombay. In Delhi itself, as against 39 murders in the previous six months this period had only 21 cases. The number of robberies fell to 20 from 33. Burglaries came down to 608 against 698 and thefts decreased to 2174 from 2360.

Public Co-operation

The Delhi authorities, though gratified with the improvement in the situation, feel that it could be even better if there was better co-operation between the public and the police. They point out a number of ways in which the public could co-operate effectively: first, by making premises secure against burglaries and tightening internal security; secondly, by early information to the police about any suspicious happening. The police, they say, do not mind if it turns out to be something harmless and innocent. Often a message passed to the police quickly has resulted in the arrest of a criminal.

Police Training

Policemen are expected to—and are being trained to—conduct themselves with honesty in their duty and courtesy to the public. But sometimes—though such cases are on the decrease—they face humiliation at the hands of the public which they naturally resent. Such cases arise when some people—more often motorists—are challenged at night during *nakabandi* operations. On such occasions when the exits from the capital are sealed to check every vehicle and individual going out, in the interest of public safety, the public generally, the police feels, is not co-operative in helping the beatmen and the picket units in carrying out their duties.

There may be some black sheep in the force: a legacy of the previous regime. Stricter standards of recruitment and training in discipline and appropriate conduct towards the public is weeding out such people rapidly. But the Delhi police feels that the public attitude should change too. The policemen are, after all, citizens like others, only they are paid by the public to take on responsibilities for maintaining law and order and protecting life and property. They need and deserve co-operation.

Humour In Uniform

The Afternoon was scorching hot, and the sergeant-major had been putting his sweating company of officer candidates through hours of fast-paced drill. He halted them and barked:

"And now we're going to do some work to develop those commanding voices that all of you as officers will be expected to have. When I call your name, keep your place in the ranks but give a command, which the entire company will then execute. All right, let's go."

"Smith"

"Quick march!" roared Smith, and the Company complied.

"Carter!"

"Company, halt!" And the company halted,

"Ryan!"

"Right turn!" came the command, and the men executed the movement.

"Baker!"

"Company, dismiss!"

In less than a minute the only man left on the hot parade ground was one slightly scorched sergeant-major.

(From Reader's Digest—December 1955)

A CURIOUS ASPECT OF INDIAN CRIMINAL LAW

BY

K. G. NARAYANASWAMY, B. A.,

Deputy Superintendent of Police, Crime Branch, C.I.D., Madras

A news-item was splashed in the Commonwealth newspapers as follows:

"A detective told the court that when he arrested the man Patrick Antonio Michael Ross yesterday, he told him that he had reason to believe that he killed Dutta and later stole his belongings. Ross was alleged to have replied: 'I intended to give myself up the same morning but did not have the courage. Now I intend to tell you everything'. He then made a statement which would be produced later. Ross was remanded in custody for a week".

It needs no mental questioning to say that this can have no reference to any investigation of murder on Indian soil, though the deceased is an Indian, for the whole timing would be irregular and inadmissible in evidence. In the first place, a Police Officer in India is not expected to interrogate an accused, i. e. persistently question him. He is only permitted to note what the accused has to say, and even this instruction has appeared in the form of a dictum only recently in some of the judgments of the Madras High Court. The use to which such statements can be put is to see whether the accused have excusable or extenuating reason for the commission of the offence and whether they have given it out at the earliest available opportunity. If the accused admits the offence, Indian Police Officers are precluded from saying so, as the statement given by an accused to a Police Officer cannot be admitted in evidence, except in so far as it relates to the recovery of any property concerned in the offence. Even the use of the confession to this limited extent is circumscribed by a number of decisions of the Supreme Court and the High Courts, so that a Police Officer expects to find a ghost in every nook in this jungle of law. As a result most of our well-known criminal lawyers have so modelled their system of cross-examination and arguments that they find it difficult to desist from having a cheap gibe at the Police at every opportunity, and are unable to cross-examine a pathologist or a ballistic expert intelligently and make them do a somersault. Lawyers therefore need not a knowledge of these technical subjects unlike the Police, because they could always get a sympathetic hearing when they make a frontal attack on the investigation. This is the bane of the Indian Police.

We have been found suitable for the working of democracy and self-government. We are said to be the fore-runners in women's emancipation in the East, allowing them to participate on an equal footing in politics and administration. We are pioneers in jail reform and in wall-less jails. At the same time we are unwilling to be on a par with the progressive nations of the West, in the matter of Police administration and technique, because they go against our ante-diluvian notions of Police work. In no law is a more preposterous and unjust discrimination to be found than in this segregation of the Police, as a sort of second-class citizens. For, what is confessed to a Policeman's servant may be admissible in evidence, but the same if made to the highest authority in the Police force would be tabooed in all courts. Not even that, sometimes corroboration is insisted on even for incidents witnessed by a Policeman, probably on the assumption, that he possesses a chromatic vision, when he dons a uniform.

A murderer appears in a Police Station with a decapitated head in one hand and a knife in another and his clothing drenched with blood. He surrenders himself to the officer in-charge of the Police station and recites the gruesome details of the murder of his wife's paramour, committed by him when he found the couple in a compromising situation. Now our law-makers are positive that the statement given by the man before the Police is not admissible in evidence. The man wants to unburden himself but the law would say "Do not say it. It can be put to no use."

Supposing he had gone before a Magistrate in the first instance he would have turned him out by telling him "I do not know anything about this case of which you speak. I have not received the F. I. R. You can appear before the Police" or he would see that the man is handed over to the Police. The poor man is left between the devil and the deep sea, unless a lawyer appears on this scene, when the fruit of knowledge is greedily taken from his hands. The guilty man then shouts, "I do not know anything about this offence." If the Police officer comes to the court and says that this man had blood-stained clothing and a knife when he appeared at the Police station, the judge is tempted to ask for other witnesses to corroborate the Police officer. Without them, the case may fail. So when the culprit appears at the Police station and begins to open out his heart, the Police officer is impelled by the law to caution him; "Look here, my friend, let me get some witnesses before you say another word," and by the time the witnesses are procured, the psychological compulsion for the culprit to make a confession has vanished. He may wring his hands and become lachrymose, but his mouth

has been effectively shut. Now assuming that witnesses were obtained and a statement made, then the question would arise as to how they were so easily spotted and whether their ready acquiescence to come to the Police station did not show a willingness on their part to oblige the Police. In rural areas, it may also be not difficult to discover some relationship between these witnesses and some litigants, who had at one time found favour at the hands of the Police, or who had been on inimical terms with the accused's first cousin. The consequence of all these probings will be, that the witnesses are deemed to be interested and cannot be believed, the solo testimony of the Policeman is uncorroborated and is not sufficient proof of the guilt of the accused, and so the appearance of the murderer at the Police station turns out to be no better than a dream, as far as the case is concerned.

The result is that the Judge regrets that a man should go unpunished in a case of this sort, but, alas, there is no legal proof to sustain a conviction; and then there is the pious epitaph—a thousand guilty men may go unpunished but an innocent man may not be convicted.

The public without knowing the limitations of the Police necessarily exclaim—"What to say about the efficiency of our Police? The murderer surrendered himself before them and confessed to the Officer but they were unable to get a conviction! We are leagues behind the London Police in these matters." Poor public! Do they know that in this country anything seen by a Police officer is not accepted at its face value, that statements made to a Police Officer by witnesses may be used only for contradicting them, and that the confession of an accused cannot be utilised at all, whereas in England, they are substantive evidence, the truth of which is invariably accepted. If they are aware of these things, will they not ask that these invidious distinctions between the Indian and the British law be removed, or, at least, put a stop to this comparison of two dis-similar Police forces?

There is a great need to mould public opinion in this matter. Otherwise, in the long run, the public will suffer and crime will thrive.

"TUPPU COOLY"

BY

K. R. NARAYANAN, B. A.,

Inspector of Police, Tanjore Taluq

The perpetration of a certain type of crime in Tanjore district calls for deterrent action. Familiarly known as the "Tuppu Cooly" system, it has been rampant in some parts of this district for ages and the long arm of the Law does not seem to be long enough to put it down firmly. Cattle lifting and the tuppu cooly system have interminable links between them. Draught cattle of high value are lifted in pairs, particularly during dark nights, and taken to long distances the same night. They are kept tied in convenient hiding places in topes where Casurina trees abound, or in pits specially reserved for hiding such cattle. The stolen beasts are not fed nor is adequate watering provided for them with the result that they soon become thin and enfeebled.

The thieves who take the cattle to the custody of their principals, take care to see that the cattle leave hoof prints behind them, indicating the direction in which they have been taken from the place of theft. The underlying idea is so to furnish a clue regarding the destination of the cattle to the victims of the theft, so that they could go to the correct village where there is a go between to negotiate the amount of tuppu cooly in other words, of ransom, to be paid for the restoration of the stolen cattle. The victim of the theft has not the slightest thought of immediately reporting to the Police the loss of his cattle, so that the Police may register a case and take up investigation. A potent reason for not immediately reporting an occurrence of cattle theft, is, that once such a report is made to the police, the chances of getting back the stolen cattle are very remote, as they would be immediately slaughtered. As not reporting and the payment of tuppu cooly guarantee at least the restoration of the cattle, the aid of the police is seldom or never sought.

It is a well settled practice that half the value of the stolen cattle should be paid as "tuppu cooly", and when it is paid, the tuppu cooly agent administers a warning to the victim that he should on no account report to the Police about the restoration of the cattle, the payment of tuppu cooly, or any other detail. He is at the same time threatened that if any report is made in violation of instructions, the same cattle would again be stolen and sent to

the slaughter house. The victim promises not to report the occurrence, and is in no frame of mind to disclose any of the details of the transaction. He is satisfied that, notwithstanding the payment of money as tuppu cooly, he has got back his stolen cattle safe and sound.

It cannot be said that the receiver of tuppu cooly always keeps his word and restores the cattle. In some instances, money is received as tuppu cooly, but the cattle are never restored. It is only then that the doubly robbed complainant, having lost both his cattle and the money paid as tuppu cooly, becomes in a mood to complain to the Police.

However, persons who have paid tuppu cooly and got back their stolen cattle, may be inclined to lay a complaint if they are adequately encouraged by assurances that no harm would come to them and that deterrent action would be taken against the culprits.

In the event of charge sheets being laid against the culprits for an offence under 215 I.P.C., the difficulties of the prosecution are untold. Despite the production of witnesses and the stolen cattle before the court to prove the theft, and notwithstanding cogent evidence being let in explaining the reasons for the delay in the reporting of the offence, the chances of success in these cases, are generally not bright. The delay in the reporting of the theft is looked upon so suspiciously, that the entire evidence is doubted and the case ultimately fails. But, in spite of all these difficulties, the Police must not be discouraged. For, this form of crime is a serious menace to an agricultural people and no effort must, therefore be spared to put it down. In this task, a Police officer can be greatly helped if he can get the villagers to join together and summon Police aid immediately a cattle theft occurs.

Definition

Critic : A person who understands and interprets what the author did not know he was writing.

Censor : A fellow who is always sticking his no's into other people's business.

Smoker : A person who frets less when he fumes more.

Censure : Tax a man pays to the public for being prominent.

From 'On Looker'—1st October, 1955)

ON POLICE PHRASEOLOGY

BY

LIEUTENANT - COLONEL H. A. GOLDEN, O. B. E.

Barrister-at-law, Chief Constable of Wiltshire

(From the Police Journal (U. K.), April, 1955)

There has been some discussion on the question of Police phraseology, and a London Stipendiary Magistrate once thought fit to hold forth in somewhat stringent terms and pour scorn on the manner of speech of police officers, both in the witness-box and in reports. It has been said, in defence, that every trade and profession has its own particular language and it is quite easy to quote plenty of instances, e. g. the R. A. F., doctors and even lawyers, as well as the technical jargon of a great many trades. Nevertheless it is true to say that police speech and phraseology is, at times, a fair target for criticism, not on account of the technical language used or even—except in a few cases—the use of incorrect grammar but much more so for a general tendency to use a long word instead of a short word, or many words instead of few.

The fault arises from a desire to give more weight to evidence or reports and belief that the impressiveness of words depends solely on their length and number. This is quite definitely untrue and besides, engendering a feeling of irritation in the listener, sometimes makes the police officer appear pedantic and, if taken to an extreme, rather ludicrous. There is no magic in mere words unless there is a deliberate intention to wrap up a statement with long and pretentious phrases so that not even the speaker himself knows what he means. This method may be suitable for politicians but is the reverse of desirable for police officers. The police officer's sole desire in framing a report or making a statement should be to make it as clear, as definite, as concise, and as simple as possible. We do ourselves less than justice to lay ourselves open to unnecessary criticism and even ridicule if we go out of our way to be pompously impressive or to use stock words which, although they are in common use, are nevertheless misused.

To deal with the question of grammar. I suppose that in the police officer's report the most general mistake is the split infinitive. The world is divided into two halves, one-half those who always notice a split infinitive and dislike it intensely, and the other half, who cannot even recognize a split infinitive and would not care if they could.

What is a split infinitive?

A verb consists of two words (not one) with the word "to" in front of the operative word, e. g. "to do", "to make", "to speak", etc. These two words form the basic part of the verb and together are called the infinitive of the verb, on which the whole of the various changes of the verb are built. The point is that each of these two words is incomplete without the other and they are inseparable and indivisible. It is strictly incorrect therefore to say "to quickly make", but it is correct to say "quickly to make" or "to make quickly". Perhaps this particular matter is not of vast importance but it is just the difference between right and wrong. If one were to write "you ought to never split an infinitive", it looks wrong, it is wrong and is ungrammatical. If one writes "you ought never to split an infinitive" it looks right, it is right and it is grammatical. As it entails no extra trouble one might just as well be right as wrong.

To leave grammar and to deal with words and phrases: the next crime in the calendar is the use of the word "same". Very often, instead of referring to an article by its name or even using the pronoun "it" it is referred to as "the same". For example, "A lady reported the theft of her handbag. After taking the description of same I proceeded to Woolworth's where I made enquiries as to whether the same had been discovered. It appeared that from Woolworth's the lady proceeded to Marks and Spencer's, but on enquiry no trace was found of same". This is irritating to the reader, ungrammatical, mentally lazy, and not English.

This brings me to the use of our old friend "proceed". Some may remember the earnest request by the Director of Public Prosecutions to banish the word "proceed" from the police vocabulary. I believe that this is the word which is more commonly used than any other in police evidence, and is the word which most often produces a derisive smile on the face of the general public hearing it. What is the point of our laying ourselves open unnecessarily to the patronising criticism or supercilious comment of others, by the Bench, Bar or public, when it can be so easily and properly avoided?

The other aspect of this question is the use of a long word where a short word will do, or a long sentence where a short sentence will do. So often one reads... "Further enquiries have been pursued but with a negative result"—it is much easier to say—"Further enquiries have been

made without result". So often we "give chase" instead of "pursue" we "request" instead of "ask", we "take into custody" instead of "arrest", and—an expression which is becoming increasingly popular in police circles—we say that some body's statement is "worthy of credence" whereas we mean it is true.

There is just one note of warning: simplification does not mean bluntness and, still less, rudeness. If any one is ever in doubt and thinks that the use of some simple word will sound blunt, then that simple word should not be used. There are, of course, shades of meaning and it does happen that a less simple word or phrase may sound softer or kinder than a more simple word or phrase; but it means, generally, that the right word is not being used and there is no doubt that, in the main, we can remove a great many of our stock phrases and simplify our speech with no loss of politeness, but with a great gain in clarity and effectiveness.

Rules for the Cyclist

1. Give precedence to pedestrians on uncontrolled pedestrian crossings and signal to other drivers your intention to slow down or stop.
2. Glance behind your signal move off. Change course, overtaking or turning.
3. Never ride more than two abreast on the carriageway.
4. Never carry anything which may interfere with the proper control of your machine.
5. Do not hold on to another vehicle or another cyclist.
6. Do not ride close behind a moving vehicle.

(From Constabulary Gazette—22nd September 1955)

Can you answer this

A reckless motorist was 100 yards from a railroad grade crossing approaching at 50 m.p.h. A train travelling at 60 m.p.h. was 375 feet from the crossing.

Did the driver get across? How?

SOLUTION :—Yes, the driver got a cross—a marble one, purchased by his widow with the money received from his insurance.

(From 'Efficiency News' November 1955)

DETECTION IS BY DEDUCTION

BY

M. R. JAGANNATHAN

Dy. Superintendent of Police, Madurai Urban

An ideal Policeman should have a number of qualities such as Integrity, Intelligence, Courtesy, Firmness, Keeness, Ambition, Alertness, Patience, Fact, Fortitude, Resourcefulness, Initiative, Determination, Observation, etc., etc. These are but few that are mentioned. Many of the qualities are mostly inborn and few are acquired and shaped by experience. The quality that is acquired and cultivated is the power of observation. For the purpose of this article, it is proposed to deal with this one quality that needs to be developed, that is the power of Observation. The power of observation, if unerringly developed, will enable one to gauge rightly and to deduct correctly from among certainty, possibility and probability.

Every person is endowed with this power to a certain degree, but it is, in most cases, neglected, or is abused by prejudices and pre-conceived notions, or is made use of in a superficial manner as by a common spectator viewing a march past. The powers of observation to be beneficial as a guide to deduction, must be so developed as to note faithfully in one's mind every minutest detail and attendant circumstance, with the set purpose of arriving at truth. The word faithfully needs emphasis. It must be a true picture, not a distorted picture mixed up with prejudices, false theories and pre-conceived notions, which often act as a drop of poison in nectar.

It is a well recognized fact that of all the qualifications essential to the detective, keen observation and correct deduction are the most important. No detail should be too minute for him to notice. The apparently most trivial matters, are often those on which the truth and the success or failure of a whole case turns. The application of correct observation is all important, not only at the outset of, but also throughout, the enquiry; at the trial, it is often absolutely vital. Again and again, a whole case has turned on the fact of the most petty matter, on a fact, the value of which anyone, even the trained observer, would have found difficult to foresee. It is, therefore, essential that the Police Officer by development of his observation and by correct deduction should reduce all such oversights to a minimum. Since, even the most intelligent man cannot foresee at the outset how a trivial fact may loom large

when the truth unfolds itself, he must develop a habit of working with precise and absolute accuracy. This habit is not one that could be acquired at once, nor is it one that can be learnt only on the occurrence of a crime. It needs to be developed at all times—and in all circumstances—at home, in office, on the playground, while visiting villages and while examining a scene of offence. Observation is exercised through the five senses—sight, hearing, smell, taste and touch. The cultivation of each of these senses and their application to the matter on hand is what makes the difference to the detective between failure and success.

Several pages might be written on the art of cultivating the powers of observation which, as has been pointed out, are the employment of all the senses to their fullest capacity. It is difficult to define a line of tuition on how to train all the senses. Ninety per cent of one's education must come from oneself. In Shakespeare's words, "It is not a year or two shows us a man." It is a process that should be developed from day to day, in all circumstances. It may be a useful guide to start with, for trainees to be allowed to visit a room or a place where a number of articles familiar and unfamiliar are kept for a couple of minutes, to observe the place and the objects therein and then come out and record accurately what all they had seen, and in what position with relation to other articles. Our capacity for observation should be developed by applying it to men and things that are around us. It will be a first rate practice to observe people in buses and trains and to guess for oneself what they are, where they could be going and how far, and then verify by casual conversation how near the truth our guess-work has been. Similar practice could be carried on by observing foot prints found on the road, and judging whether the prints are of a male or a female or of a child, whether the person could have been tall or short, slight or stout or whether the person could have walked or run in company or alone; and, from observing tyre-marks, discover the course of a vehicle and the turns it has made. Such constant observation and inference when become a habit, will result in the necessary senses being brought into play as a matter of "Intuition." The study of the Police Officer in particular, is man and the connection of man to everything. He should, therefore, ever strive for exactness and its application to what will help him to get at the truth in his work.

The following two instances from experience will illustrate very vividly how a whole case can turn on the fact of a most trivial matter, the significance of which could not be realised to start with, yet where accurate

observation and faithful recording had been of immense help in bringing home the guilt of the accused and baffling the defence in a murder case :—

On a dark night, a factionist was sleeping on a cot inside his house (a big hall), a portion of which was kitchen and the other portion a cattle shed. The cot was right in front of the entrance to the hall. On a pial abutting the kitchen the victim's wife was sleeping, and near the cattle slept the sole farm servant. The victim was very guarded, suspecting harm at the hands of his opponents at any time. The assailants had however managed to arrange with the farm servant to let them in for their dastardly deed in the night. There was a short partition wall to ward off direct view into the kitchen when the main door opened. On this wall, a naked tin lamp was kept burning, and there was also a hurricane lantern close to the cot of the victim. The farm servant on the pretext of lighting his beedi from the naked lamp, stealthily opened the main door at dead of night. Five assailants came rushing in and dealt blows with lethal weapons on the victim, so cruelly that his brains were scattered and stuck to rafters and nearby pillars. The victim's wife, who had awakened when the assailants entered, rushed and fell on her husband, trying to cover him with her body with a view to ward off the blows. They, however, continued to deal severe blows, unmindful of the woman. The victim died, the woman fell down unconscious with multiple injuries. The hurricane lantern had toppled over and the kerosene had oozed out. The only eye witness was the victim's wife who could not be examined for nearly two weeks, as she was not in a conscious state. The circumstances of the case revolved on the fact as to how the eye-witness was able to identify the murderers in that pitch darkness. If the prosecution could show conclusively that she did see the assailants as they entered, it would substantially help to prove the case against the accused. The hurricane lantern was seized, so also the naked lamp, along with several other material objects, and the entire scene was faithfully described at the inquest, including the places where the lights were and their locations. The leading defence lawyer of the place who was engaged wanted to satisfy himself and make sure by examining the hurricane lantern, whether it had been kept burning on the night in question. When, with the permission of the court, he had examined the lantern, he drew a deep sigh of relief. He kept the secret to himself, but he was now sure that he could prove that the woman could not have identified the accused, for, the hurricane lantern could not have been burning at the time of the murder as there were cob-webs still present in the chimney and in the burner too. The prosecution patiently waited till the victim's wife was examined 17 days later. She said that from the light thrown from the

burning naked country lamp kept on the partition wall which directly threw light at the main entrance, she had identified the assailants even as they entered. The trial judge was convinced, and the defence lawyer who had built up his hopes (and probably his fees too!) on the ineffective hurricane lantern, was flabbergasted.

Yet another interesting case, was the one where a weaver, who had got up for his work early in the morning, was sitting on the "pial" of his house cleaning his teeth with fine charcoal powder, with a "chembu" of water by his side. As he was cleaning his teeth, two of his enemies struck him on the head and knocked him down. Dragging the victim to a distance of 40 yards, they left him unconscious in front of the house of one of the assailants located in the same street, where he died shortly after. A strong theory of self-defence was put forth, to show that the victim was really the aggressor and that only in trying to avoid danger to the life of one of the assailants, had the deceased been beaten. To corroborate this theory, some damage to the roof of the house and certain self-inflicted injuries were faked up and a complaint was also preferred against the deceased. But for the facts that the deceased's right index finger was stained with charcoal powder, the remaining charcoal powder on the "pial" had the mark of his finger in it, and the water in the "chembu" had been unused, all of which small facts were faithfully recorded in the inquest report and which later on conclusively proved the theory of self-defence to be false, the accused's plea would have worked.

That many such trivialities, whose significance is so vital to arrive at the truth, are lost sight of in several instances of dealing with men and things, is a matter of common experience.

"I have not a pencil or paper for this examination," exclaimed the U.T.C. Cadet who arrived for his test in a hurry.

"What would you think of a soldier who went into battle without his gun?" asked his instructor.

"I'd think he was an officer."

(From the Illustrated Weekly of India, October 2, 1955)

AUSTRALIA'S HUMAN BLOODHOUNDS

BY

L. T. SARDONE

[From the Police Journal, U. K., April, 1955]

Despite scientific methods of crime detection, Queensland police still rate the humble black tracker superior to any system yet evolved by white man. So now they are looking for more black trackers to fill vacancies caused by the recent death and retirement of some of the most successful trackers Queensland has known. Some years ago there were 130 trackers on the pay-roll of the Queensland Police Force. Today there are only 24.

Most of the additional trackers, sought by Police, will be stationed in out-back districts of Queensland, where the wizards of the trail are regarded as essential for successful functioning of any police outpost. Every member of the police force admits that much of the success of their work has been due to these human bloodhounds noted for their uncanny tracking abilities.

Queensland pays its trackers from £8 to £10 a month, plus keep. This is big money to the aborigines, who live simply and are usually able to save about half their pay. As the position also gives the natives a certain prestige in their own community, there is usually no scarcity of volunteers for vacancies. More often than not, however, the volunteers prove unsuitable, as invariably they are aborigines who have been away from the bush too long, and have lost most of the hunting art of their ancestors. Most of the skilful trackers Queensland has known were full-blooded aborigines, recruited from nomadic bush tribes, whose hawk-like eyes had been trained from infancy to follow the tracks of game for food.

It is difficult to realise the skill of the trackers unless they are seen at work. The bush natives have far superior eyesight to white men. They possess a 'second sight' a result of their mode of living. Almost as soon as they can walk the piocaninnies are trained to recognise tracks made by all living things. They soon become adept at tracking such light creatures as snakes, rats, frogs and lizards, the marks of which are indistinguishable by white men. Following heavy tracks made by men, horses and cattle is easy work.

There is not much chance of a fugitive escaping once a black tracker gets on to his trail. It is useless for any fugitive to attempt to disguise his tracks as it is not solely by marks on the ground that the trackers follow.

A striking case occurred in the Northern Territory when 300 head of cattle were stolen from a station in the Victoria River district. Thieves drove the beasts across rough hilly country towards the interior of the Territory, and had nearly two weeks' start before a police trooper and his tracker set out in pursuit. The thieves were cunning; they lit bush fires and felled trees to obliterate their tracks, and while the trooper was on the trail heavy rain fell. The policemen thought it impossible attempting to follow the thieves, but his tracker, with uncanny skill, led the trooper for 150 miles through rugged burnt-out country to an outlying station, where the thieves were caught in the act of altering the brands on the stolen cattle.

How did the tracker keep on the trail? Simply by noticing here and there a broken bush, a displaced pebble, a minute scratch on a stone, and hoof mark not completely covered by ashes from the bush fires. Often when on the trail of a fugitive a tracker gallops along on horseback, his keen eyes watching all the time, reading and understanding the tracks, noticing here and there bruised blades of grass, disturbed twigs, or even crushed ants.

One of the most outstanding examples of black tracking was provided some years ago in the Roma district of Queensland. A series of robberies in the town had baffled the police. Investigations by detectives yielded no result, but ultimately the thief was brought to justice by the hawk-like vision of a tracker. One day the Police were told of a stranger who had camped in the bush about 10 miles from Roma, and a constable and tracker were sent out to investigate. No trace of the stolen goods was discovered at the camp, and the policeman was about to depart when there was an excited shout from the tracker who was down on his knees examining an ant trail. The tracker pointed out that ants were carrying grains of white sugar from somewhere in the scrub to their nest near the rear of the camp. The trail was followed for a quarter of a mile into the scrub, where it disappeared inside a large hollow tree-stump, which contained stolen goods. A packet of sugar among some stolen groceries had burst and the ants' discovery of this betrayed the thief.

Most trackers have an amazing memory for tracks, and can readily recognize the tracks of every individual of their acquaintance. A striking story of this is told by a northern police official. One day he was travelling

through dense bush when his tracker halted, pointed to the ground and said 'I see tracks belong my father and belong my mother'. The police officer could see his parents' tracks all right, and that they were chasing an emu. The native kept following the tracks and a mile farther on found his father and mother eating freshly-cooked emu meat. The tracker's instant recognition of his parents' tracks was remarkable because he had not seen his father or mother for more than 10 years.

Another example of track-memory was provided some years ago at the Palm Island Aboriginal Settlement, where five aboriginal murderers were brought to justice only through the wonderful tracking and memory of footprints of tracker, named Murray King. The victim, a Japanese boy, had been murdered five days before, and the tide had obliterated most of the tracks along the beach of the island. But the tracker led a police party to the body of the Japanese, which lay hidden in the den scrub nearly a quarter of a mile from the scene of the murder. By various marks discovered in the sand, and on the ground in the scrub, the tracker built up the story of the crime, telling how the unfortunate Japanese had been lured into the scrub, thrown on to the ground and choked to death. After inspection of footprints in the vicinity of the body, the tracker named five aborigines from the Palm Island Settlement whom he said were responsible for the murder. These natives each pleaded guilty when interrogated and each was later sentenced to imprisonment for life.

Not only in hunting criminals have the black trackers proved valuable. They have also been responsible for saving lives of hundreds of men, women and children, who have become hopelessly lost in the bush country

T. V. for P. C.

Hamburg Police are to experiment with a 'television eye' to help regulate traffic. A television camera overlooking a busy crossing will transmit the traffic scene to a screen in the Police Station from where the red, amber and green lights will be remotely controlled. This system will be more effective than traffic lights which change at regular intervals regardless of the density of the traffic and will take the place of Policemen on point duty. The eventual aim is to control several inter-dependent crossings from the same Police Station. By pushing a button, the Officer in charge will be able to put into operation one of five 'Programmes' or combination of lights.

(From "Constabulary Gazette," March, 1956)

A POLICEMAN'S DEDUCTIONS

BY
EX-SAP

The lights of a jeep are peculiar. They show an aggressiveness rarely equalled by even the costlier vehicles. They dazzle, they warm and light up the remotest nooks and shadows at night. The squat shape and unfriendly lights always reminded one of a wild boar getting ready to charge. Quick on its wheels it was happiest when in the jungle, where like frisky terriers it jumped and romped its way through all obstacles. For all its aggressiveness, it was a haven of safety for those seated within. Probably it was this that always induced me to travel at nights from camp to camp during those rough days when we lived in the jungles of Warrangal.

On this particular night an Army Captain was travelling with me in the jeep. We had been on joint manoeuvres in the interior 40 miles from Company Headquarters with our respective forces for over four days. There were no roads there in the jungle. We formed the roads ourselves, with no assistance from either Engineers or the Contractors. First a jeep would nose its way through the trees in the general direction of our objective. A three-tonner would follow close behind. Lastly the four-tonner rumbling and clanking through would complete the process of road laying. All Government issue vehicles would then pass in perfect safety if not in comfort through these ancient jungles. Sometimes the four-tonners themselves would be in difficulties, but for only a short while. The winch at the front would then uncoil like some monstrous trunk of an elephant, grip a sturdy tree and literally pull itself out, its engines screaming in triumph.

I was driving the jeep and my friend, the Captain was by my side. My driver orderly sat behind nursing a sten gun in one hand and a rifle in the other. It was past midnight and we had to be at Kothagudem by eight in the morning for a conference. The main road itself was still another hour's ride away.

Driving through those hostile jungles required caution and care. Every bend and curve had to be taken with restraint as road blocks and trenches were common. Every glint in the jungle required considerable reversing of the jeep to investigate the depths of the forest for ambushing parties. We talked little until we got on to the main road at about 2 a.m. Once

there we stopped for a cup of hot coffee from the thermos flask. The keyed up tension slowly left us. The driver faded out of sight behind the jeep for a quick beedi. The Captain and I talked of this waste of our youth in the jungles while all others savoured the joys that civilised life could offer in the Cities. He had been in this area for three years while I had put in about 2½ years already, with no indication of any relief. We compared notes. He talked longingly of Connaught Circus and the streets of his New Delhi. You could eat golden purees and hot mutton puffs while watching the gay crowds go round and round. Delightful scents and perfumes hung in the air for you to breathe. My own thoughts were also far away dreaming of home and the sands of the Marina.

A discreet cough from our driver put a stop to our moping and we set off again. We became cheerful as we discussed our good fortune in having unlimited shooting facilities while others had to pay through the nose for even one measely panther!

We were passing one of those abandoned forest Traveller's bungalows when we saw a car drawn up there under a tree. Its rear wheel was jacked up and the tyre taken off. The doors of one of the two rooms was closed up, indicating that the occupants intended to wait for dawn. This Dak bungalow had no watchman and there was no village also nearby. It was in a hostile area where bands of goondas were frequently roaming, plundering and murdering unwary travellers. Knowing all this, we could not go past leaving these travellers to their fate. We needed some sleep also and so took our beddings to the other room.

Our driver orderly came and informed us that there was no driver in the car and that apparently it was owner driven. There were baskets on the back seat with slices of bread and fruits, etc. We told him to sleep in the jeep close to the building.

Then I did one of those remarkable pieces of deduction. I convinced my Captain friend that the absence of a driver proved that it was no Indian who travelled thus alone by himself through these jungles. It must be a Foreigner. Secondly the baskets and hamper proved that the party had ample provisions with it, and if we stuck around sufficiently long and allowed our driver to help them with their tyre we could get a decent breakfast. Thirdly it would be nice to meet someone out of our normal circles.

While we were whispering thus a tinkle of bangles was heard from the other room. A creak of a camp cot and a long drawn sleepy sigh petrified us into immobility. Imagine a woman so far away from civilisation! And in our protection too!

My Captain friend nudged me and said that the morrow's breakfast was going to be a grand thing with delicate fingers handing round the coffee! Who knew this chance meeting might not end in invitations for a week end visit and such further delights! We were lost in our rosy dreams.

Only those who have spent their time in active service with their men in the jungles, know of that restlessness that comes to all sometimes. One craves for company, some one to talk to and exchange civilities. An outlet is required for the pent up emotions and inhibitions that one gathers in the daily management of a large force of armed men. The sailor and the soldier have their MESS and their booze and their trips to base Headquarters mean meeting kindred spirits. Not infrequently they lose their inhibitions either on top of a table or underneath it depending upon the carrying capacity of each. The Policeman is however denied these facilities, and wherever he goes he is a solitary individual and must perforce be left to himself. The tinkle of the bangles in the next room aroused in us such a state of expectancy that we dared not breathe aloud lest we disturb the sleepers!

Sleep was out of question! We dared not miss meeting our neighbours! We sat through the night polishing shoes and getting ourselves ready for the introductions. At 05-00 hours we got our driver orderly to start the jeep and bring us hot water from the radiator for a shave and wash! By 05-30 hours we were ready and presentable. At 05-45 hours we heard an English voice say 'Susie', and a repetition of the long drawn sigh and tinkle of bangles.

We tiptoed to the verandah and waited in expectancy denying ourselves a cigarette lest it should offend the gracious lady, who had kept us awake all night. Our hearts raced as the bolts were withdrawn and an elderly Englishman stepped out. My deductions were correct and I made a few quick mental observations also! The man was too old to have a mother with him, not too young to have a pleasing daughter, but just right to have a charming wife!

Then Susie stepped out of the room! What beauty of form and gait! And young too! You guessed it — a lovely Dachshund bitch on a new chain!

VARIOUS METHODS AND MODUS OPERANDI OF PICKPOCKETS

BY

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WRITTEN FOR "THE F. B. I. BULLETIN"

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Pickpockets operate wherever there are prospective victims either in congested areas or in lonely places. In heavily populated areas, the large number of people about them covers the depredations of these thieves. In lonely spots, they have the advantage of working unobserved. Records of pickpocket activity show that the number of other persons present while the thief operates is not vitally important, as the main factor of his success is the selection of the "right" victim.

A pickpocket's victim must, at the time of the crime, be inattentive, distracted, semiconscious, or unconscious. If any of these conditions exist, and if the pickpocket is skilled at his trade, the stage is set for a successful larceny. His victim or "mark" may be spotted in a subway, on a bus or train, in a department store, at a funeral, a church service, or in a lonely doorway on a deserted street.

Some pickpockets travel with the crowds. When summer resorts, beaches, parks, racetracks, ballparks, or other areas are teeming with people, the pickpocket will be steadily moving about. With the coming of winter, the crowds move southward—and so do most of the pickpockets. Some "cannons," or "dips" as they are known, will remain in certain areas all year round. They will concentrate on theatre districts, bus and railroad terminals, piers, hotels, business districts, or large shopping centres.

Stealth is the watchword of the pickpocket's operations. Sometimes he assures himself of success with the assistance of a confederate. A complete knowledge of the methods of this criminal and the ability to recognize them come only from long years of experience and much patient surveillance and trailing. This knowledge is essential for the effective control and apprehension of this type of thief.

Information concerning some of the more common types of pickpockets and their modus operandi in New York City may be of help to Police officers in other areas. Since pickpockets often move rather swiftly from place to place, many of the techniques mentioned herein may be recognized elsewhere in the country.

The modus operandi of pickpockets, as in the case in many types of professional thievery, is based on two main principles—distraction and extraction. In order to operate effectively, the pickpocket must take the victim's mind off his money. This is distraction. The next step is to take money from the victim. This is extraction.

*Various Types :—*The pickpockets arrested by the pickpocket and confidence unit of the New York City Police Department represent many types, but all base their operations on the aforementioned technique of distraction and extraction. Though the techniques of these thieves may be similar, however, they do specialize in certain fields of larceny.

The "fob worker" is usually an elderly man who has been a thief for the majority of his life. The adding years have generally dulled his skill so that he limits his field of activity to the change pocket. This is the small pocket found inside the right outside jacket pocket of a man's jacket or topcoat. The "fob worker" is usually rewarded with small amounts of money. He covers his operation with a handkerchief and conceals the stolen money in the folds of the handkerchief once it is removed from the pocket. The "fob worker" will usually select his victims from persons busily looking into store windows or examining merchandise on department store counters.

"Lush workers" seek persons who are intoxicated or asleep. They often use confederates and can be found during the early hours of the morning in subways or stalking lonely streets. The important step of their operation is to ascertain whether or not the intended mark is asleep. One member of the team will do this by pushing or kicking the person or telling him to move on or get up. This is called "sounding the sucker" and if the chosen individual makes no response, they will rifle his pockets.

If the victim is asleep or drunk and in a sitting position, the "lush workers" will seat themselves on each side of him, spreading a newspaper in front of all three to cover their work. To passerby three men appear to be reading a newspaper, with the one in the middle having fallen asleep. In

such position, the pickpockets remove the valuables from their "mark's" pockets.

When an individual is found lying in a doorway or on a street, one of the team acts as the lookout while the other goes through the victim's pockets.

Conversation to distract the attention of the victim is used by the "rouster". He usually travels from tavern to tavern until he finds a person who is alone and who has been drinking excessively. He strikes up a conversation with this person and very shortly the two of them engage in small talk until they become friendly. At this point the "rouster" will suggest that they go to another bar or will offer to take his newly found friend home. Seldom, if ever, do they reach their purported destination. On the way the "new friend" will be robbed and the pickpocket will disappear.

Women Victims: The "moll buzzer" prefers to prey on women. Particularly active in subways and in shopping areas he can work alone or with a mob. "Moll buzzers" are classified into two common types: The "patch-pocket worker" or the "bag opener".

The "patch-pocket worker" steals from the unguarded outer pockets of women's jackets or topcoats. Locating a woman who is not carrying a purse, he ascertains where her wallet or change purse is by looking for an impression in her outer garments. After spotting the impression, he "fans" the pocket very lightly. In other words, he touches the impression in an attempt to make sure that it is not a pack of cigarettes or a handkerchief. Then, at the opportune moment, he covers his hand with a newspaper and removes the wallet or change purse. After placing the wallet or purse in the folds of the paper, he makes his way out of the crowd. If detected, this type of thief immediately drops the newspaper, making it appear that he never had the wallet or purse on his person.

The second type, the "bag opener," specializes in taking wallets from pocketbooks or hand bags. Working in public places such as lobbies of hotels and theatres, elevators in office buildings, or in churches, he manages to travel where women are apt to congregate. Adroit in quickly unfastening handbag clasps, the "bag opener" prefers to work on bags carried on a strap or suspended from the shoulder or the forearm. When he is ready, he covers his hand with a newspaper or a coat, opens the clasp of the bag, inserts his fingers and removes the wallet. Then he hurries away to open his "catch" and confiscate the contents.

Movie theatres are the favourite hunting grounds of the "seat tipper" who generally works alone on women theatre goers. During the performance he walks up and down the aisles of the theatres changing his seat many times before spotting his victim—a woman sitting alone with her pocketbook on the seat next to her. The "seat tipper" then takes his place directly behind the seat containing the purse. At the psychologically proper moment, usually when the purse owner is thoroughly distracted by the movie, he will use one of the two methods to obtain his object.

The first is to put his foot forward and tilt the seat in front, allowing the bag to slide quietly and unobtrusively down on to his foot. He then picks the bag up, puts it under his coat and makes his way to the nearest exit or restroom where he removes the contents. Packages placed on top of the bag do not deter this type of pickpocket, for the bag will still slide to the floor the moment the seat is tilted.

The second method used by this type involves the thief's standing up and draping his coat over the seat in front. In the process, the bag is covered by the coat. The thief removes the bag with his hand, picks up his coat and makes his escape.

Movie managers and ushers can be of great assistance in preventing these types of crimes. With proper instruction in the methods of the "seat tipper," theatre employees can thwart this larcenist's operation.

Dean of the pickpockets and the "live cannon" of the pickpocket trade is the "pants pocket worker". He is recognized as the dean of the profession because he is the most skilful of all the thieves and specializes in victimizing males who are in complete control of their faculties. Although he often works alone, he sometimes prefers to work with one or more assistants whose main task is to distract the victim.

In this type of operation, the thief who actually removes the wallet from the person of his victim is called the "hook," the "wire," the "Tool," or the "mechanic". His assistants are referred to as the "stalls". The pants pocket worker will extract a man's wallet at his own convenience. He frequents sporting events, circuses, conventions and other affairs that draw large crowds. Refreshment stands, revolving doors, aisles in halls or churches, pedestrian crosswalks, entrances and exits to buildings or conveyances, all offer him the opportunity of thievery.

Generally, the "Stalls" or assistants will place themselves in front of the "mark" and "accidentally" push into him. The "hook" places himself

to the rear of the victim and will join in the push. During the push the victim's wallet will be extracted. This done, the "hook" gives the signal and he and his stalls quickly fade into the crowd.

Preventive measures: As already stated, pickpockets ply their trade practically anywhere. The best prevention against pickpockets thievery is a thoroughly trained detective with a complete knowledge of the pickpocket's modus operandi and a working knowledge of the current offenders. Also important in their apprehension is the use of the woman detective. A woman detective often has easier access to those places where female pickpockets thrive and in many cases can be a "victim" herself, ready to nab the thief in the act.

The New York City Police Department maintains an up-to-date working file on these criminals and their modus operandi. These files are available to other law-enforcement agencies upon request. A system of exchanging photographs and information on the pickpocket between various police agencies is an excellent method for combatting this type of thievery.

A brief glossary of pickpocket jargon includes:

Cannon—a pickpocket.

Hook, Tool, Mechanic—a pickpocket who takes the wallet.

Stall—pickpocket who distracts the victim.

Wipe—handkerchief used by fob worker.

Stiff—newspaper.

Tog—coat.

Scratch—money.

Poke—wallet or billfold.

Moll Buzzer—pickpocket who steals from women.

Hanger—purse suspended from victim's arm or shoulder.

Hole—subway.

Short—bus

Stride—the sidewalk.

Make a score—successfully pick a pocket.

Whiz or Cannon cop—pickpocket detective.

Button—detective shield.

Tip—a crowd.

Office—a signal.

Troop—a team of two or more pickpockets.

POLICE AND CYCLONE RELIEF WORK

BY

C. V. NARASIMHAN, I. P. S.,

District Superintendent of Police, Ramanathapuram

1. "Inscrutable are the ways of God", one is inclined to exclaim when one reads news about the occurrence of earthquakes, floods and such other natural calamities which bring in their wake unimaginable hardship and enormous distress to thousands of families in the areas affected by them. The periodical necessity for such "acts of God" and their place in the order of universe may be matters of opinion and belief but it is a matter of fact and experience that such emergent situations serve to bring forth the best in human nature and prove that human nature is still essentially good and the character structure of our society is still basically sound. The cyclone and floods which wrought unprecedented havoc in Tanjore and Ramanathapuram districts in December 1955 provided such an occasion when the entire Government machinery in the administrative departments, particularly the revenue and the police moved as one man imbued with a high sense of duty and accomplished relief work on a vast scale in record time. It is my object to record in this article the part played by the police in Ramanathapuram district, setting forth the facts briefly in chronological order.

2. On 30-11-55 night a fierce cyclone struck the east coast from the north eastern direction near Aranthangi in Tanjore District and after passing through Pattukottai and Aranthangi areas, it entered Ramanathapuram District, with full fury and wrought huge damage to life and property in 7 out of 9 taluks in the district. Along with the cyclone there were phenomenal rains all over the district with the average rain fall ranging from 17 inches to 22 inches in different places. Ramanathapuram town alone had 23 inches of rain fall on 1-12-55. The enormity of the down-pour can be imagined with reference to the fact that the total average rain fall for the whole district in a year is 23 inches. As a result of the cyclone and the heavy floods almost all the tanks in the district breached at several places and large sheets of rain water spread through village after village destroying crops and causing damage to property on an unprecedented scale. An idea of the extent of damage done can be had when it is noted that there are about 5000 tanks including minor irrigation tanks in Ramanathapuram District and a majority of them had badly breached. Among these tanks 352 are

major tanks under the charge of the P. W. D. and among these 257 had breached. The Ramanathapuram tank and the Rajasingamangalam tank which are too very big tanks in this part of Tamilnad—Rajasingamangalam tank bund is 18 miles in circumference—breached badly at several places and the tank waters destroyed crops and houses in a large surrounding area.

3. The cyclone which came on 30-11-55 night continued on 1-12-55 and even after its abatement rains continued till 3-12-55. Telegraphic and telephonic communications to all taluk head quarters in the district except Srivilliputtur and Sattur were cut off. All the roads leading from Madurai town to these taluks had been badly damaged throughout their length by the falling of big avenue trees uprooted by cyclone and the escaping flood waters from the breached road side tanks. Transport of vehicles was rendered impossible in all the affected taluks. Before proceeding further with a chronological account of the relief work done the following statistics are furnished to give an idea of the total damage done to the district :—

No. of houses collapsed or damaged	...	...	82,199	
No. of cattle washed away by the floods	...	...	1,18,114	
Extent of crops perished or damaged-Paddy	...	...	86,286	acres
Extent of crops perished or damaged other crops	...	...	87,974	"
No. of human lives lost	...	...	76	
No. of trees uprooted	...	...	1,16,211	
No. of irrigation sources breached	...	...	3,917	

4. There was no news at all at Madurai on 1st and 2nd Dec. 55 about what had happened in the district. Nothing could be done to establish communications immediately since all means of communications had failed and no vehicular transport was possible in any direction from Madurai into the district. There was no idea even of the enormity of the damage done already throughout the district. The first news we had at Madurai was on 3-12-55 night at about 9-30 p.m. when three villagers from Elanthagudi village near Sivaganga who had walked all the way from their village to Madurai, brought information regarding the extensive damage that had been caused in their village by the cyclone and floods. They narrated a sorry tale of several villages having been washed away by floods all along their way from their village to Madurai, a distance of 22 miles. They stated that about 500 people belonging to their village were marooned without food or water for the last 2 days, and that immediate relief was necessary if loss of life was

to be prevented. After immediate consultation with the Dt. Collector it was decided that armed reserve personnel should be used to carry food to these villages by head loads since no other means of communication was possible. Accordingly a strength of 60 men under the command of Sergeant Major Williams of Ramanathapuram Armed reserve was mustered and marched at 06-30 hours on 4-12-55 morning towards Elanthagudi carrying rice, chillies, tamarind and salt in haversacks carried by each member of the party. A total quantity of 5 bags of rice and other provisions was thus entrusted to the men. The party was also given a radio set and three armed reserve vehicles and also implements like pick-axes and spades for clearing debris on the way. Even after clearing the debris and fallen trees, the party could go only upto 13 miles from Elanthagudi. Leaving the radio set and the minimum necessary personnel at that spot the rest of the party under Sergeant Sekharan Nair immediately marched and covered the distance to Elanthagudi by foot before the evening walking through deep waters and clearing through heavily damaged areas. Rice and other provisions were immediately distributed to all the marooned villagers. Fortunately no casualties had occurred till then in that village. On the information available in that village, the Armed Reserve party proceeded further by foot to neighbouring villages of Nattagudi, Velankulam and Meenakshiapuram and provided relief to the villagers there. After marching a total distance of about 30 miles during 2 days carrying relief and conveying message of confidence to the affected people the party returned to headquarters on 5-12-55. Two similar Armed Reserve parties equipped with radio sets were deputed simultaneously on 4-12-55 morning for similar purpose, one towards Manamadurai and another towards Karaikudi. Each Armed Reserve party was accompanied by a Revenue Officer of the rank of a Deputy Collector for directing ad hoc relief work according to the conditions obtaining in the affected areas. The Manamadurai party reached Manamadurai the same night, while the Karaikudi party could reach Karaikudi only the next day after a difficult road journey via Tiruchi and Pudukottai. With headquarters at Manamadurai and Karaikudi respectively these Armed Reserve parties were deployed for carrying food grains on head loads to marooned areas in the vicinity.

5. On 5-12-55 the Chief Minister and the P.W.D. Minister had an aerial survey of the affected areas of the district. The Collector and I accompanied them from Tiruchy. The aerial survey very vividly disclosed the extensive damage done by flood waters in the southern taluks of the district and particularly the areas adjoining the sea. The entire railway line south

of Manamadurai was seen very badly affected with several bridges having been washed away leaving the rails alone hanging like festoons in several places. It was also seen from the aerial survey that Paramakudi would be a proper place from which to direct the relief operations in all the badly affected areas. Further relief work was accordingly done from Paramakudi after the Chief Minister's visit to all the affected places.

6. The establishment of communications was the primary problem for solution before relief work could be commenced on any appreciable scale. The transportable radio sets of the police proved very useful at this juncture. The radio sets of the Madurai Urban District radio network and the transportable sets of Madurai and Ramanathapuram Districts were all sent out to different centres in Ramanathapuram District for establishing communications. A transportable set from Salem District that had been ordered by the Inspector-General of Police to be sent to Ramanathapuram District was also included in the network. By 8-12-55 radio stations were established at 6 centres in the district (viz.) Thondi, Sivaganga, Devakottai, Paramakudi, Kamuthi and Ramanathapuram. These centres were still not accessible by ordinary vehicular traffic because of the breached roads. Movement of radio sets to these centres was a difficult problem and the men had to transport the sets by head loads at several places walking through deep water. When once the sets were installed at these centres and communication was established, it served to infuse a lot of confidence in the villagers in the affected places and a correct picture could be had of the damage done in the different areas which in turn enabled the implementation of a proper scale of relief work in the different directions. One point of interest in this connection may be recorded here. Before a police radio set could be moved to Ramanathapuram, the Deputy Collector, Ramanathapuram succeeded in establishing contact with Madurai through a wireless set attached to a ship that had been docked at Mandapam. This was possible because the railway telephonic communication between Ramanathapuram and Mandapam had fortunately remained intact and messages could thus be relayed over the phone from Ramanathapuram to Mandapam and from Mandapam to Madurai through the wireless set in the ship which was in communication with the railway wireless set at Madurai.

7. One M.S.P. Company with 6 lorries and 2 jeeps arrived in Madurai on 7-12-55 on instructions from the Inspector-General of Police. The lorries were put to immediate use for transporting men and food grains to interior areas. 2 platoons of M.S.P. were put on work in Devakottai area



M. S. P. Men at work Reconstructing Demolished Huts

for forming a road across the river bed by the side of the badly damaged bridge which could not be used. The men did an excellent job of their work and within two days made out a road that could be used by vehicles. Similar road construction and repair work to slightly damaged bridges were undertaken by the Dt. Armed Reserve men from Kamuthi Special Force in the area in and around Kamuthi. Besides this repair work, the local police in different centres had taken immediate action then and there to rescue people marooned by flood waters and bring them to places of safety. The good work done by the men from Kamuthi Special Force in this regard under the lead of the Dy. Superintendent of Police, Kamuthi needs special mention. Several lives were thus saved which might otherwise have been lost.

8. Full scale relief work in the nature of grant of cash reliefs, opening of gruel centres, repairs to breached tanks etc., etc., was implemented in right earnest from 5-12-55 by the District Revenue authorities after the Chief Minister's visit. Within a few days social workers from Gandhigram and from the Ramakrishna Mission joined the machinery for relief work and did immense service in carrying relief to remote areas. While normal relief work was thus going on, the M.S.P. party was specially used near Paramakudi area to reconstruct the demolished huts in a poor harijan cheri. The M.S.P. men did this work willingly with commendable enthusiasm and zeal. Several huts in the locality were completely reconstructed by them and by their helpful attitude and willing co-operation in this regard they earned the approbation of all the villagers around.

9. In carrying relief to the interior areas in the shape of cash to be distributed to the flood affected villagers as free grant, the local police associated themselves with the Revenue authorities at different centres in the district. A system of police escort for the revenue officers engaged on cash relief distribution was enforced throughout the district to ensure security and infuse confidence in the officers concerned.

10. It took nearly a month for the district to come back to its normal state in all respects. The radio stations installed in out-stations were gradually withdrawn after this period and the M.S.P. company was also finally withdrawn from relief work. Throughout the period all ranks in the District Police threw themselves heart and soul into relief work and did all they could to infuse confidence in the flood affected villagers and raise their morale. The quickness with which food was rushed to marooned areas



One of the many Reconstructed Huts in the village, with a happy gathering of M. S. P. Men and Grateful Villagers

by Armed Reserve men, the early establishment of communications with the help of the police radio network, the immediate minor repairs to slightly damaged causeways and bridges, the formation of temporary roads for establishing vehicular communication and the reconstruction work undertaken in certain localities for reconstructing demolished huts of poor villagers etc., etc., made a deep impression on the general public and brought it home to them that the police in a welfare State can be excellent social workers when opportunities arise and occasions demand such service. The highest tribute to the work done by the police in this regard is perhaps to be found in the remarks made by a very prominent non-official of the district who had hitherto been hypercritical of the police in all their work. He admitted in public that he had till then been entertaining wholly wrong idea of the average police man's attitude towards the public and he was then convinced that the police are and actually can be the real servants of the public in every sense of the word.

The Mounted Policeman

We learn from the 'The Outpost', magazine of the British South Africa Police, that it has been officially decided in that force to bring back equitation into the syllabus of training of every recruit, regardless of the branch of the force in which he may serve. In the course of enquiry into this proposal the authorities were satisfied that equitation was of real benefit to the training of recruits generally, especially in the factors of self-assurance and character building. Equitation itself may not for most people be a difficult subject, but the experience of our contemporary is that its value lies in the standard which is demanded, including the discipline which strengthens the spirit of self-confidence. The Royal Canadian Mounted Police, whose reputation for fine horsemanship is world-wide, have found that there is something to be derived from equitation that cannot be matched in any other way.

(From the Police Journal (U. K.), Oct.—Dec. '54.)

THE POLICE FORCE OF MALABAR DISTRICT

BY

K. RAMANUJAM

District Superintendent of Police, Malabar

The setting up of British administration in Malabar is an interesting study in the game of political chess. They succeeded the Dutch in establishing supremacy in the West Coast. The Dutch had by the middle of 17th century succeeded the Portuguese in the West Coast in the field of trade and secured for themselves all the eligible sites for factories. They were however mixed up with never ending internal quarrels among the numerous chieftains with whom the traders had to align themselves to keep up a market. Wars were costly and badly interfered with their normal business besides dwindling their profit. The Dutch were forced thereby gradually to retrench their establishment and finally dwindled into insignificance by the first quarter of 18th century.

With the decline of Dutch, the English who had arrived on the scene in 1635 as factors in Cochin, slowly began to expand. They set up factories in Ponnani and Calicut where they quietly carried on business as ordinary merchants for a few years and extended their factories to Tellicherry and Anjengo. When the Dutch finally withdrew from local politics in 1721, the English found opportunities to step in. They did so first by becoming allies of the Rajah of Travancore and helping him to curb several of his unruly chieftains and to overrun Cochin. This led to a show down of the power of the Dutch who were allies of the Rajah of Cochin. They were forced to accept a treaty which led to their final extinction as a power in the West Coast.

The English who thus found a successful footing in trade were soon faced by rivals in the West Coast. In 1725 a French squadron from Pondicherry was sent to Mayyazhi, 4 miles south of Tellicherry, and the place was stormed by a detachment under one Captain Mahe de Labourdonnais, who landed his forces on the beach and attacked the town from the landside. The town was renamed Mahe in honour of the captain. The French established a settlement in this place. The rest of the century was spent by struggles between the two sets of traders, which waxed or waned with Anglo-French wars elsewhere in the world. The surrender of Pondicherry early in 1761 led to the occupation of Mahe by the English shortly after and

it looked as if the English were safely established for the time being. The quarrelling local chieftains however continued their wrangles and Haider Ali of Mysore was "invited" to step in and fight their battles. This led to a series of savage attacks by Haider Ali and later his son Tippu, which resulted in frequent ravages of the countryside. The treaty of Seringapatam in 1792 got for the English, the whole of Malabar District except Wynaad, which portion was ceded later in 1799 after the fall of Seringapatam.

The English thus became administrators of the District which they had entered in a small way as traders over 150 years previously. A joint commission was formed in 1792 to draw up a scheme for administration and the District was placed in charge of a Supervisor and Chief Magistrate assisted by 2 Superintendents with revenue and magisterial powers. At this time Malabar was attached to the Bombay Presidency. It was transferred to Madras Presidency in 1800 and was placed in charge of a Principal Collector with 9 Sub-Collectors from 1801.

The outlook for administration in 1792 was gloomy. The ravages of Tippu had destroyed almost all pepper vines in South Malabar and had left a strong feeling of hatred between Muslims and Hindus. There were discontented chieftains who laid all sorts of claims over large tracts of land and took to enforcement of their claims, by revolts with bands of mercenaries. The English were put to considerable difficulties to maintain law and order. Regular troops tied to their heavy transport were not sufficiently mobile to tackle the bands of rebels who moved quickly in the countryside. The land with its hills and forests was favourable to guerilla warfare. Captain Watson (one of the Commissioners for executing the office of the District Supervisor) formed in 1801 the first police force consisting of kolkarans. This force was later utilised by Mr. T. H. Baber, Sub-Collector of Tellichery under the new set up after transfer of the District to Madras province. The mobility of the kolkarans and their familiarity with the land and the people was useful in enlisting popular support and the rebel parties were gradually scattered towards Wynaad and peace was achieved in 1805.

In ancient times there was no organised police force in the District with a general policy or central control. The District had its numerous Rajahs. Their territories were divided into Desams (akin to villages) under Desavazhis. Groups of Desams were formed as Nads (corresponding to District) under Naduvazhis. The responsibility of maintaining law and order was left to Desavazhis and Naduvazhis in their respective jurisdictions. Armed Nair

retainers were maintained for the purpose by Desavazhis and Naduvazhis. With the Muhammadan invasion social order was broken up and chieftains scattered in many directions. When administration was sought to be stabilised after 1792 when British took over Malabar, the old police system had broken up and only an abiding hatred towards Muslims remained. Bands of marauding Mapillas who took to jungles added to the fear and hatred. The Military was retained for a time after 1792 to preserve order but was gradually drafted out for duties elsewhere. A corps of Nair Sibbandis was raised to serve under the chieftains but was disbanded in 1801 as they were found to be indisciplined and unsuitable. The kolkarans were the first organised police force which was started with 500 and developed up to 1200 armed men. They were disbanded in 1810 after law and order was established and enlistment to regular police was taken up. The pattern then followed was for the police to be under the control of the Zilla Magistrate and his assistants. The Tahsildar was in charge of taluq police and "amins" were in charge of police duties in important towns. Police duties were mixed with revenue duties. No special establishment of police constables was in existence and presumably the need for one was not felt for nearly 25 years.

The Mappilla outbreaks which have made Malabar marked in the history of the country, first started in 1836 in a small way. They later became very frequent and by 1853 as many as 22 outbreaks had occurred. The need for a regular police system was realised and the raising of a local police corps consisting of about 180 members was ordered by Government of India to be established in 1854. In 1855 Mr. Conolly who was Collector of Malabar for 15 years was brutally hacked in the presence of his wife early in the evening by Mappilla assassins, who had escaped from jail and whose being out for crime was anticipated. The absence of an adequate and efficient police was strongly brought to prominence by this deed. The reorganization of police under the Madras District Police Act, 1859 followed shortly after.

The organization and jurisdiction of police in Malabar have been changed more frequently than in other Districts in the State. This was necessitated by the changing law and order situation which is the more important aspect of police administration in this District. The communal feelings which started with intense bitterness after the Muhammadan invasions in 18th century did not completely die down and were kept alive by frequent Mappilla outrages which continued upto 1921. Various causes from down-right fanaticism to agrarian discontentment have been attributed to the outbreaks. The fact remains that these outrages were centred mostly in and

around Ernad Taluq. The disposition of police stations is therefore more concentrated in this Taluq which is covered by 2 circles with 10 police stations.

The District was originally divided into 2 police Districts, North and South Malabar. South Malabar District was later made more compact by including only the predominantly Mopla areas of Ernad and Walluvanad Taluqs and a portion of Ponnani Taluq. At present there is only one District for police administration.

Besides the District Police, the Malabar Special Police is also stationed in the District with Headquarters at Malappuram. It was originally started in 1885 as a punitive force to deal with Mappilla outbreaks and was subsequently made permanent. It has established a fine tradition of discipline and is trained on military lines. The restraining effect of this force on the law and order position of the District was so much that till recent years they had a programme of "Ramzan marches". The Ramzan month was noted during the past as the time when fanatical Muslims ran amuck and started trouble. The route marches of M.S.P. through trouble spots helped to restore confidence of public and keep the potential trouble mongers in check. The M.S.P. which started with 6 companies has now considerably expanded and consists of 13 companies. They have 5 strategic camps in Ernad Taluq and have a network of wireless stations. The Commandant is of the rank of District Superintendent of Police.

After the amalgamation of North and South Malabar Districts into one with Headquarters at Calicut, the District comprised of 3 Sub-Divisions at Cannanore, Malappuram and Palghat till 1947-48 when a special Sub-Division and a special circle were formed to deal with communist activities in North Malabar. The situation became very acute and 10 special police stations were opened between 1947 and 1952 in remote places. Five of them continued to function after 1952 when the other special posts were discontinued.

With the reorganization of police consequent on taking over of prohibition enforcement, a new Sub-Division, 2 new circles and 9 new stations were formed effectively to tackle prohibition work. There are now 17 C.Is., 103 S.Is., 211 H.Cs. and 1486 P.Cs. in the Taluq police under 5 Sub-Divisional Officers. The reserve consists of 2 detachments of 4 and 3 active platoons each under a Sergeant-Major at Calicut and Cannanore respectively.

The District area is large and could conveniently be bifurcated to be more handy. The reorganization of states is to come shortly and perhaps the District will be divided to be in line with similar administrative units in T.C. State.

The District is disarmed under Section 15 of the Arms Act and the possession of Swords is prohibited except under licence. There is a special act of 1854 which prohibits the carrying of "War knives" (locally termed "Ayudhakatti"). Except in Palghat and Perintalmanna circles which are adjacent to Coimbatore District, crime is not heavy and is local in character. The District is divided from the rest of Madras State by the Western Ghats and depredation of non-local criminals is rare in other Taluqs. Law and order maintenance with particular reference to Labour and Communal problems is the important aspect of District administration. The police force is well disciplined to carry out its Law and Order duties and will be a useful addition to the prospective Kerala State.

Words of wisdom

We wish we could credit the original author of the following five cues to sound human relations :

5 most important words :

"I am proud of You."

4 most important words :

"What is your opinion?"

3 most important words :

"If you please!"

2 most important words :

"Thank you!"

Smallest word is "I".

(From 'Efficiency News' November 1955).

NEWS & VIEWS

THE DABIR BLOCK VIGILANCE ASSOCIATION KUMBAKONAM

The Second anniversary of the Dabir Block Vigilance Association was celebrated on Sunday the 22nd January, 1956, at 4 P.M. at "Rama Mandiram" Dabir, New Street, Kumbakonam.

Sri V. R. Rajarathnam, B.A., I.P., Inspector-General of Police, Madras, presided over the celebrations. Sri M. Subramania Iyer, the President of the Dabir Block Vigilance Association, welcomed the principal guest and others and presented an address of welcome, detailing the activities of the Association during the past two years, the example set by this Association to other similar Associations, and the co-operation and help that were forthcoming in a liberal measure from the Police in the Town. Sri C. M. Mahadevan, Secretary of the Association read the Annual Report.

Messages received from Sri Sankarachariar of Kanchi Kamakoti Peetam, Sri S. Parthasarathi Iyengar, Commissioner of Police, Madras, Sri S. A. Ayyaswami Chettiar, Chief Presidency Magistrate, Madras, Sri O. L. Burrell, O.B.E., I.P., Deputy Inspector-General of Police, Central Range, Tiruchirapalli and other well known personages, were read by Sri N. Subramania Iyer.

Sri S. Sivasubramania Nadar, the District Magistrate (Judicial) Kumbakonam, in his speech paid high tribute to the useful work done by the Association. He welcomed increased co-operation between the Police and public, and exhorted the members of the Vigilance Association to counteract all anti-social influences in the course of their activities.

Sri K. Ramasubbu Iyer, retired Tahsildar, also spoke a few words on the activities of the Association.

The Inspector-General of Police delivered his presidential address, in which he complimented the Association on the very useful work done by it, which had contributed to no little extent to a reduction of crime during the year 1955, as compared with previous years. He expressed the hope that with the increased activities of this and other such associations, the expendi-

ture on the Police force could be considerably reduced and the money so saved utilised for other profitable activities beneficial to the community, and that the Police could devote more time to attend to major crimes. In this connection, he made a reference to the lawlessness that prevails on occasions in certain big cities in the country. He condemned such activities as suicidal and anti-social, and said that all right-thinking men should discountenance them in the strongest possible measure. He also exhorted the Vigilance Association to take up social work as well. In conclusion, he appealed to the members of the Association to extend their co-operation to the Police during the ensuing Mahamakham festival in the Town. The Treasurer of the Association, Sri A. S. Rajamani Sastrigal, proposed a vote of thanks to the distinguished guest and other invitees.

With the singing of the National Anthem the function concluded.



The Dabir Block Vigilance Association, Kumbakonam, with the Inspector-General of Police and Local Officers



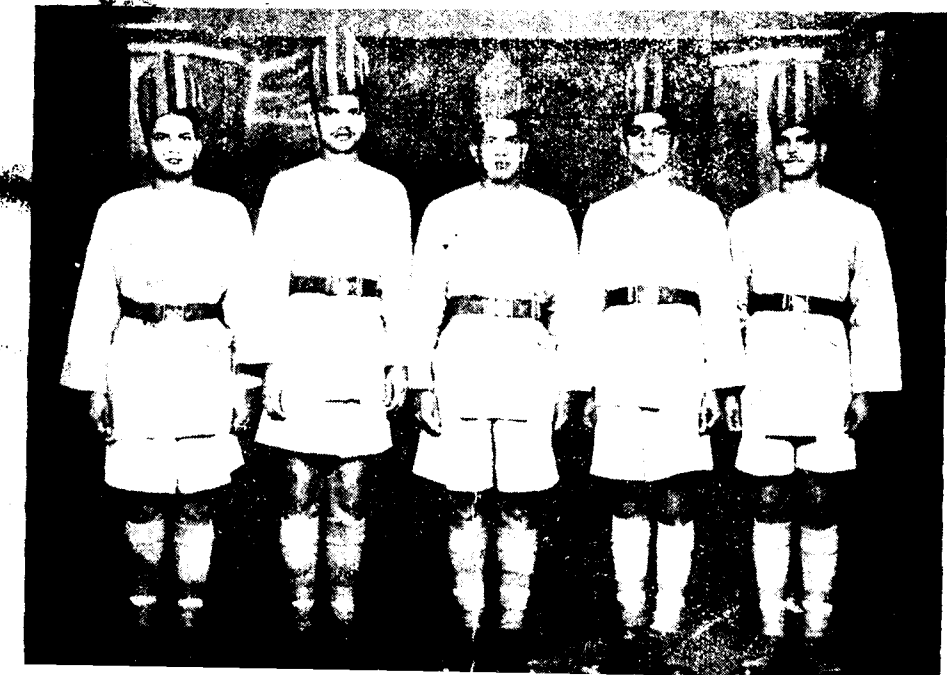
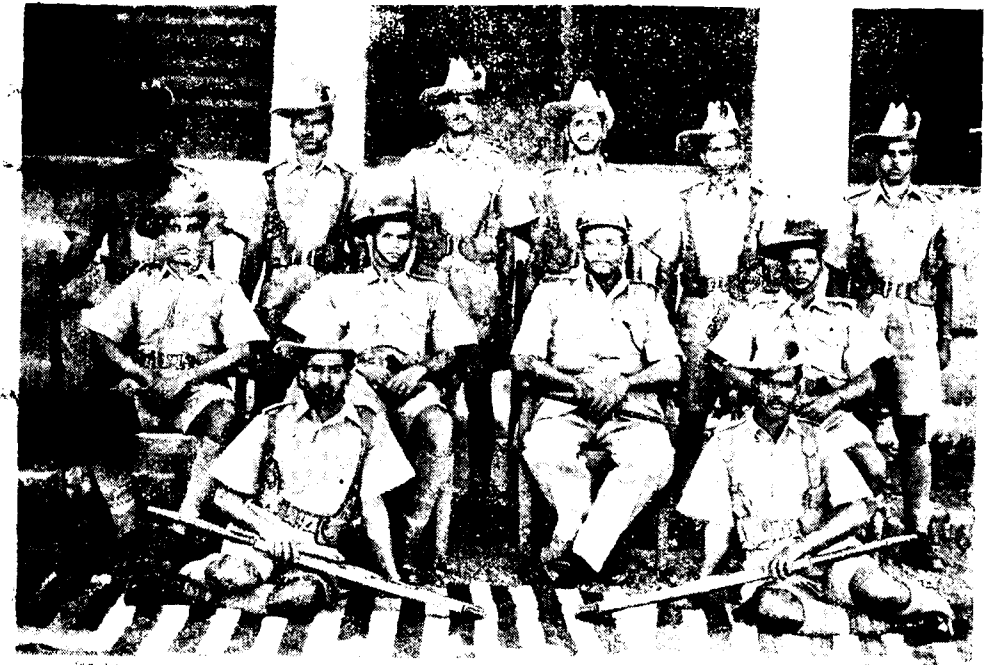
Kendall Humanity Medal Awarded To P.C. 1425, Andy, of Malabar District

On the 27th April, 1955, a 14 year old boy named Jacob, son of Sri V. L. Verghese, studying in the IV form, Board High School, Manantoddy, accidentally fell into a well, which is more than 40 feet deep. The elder brother of the boy got down the well with the help of a rope, but was unable to do anything. The alarm raised by the servant of the house attracted the attention of P.C. 1425 Andy of Manantoddy Police Station, who was on his round of beat in the village. The P.C. saw the father of the boy alone holding the rope. He immediately enlisted the help of some of the passers-by, but no one was prepared to climb down. P.C. 1425 Andy, at the risk of his life, got down the well and saved the boy by lifting him out of the well.

All India Police Competitions

The Madras Police took part in the Third All India Police Competitions, held at Patiala from the 2nd to 5th November, 1955, in Rifle and Revolver shooting, First Aid and Wireless. Although defeated they were not disgraced, being among the top flight in all the Competitions.

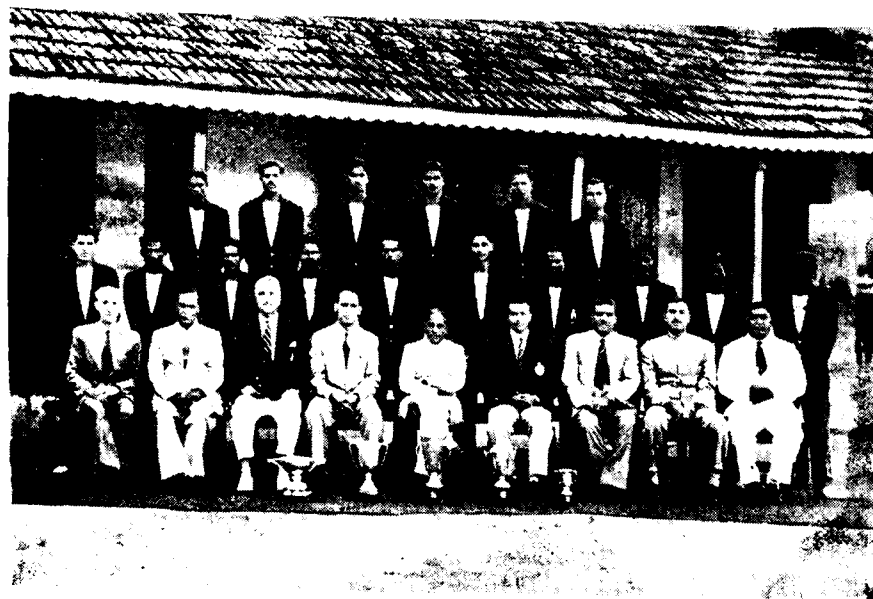
The first of the two photographs below shows the Shooting Team, which was drawn entirely from the Malabar Special Police. The second shows the First Aid Team, all of whom belong to the constabulary of Malabar District.



All-India Police Athletic Meet

The Madras Police Team stood fourth in the Sixth All-India Police Athletic Meet held at Gwalior in February this year. Two of its members—Sub-Inspector, Joseph, who is one of India's Inter-national athletes, and Constable, Rayappan, were responsible for record-breaking performances. The former won the 100 and 400 metres, setting up new All-India Police marks in both. The latter, who won the Home Minister's Medal for the Best Athlete of the Meet, became the Zatopek of the Indian Police by achieving the seemingly impossible in winning three long distance events. He won the 3000 metres steeple chase, the 5000 metres and the 10000 metres, setting up new records in the first two.

The photo below, taken the day after the Team's return from Gwalior, shows them with the Inspector-General of Police, and members of the Madras State Police Sports Committee. Joseph is standing fourth from left in the last row, and Royappan is seventh in the middle row. Both of them were awarded "colours" by the Inspector-General of Police.

**LEGAL NOTES**

1955 Cri. L. J. 1305 (Vol. 56, C. N. 375)—

(S) AIR 1955 ALLAHABAD 521 (V. 42 C. 147 OCT.)

DESAI AND BEG JJ. (9-5-1955)

Dukhi and another, Applicants v. State and another,
Opposite Parties

Criminal Writ Petition No. 950 of 1955

Criminal P.C. (1898), Ss. 344 Explanation, 167(2)—Detention in custody—Power of Magistrate under Section 344 to remand accused to custody on expiry of 15 days without taking cognizance of offence : AIR 1955 All. 462, OVERRULED ; AIR 1924 Cal. 614, Doubted.

Where a person is arrested by the police without a warrant, it is not required that he must be released from custody on the expiry of 15 days mentioned in S. 167(2) if the police are still investigating the matter. A Magistrate, having jurisdiction to take cognizance of the offence, can avail himself of the provisions of S. 344 without taking cognizance of the offence or while the matter is still under investigation by the police : AIR 1955 All. 462, Overruled; AIR 1924 Cal. 614, Doubted; AIR 1949 Cal. 143 and AIR 1931 All. 617, Ref. (Para 2)

(Misc. Case No. 1352 of 1951, D/-28-8-1951—All) Para 6.

T. Rathore, for Applicants.

DESAI J.:

The applicants applied for a writ of *habeas corpus* under S. 491, Criminal P.C. and Art. 226 of the Constitution. They were arrested on a charge of murder and are being detained in prison under the orders of a Magistrate since 29-3-1955 in one case and 2-4-1955 in the other case. Their contention is that under S. 167, Criminal P.C. they can be detained in custody under the orders of a Magistrate only for 15 days and that their continued detention after the expiry of 15 days is unlawful and they should be released at once.

Though it is not stated in the application, the applicants seem to have been arrested without a warrant by the police and the police are still investigating the matter.

(2) The questions that arise are, (1) Whether a person arrested by the police without a warrant must be released from custody on the expiry of the period of 15 days mentioned in S. 167 (2) of the Code unless the Magistrate having jurisdiction takes cognizance of the offence and decides to postpone the inquiry or trial under S. 344 of the Code, and (2) Whether a Magistrate can avail himself of the provisions of S. 344 without taking cognizance of the offence or while the matter is still under investigation by the police.

We were satisfied that the first question should be answered in the negative and the second question in the affirmative; so we held that the detention of the applicants was not unlawful and dismissed their application. We now proceed to give reasons for our views.

(3) The Legislature has expressly divided the period for which a person can be detained in custody prior to the commencement of an inquiry or trial into two stages. The first stage is of the period of 24 hours; in this period the police have absolute discretion to detain the person anywhere they like during the investigation. If the investigation cannot be completed within 24 hours, the police must forward the accused to the nearest Magistrate; see S. 167(1).

The second stage consists of 15 days; the Magistrate to whom the police have forwarded the accused can authorise his detention in such custody as he thinks fit for a term not exceeding 15 days in the whole; see S. 167(2). This remand is practically automatic as soon as the police report that the investigation cannot be completed within 24 hours and that the accused must be remanded to custody for 15 days, the Magistrate would feel bound to grant the remand. The Legislature expects investigations to be completed within the period of 15 days, but frequently investigation must go on for more than 15 days; other persons involved in the commission of the offence may be absconding, identification proceedings in respect of the arrested persons or property may have to be done, a report may have to be obtained from an expert such as the Chemical Examiner or the Imperial Serologist or a handwriting expert, witnesses may not be available for interrogation on account of illness or being away from their homes, or the investigating officer may be absent, on leave, or may have more urgent investigations to do in the period.

On account of these and other reasons, investigations, particularly investigations in dacoity, riot and murder cases, are often delayed beyond 15

days. So there must be a third stage of investigation, e.g., the stage after 15 days. The Legislature must have realised that frequently investigation would last more than 15 days, particularly investigation of serious crimes like dacoity and murder.

It could not have contemplated that the arrested person must be released from custody after the expiry of 15 days regardless of the nature of the accusation or information against him and regardless of the quantity of evidence so far available against him. Therefore, it must have made provision for continuing the arrested person's detention after 15 days in suitable cases and there is no provision barring that contained in S. 344.

It follows that S. 344 is meant to be applied when the investigation cannot be completed within 15 days and there is a reasonable ground to believe that the accusation or information is true. It is stated in the explanation to S. 344 that if sufficient evidence has been obtained to raise a suspicion that the accused might have committed the offence and it appears likely that further evidence may be obtained by a remand, it is a reasonable cause for a remand.

This explanation necessarily refers to the stage when the offence is still under investigation by the police. The investigation is to be done by the police only; only they can unearth or collect evidence. The Court simply tries or holds an inquiry by examining witnesses produced before it by the police or the complainant; it does not investigate and does not collect evidence.

Therefore, when the explanation refers to the probability of obtaining further evidence it means that the remand under S. 344 can be granted while the case is still being investigated by the police. If the investigation has been completed, normally there would not arise any question of the probability of obtaining more evidence by further investigation. If there are good grounds for not completing the investigation within 15 days and there is sufficient evidence or reasonable suspicion against the accused, the Court may postpone the commencement of enquiry or trial pending completion of the investigation and remand the accused to custody in the meanwhile; this is exactly what S. 344 permits.

This remand under S. 344 is to be distinguished from the remand under S. 167(2). Section 344 is more general than S. 167(2), which is confined in its operation to the stage of 15 days of investigation; it can be used at any stage and can be used by any Magistrate or Judge. A remand under S. 344 can be ordered only by the Court having jurisdic-

tion for the offence and not by any Magistrate like a remand under S. 167(2).

It has to be for a reasonable cause and is not almost automatic or as a matter of course like a remand under S. 167(2). Under S. 167(2) the Magistrate has hardly any discretion if the police report to him that the investigation cannot be completed within 24 hours and that there are reasons to believe that the accusation or information is well founded, he will have no option but to remand the accused.

He is not required to give any reasons for granting remand to jail custody; but a Court granting remand under S. 344 has to give reasons. A Magistrate granting remand under S. 167(2) has discretion to remand the accused either to police custody or to jail custody but it is doubtful if a Court granting remand under S. 344 has such discretion and can remand the accused to police custody.

(4) Sections 169, 170 and 173 provide for the acts to be done by the police upon investigation. If "upon an investigation" it appears to the police that there is no sufficient evidence or reasonable ground of suspicion to justify the forwarding of the accused to Court, the police must release him on his executing a bond; see S. 169.

If, on the other hand, it appears to the police that there is sufficient evidence or reasonable ground, they must forward the accused under custody to the Magistrate empowered to take cognizance of the offence upon a police report and to try the accused; see S. 170.

Since the period of investigation expressly allowed by the Legislature (in S. 167(2)) is of 15 days, the report mentioned in S. 173 must be made within 15 days (if possible) and the acts mentioned in Ss. 169 and 170 must necessarily have been done before the report is made. But even if the investigation cannot be completed, and the report cannot be made, within 15 days, the acts mentioned in the two sections must still be done within 15 days.

If in this period sufficient evidence has been obtained or there is a reasonable suspicion against the arrested person, he must be forwarded to the Magistrate, otherwise he must be released, while the investigation is going on. Naturally the police will send communication to the Magistrate while forwarding the accused explaining the circumstances in which they cannot complete the investigation within 15 days and stating what evidence has so

far been collected to prove that the accused has committed the offence or to cause a reasonable suspicion of his having committed it.

The Magistrate then will decide whether to postpone the commencement of enquiry or trial and remand the accused. This communication is not a report within the meaning of S. 190(b); it need not state the facts constituting the offence and the Magistrate is not required to take cognizance on receipt of it; evidently if the communication does not state the facts the Magistrate cannot possibly take cognizance. There is nothing in S. 344 to suggest that the Magistrate must take cognizance before taking action under it.

It is laid down in S. 173 that the investigation must be completed without unnecessary delay and that as soon as it is completed, the police should forward to the Magistrate empowered to take cognizance of the offence on a police report, a report in the prescribed form stating whether the accused (if arrested) has been forwarded in custody or has been released on his bond (he can be released on his bond if the offence is bailable).

This report may be a charge-sheet requesting the Magistrate to take cognizance of the offence and put the arrested person on trial or a final report informing him that there is no evidence against the arrested person or no reason to believe that he has committed the offence. Under S. 190 (b) a magistrate may take cognizance of an offence upon a report in writing of facts which constitute such offence by any police officer.

As the report mentioned in S. 173 is the only report which is contemplated by the Code to be made by a police officer to a Magistrate who is entitled to take cognizance of the offence, it must be held that the report upon which a Magistrate may take cognizance of an offence is the report mentioned in S. 173. When the Code provides for a certain report to be made by a police officer and does not provide for any other report to be made by him the report contemplated by S. 190 must be the report for which the Code has provided.

It was observed by Bajpai J. in—'Chunni Lal v. Emperor,' AIR 1933 All. 399 (A), that an application made during the trial of a case by the prosecuting inspector that a certain witness should also be put on trial is a report within the meaning of S. 190 (b) but with great respect to the learned Judge I do not think it can be said to be such a report. It cannot be disputed that the report made by the police under S. 173 is such a report. An elaborate procedure is laid down in the Code to be followed by the police before they

make such a report; it follows that no other kind of report permissible under the Code.

It would have been useless for the Code to provide for the elaborate procedure to be followed before making a report if any application such as the one made in the case of Chunni Lal could be held to be a report.

I think the doctrine laid down by the Judicial Committee in—'Nazir Ahmad v. King Emperor,' AIR 1936 PC 253 (2) (B), that where a power is conferred upon an authority to do an act in a particular manner, it must do it in that manner and in no other manner, applies; if the police are required by the Code to make a report in a particular manner they may not make a report at all, but if they make one, they must make it in the prescribed manner and in no other manner.

(5) Once it is found that the report contemplated by S. 190 (b) is the report referred to in S. 173, it follows that a Magistrate can take cognizance of an offence only after the investigation has been completed and cannot take cognizance of it while the investigation is still progressing. The whole scheme of the Code is against a Magistrate's taking cognizance of an offence even during the pendency of an investigation. There is only one provision dealing with further investigation after it has been once completed; it is that contained in S. 173(2).

Before the Magistrate passes orders on the report made under S. 173, the Superintendent or the Deputy Superintendent of Police, through whom the report is submitted by the Station Officer in charge of the police station, may order him to make further investigation. The Station Officer might have thought that he has done all the investigation that he could but the superior officer may think that the investigation is not complete and that some further investigation is still required and may direct it to be done pending orders of the Magistrate on the report. In no other case can further investigation be done after the submission of the report under S. 173.

After the Magistrate has passed orders on the report, whether of taking cognizance of the offence under S. 190(b) or of approving the final report and discharging the bond executed by the arrested person under S. 169, there is no scope for any further investigation by the police. Further investigation after the Magistrate has taken cognizance of the offence may even amount to contempt of the court and be illegal. If no investigation can be done after the Magistrate has taken cognizance of the offence, the explanation to S. 344 must refer to the circumstances existing before the

taking of cognizance by the Magistrate, i.e., S. 344 can apply even before the Magistrate takes cognizance of the offence.

It was argued that the words 'to postpone the commencement of..... any inquiry or trial' of the section suggest that the Magistrate has already taken cognizance of the offence. An enquiry or trial can commence only after the Magistrate has taken cognizance of the offence; therefore, the question whether the commencement of an inquiry or trial should be postponed or not would normally arise after cognizance of the offence has been taken. But there is nothing in the section to suggest that taking cognizance of the offence itself may not be postponed.

There is nothing to be done by a Magistrate after taking cognizance on a police report and before the commencement of an enquiry or trial; so postponing commencement of an inquiry or trial may include postponing the taking cognizance of an offence. In any case in the absence of express words like 'after taking cognizance of an offence' I am not prepared to hold that the power conferred by S. 344 cannot be exercised unless cognizance has been taken.

(6) In—'Bhola Nath Das v. Emperor' AIR 1924 Cal. 614 (C) Greaves and Panton JJ, laid down:

'At the expiration of the maximum period of 15 days' detention of an accused person...an accused must either be released by the police under S. 169...or the Magistrate, empowered in that behalf, must either take cognizance if he has before him a police report (which ordinarily would be a report in the form laid down in S. 173)...or he must release him.'

With great respect to the learned Judges I may point out that the alternative to proceeding under S. 169 is proceeding under S. 170 and not the Magistrate's taking cognizance of the offence or releasing him. Only two things are possible upon an investigation; either it appears that there is not sufficient evidence or it appears that there is. In the former case the police must act as laid down in S. 169 and in the latter case—as laid down in S. 170. So acting under S. 170 is the only alternative to acting under S. 169.

The correctness of the decision was doubted by Roxburgh and Blank J.J. in—'Superintendent and Remembrancer of Legal Affairs Bengal v. Bidhindra Kumar Roy' AIR 1949 Cal 143 (D). In that case it was observed by the learned Judges that the explanation to S. 344 'clearly contem-

plates a stage prior to submission of the charge sheet and that time is wanted for further investigation. In—'Emperor v. Sooba' AIR 1931 All 617 (E) Kendall J. observed that if an investigation is not complete within 15 days, the accused must be forwarded to the Magistrate having jurisdiction for being remanded under S. 344 if there are sufficient reasons and that it is not the law that a police investigation can in no case involve detention of the accused persons in custody for more than 15 days.

In—'Kali Charan v. State' AIR 1955 462 (F) decided by our brother Raghubar Dayal on 28-8-1951, a contrary view was taken and it was held that S. 344 cannot apply unless cognizance has been taken. In that case Kali Charan was detained in custody during investigation for more than 15 days. He was remanded to custody after having been in detention for 15 days by a Magistrate who had no jurisdiction to take cognizance of the offence. Under S. 167 a Magistrate not empowered to take cognizance of the offence can remand the accused to custody for not more than 15 days: therefore, the detention of Kali Charan beyond 15 days under the orders of a Magistrate, who was not empowered to take cognizance of the offence was unlawful, regardless of the question whether S. 344 applies only after cognizance of the offence has been taken or also while the investigation is going on.

Our learned brother, however, considered the provisions of S. 344. He laid considerable stress upon the use of the word 'court' and inferred that the section contemplates that the magistrate has taken cognizance of the offence and a court has come into existence. I do not think that this is the significance of the word 'court'. The word 'Magistrate' also is used in the same section. The word 'court' is used instead of the word 'Magistrate', because the provisions of the section are meant to be available not only to magistrates but also to judges. Had the word 'Magistrate' been used, the provision could not have been available to judges.

I find it difficult to accept our learned brother's observation that there is nothing in the Code to suggest that the police cannot continue investigation after submitting a report to the Magistrate for taking cognizance of the offence. It is only under Section 173 that a report is to be made and the section expressly uses the words 'As soon as it is completed'; investigation cannot be completed and also remain pending at the same time. It is true that the explanation does not use the words 'during the course of an investigation' but a similar argument is available against the interpretation sought to be placed upon the section—the section does not use the words 'after taking cognizance of the offence.'

Our learned brother did realize that further investigation, though it can go on after the Magistrate has taken cognizance of the offence, cannot go on after he has disposed of the case and consequently was forced to lay down that the Magistrate should not pass final orders in the case so long as the investigation has not been completed. What a court should do after it has taken cognizance of an offence is laid down in certain sections of the Code and, apart from the provisions, there can be no restriction of any kind on the power of the Court to dispose of the case.

The Legislature would not have left such an important restriction unexpressed or to be inferred. There is no warrant for implying that the court's completing the case is dependent upon the investigation being completed. If the investigation can go on even after the Court has taken cognizance, there is nothing in the law to prevent its going on even after the Court has disposed of the case. If it would be absurd for the investigation to go on even after the case is disposed of, the absurdity results from holding that investigation can go on simultaneously with an inquiry or trial and not from the operation of any of the provisions laying down the procedure to be followed after cognizance has been taken.

I do not agree with our learned brother that the interpretation that I am putting on S. 344 would render the limit of 15 days placed by S. 167(2) useless. I have already pointed out the difference between the provisions of the two sections. If a Magistrate by simply passing an order of remand under Sec. 344 in a case pending investigation is deemed to have taken cognizance of the offence, as our learned brother thinks he is, it would be useless also to presume that the order can be passed only after cognizance has been taken. It would ordinarily be useless to presume that a power can be exercised only if a certain condition precedent exists, if the existence of the condition precedent can be inferred from the very exercise of the power.

In Kali Charan's case (F) since the order under S. 344 was passed by a Magistrate not empowered to take cognizance, he could not be presumed to have taken cognizance; in the present case it is not shown to us that the orders of remand were passed by a Magistrate not empowered to take cognizance of the offence against the applicant.

Our learned brother further observed:

'The forwarding of the accused to the Magistrate under S. 170, Criminal P.C., was for the purpose of the Magistrate taking cognizance against the accused.....it was in such a contingency that the Magistrate was

to grant further remand under S. 344, Criminal P.C., in order that further evidence might be secured against the accused.'

I have already explained how the communication that the police would send to the Magistrate while forwarding the accused under Section 170 cannot be the report contemplated by Section 190 (b). Really the Code does not expressly require any report or any other communication to be sent by the police along with the accused; had it been the intention of the Legislature that the Magistrate should take cognizance when the accused is forwarded to him, it would have enacted a provision to that effect, or at least provided for a report to be made by the police while forwarding the accused.

Moreover, action under Sections 169 and 170 is to be taken only if a person has been arrested by the police without a warrant; if none has been arrested or the arrested person has been released on bail, the action cannot possibly be taken, and the Magistrate can take cognizance of the offence only on receipt of the report made under Section 173. I do not see any reason for saying that the Magistrate must take cognizance even before receipt of the report just because some arrested person is in custody. The accused is to be forwarded even if there is no evidence, but only a reasonable suspicion; but the Magistrate cannot take cognizance on more reasonable suspicion; he must have a statement of facts constituting the offence as laid down in Section 190 (b).

If he has taken cognizance, on the accused being forwarded to him, it would be superfluous for the police to make a report under Sec. 173 later; the Magistrate cannot take cognizance again. I have, therefore, no doubt that no cognizance can be taken by the Magistrate on the communication received from the Police along with the accused under Section 170. A Magistrate passing an order under Section 344 may have to act judicially but acting judicially is not dependent on taking cognizance.

A Magistrate passing an order under Section 167 (2) is also acting judicially; if he can act so without taking cognizance there is no reason why he cannot act under Section 344 without taking cognizance. For these reasons I think that the law has not been correctly laid down by our learned brother in 'Kali Charan v. State (F)'.

(7) The detention of the applicants is not unlawful.

(8) BEG, J. : I agree.

Application dismissed.

Crime for the Quarter-ending 30-6-1956 in Madras State

Serial No.	Name of the District	Area in Sq. miles	Population	Total No. of Crimes	Offences relating to Coins	Offences relating to currency and bank notes	Murder	Kidnapping	Dacoity and Preparation for dacoity.	Robbery	House-breaking	Theft both ordinary and cattle	Criminal Assault.	Total No. of juveniles concerned	Police men per 10,000 of Population
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
1	Chingleput	3294.03	17,84,251	1103	..	..	11	5	1	3	92	304	61	15	10
2	Coimbatore	7100.32	93,204	916	..	1	23	14	5	6	161	453	54	17	6
3	Madras City	49.4	14,00,000	2362	1	1	3	7	..	7	176	1357	81	13	21.6
4	Madurai North	3099.24	16,22,989	715	..	..	17	3	2	5	61	220	10	12	6
5	Madurai Urban	1250.07	10,62,997	542	..	..	8	6	..	5	51	240	26	76	12
6	Malabar	5758.18	43,13,547	598	..	..	9	7	..	..	101	149	89	2	5
7	The Nilgiris	1098.14	2,79,359	83	..	..	3	4	..	..	16	48	12	5	13.1
8	North Arcot	4654.28	59,157	831	..	..	8	3	3	1	164	307	..	12	5.3
9	Ramanathapuram	5919.23	09,938	1983	..	..	7	2	2	7	91	244	44	31	8
10	Salem	6894.8	30,97,220	576	1	..	22	5	4	1	176	367	..	..	6
11	South Arcot	4208.27	76,767	679	..	..	7	11	1	4	135	407	..	..	6
12	South Kanara	4007.17	48,991	506	..	..	4	..	..	..	42	123	30	4	5
13	Tirunelveli	4200.96	24,45,967	732	..	..	14	8	..	..	126	354	88	49	7
14	Tanjore	3742.01	28,82,670	595	..	..	21	..	3	7	187	362	15	6	7
15	Tiruchirapalli	5571.13	26,95,071	918	1	..	14	7	..	9	155	436	32	6	8
16	Tiruchirapalli Ry. Dt.	2451.5	..	245	..	..	..	..	..	2	2	..	..	..	..

Life's Like That

When Two police officers sent to quell a dance-hall fracas were thrown out by the creator of the disturbance a burly young fellow—the Chief Constable took matters into his own hands.

He went into the hall alone and returned in half an hour to head-quarters with the culprit in tow. The astonished officers wanted to know what he had done.

“Nothing to it,” he replied. “I just talked to him into joining the force.”

CLARANCE ROSSER.

(From 'Reader's Digest', February 1956).

YOU Can Have My Job!

*Getting out this magazine is no picnic!
If we print jokes, people say we are flippant;
If we don't they say we are too serious.
If we clip things from other magazines
We are too lazy to write them ourselves;
If we don't, we are stuck on our own stuff.
If we don't print contributions
We don't appreciate true genius;
If we do, the magazine is full of junk.
If we make a change in the write-ups
We receive, we are too critical;
If we don't, we are asleep.
And like as not, some guy will say
We swiped this from some other magazine.
As a matter of fact, we did! Ed.*

(From 'Efficiency News' November 1955).

An eminent gentleman in clerical orders met two of his parishoners at the house of a lawyer, whom he considered too short a practitioner.

The lawyer ungraciously put the question, “Reverend, these are members of your flock; may I ask, do you look upon them as white sheep or black sheep?”

“I don't know,” answered the divine dryly, “whether they are black or white sheep, but I know, if they are long here, they are pretty sure to be fleeced.”

(From the Illustrated Weekly of India, November 6, 1955)

The Progressive Police Officers Cannot Afford to be without

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Contributions should be typewritten with double spacing and bear the name and address of the sender on the first page.

They should be addressed to the Editor, The Madras Police Journal, Police Training College, Vellore, North Arcot District.

Suitable articles on any subject of educational value or interest to the Police, or which promote co-operation between the public and the Police, are acceptable.

Items not accepted for publication will not be returned.

THE MADRAS POLICE JOURNAL

(Issued under the authority of the Inspector-General of Police)

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Vol. VII

JULY-SEPTEMBER 1956

No. 3

This organ aims not merely at helping to educate and interest members of the Force in their profession, but what is still more important, to promote co-operation between them and the public. In other words, it seeks to bridge the gap between the people and the uniformed members of the Security Service, coldly discharging their thankless tasks.

Members of the general public very few of whom have contributed one so far are warmly invited to contribute articles. Articles from them will not only help the Journal to take its proper place as a mouth-piece of the people as well as of those who guard them, but will also go a long way to allay the suspicions and overcome the apathy which their guardians have too often to face.

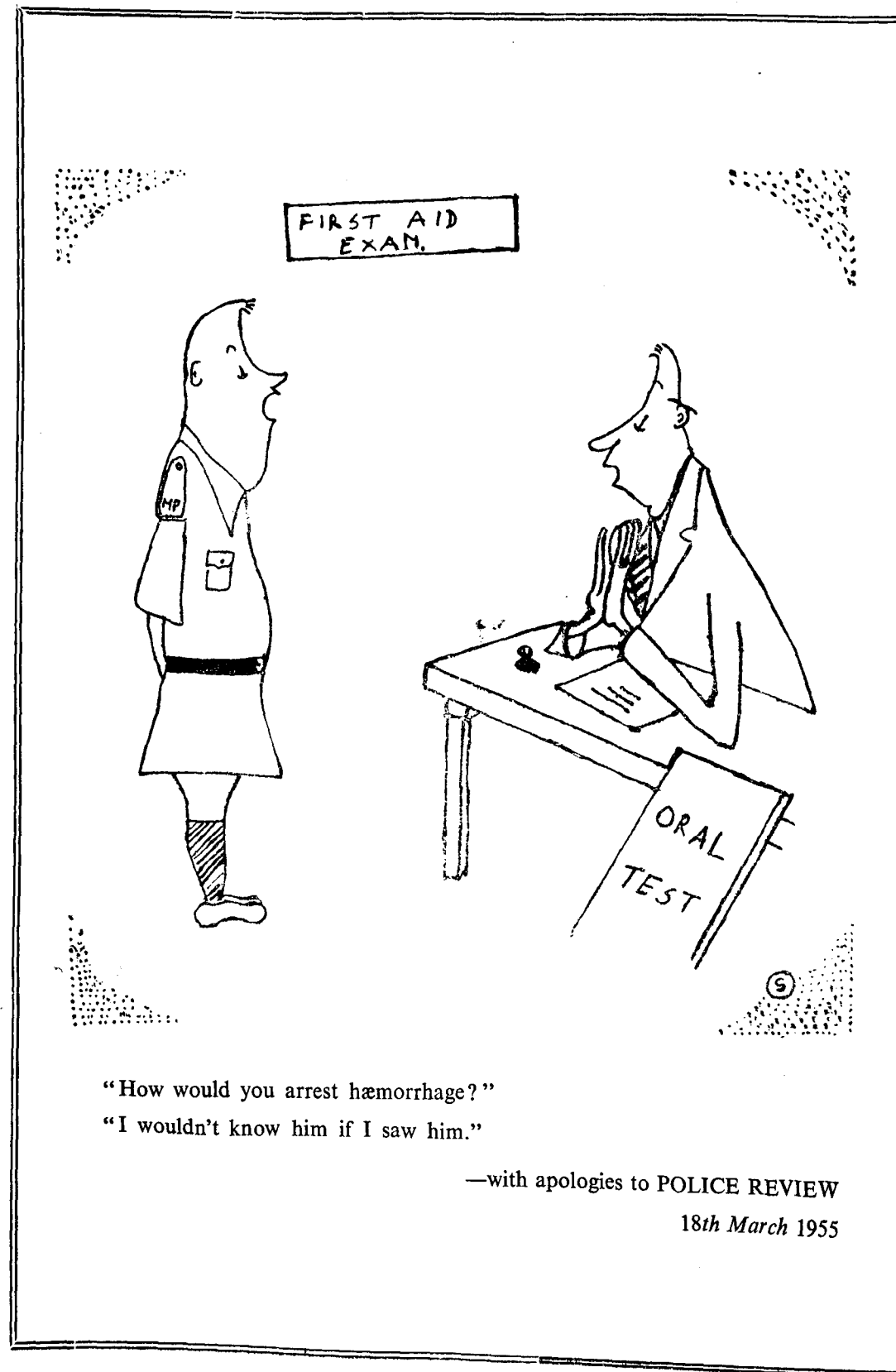
Readers who are members of the Force, are, for their part, requested to do all in their power to widen the Journal's circulation among the public.

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THE ROLE OF THE POLICE DURING A CYCLONE

BY

L. R. ADIGE

District Superintendent of Police, Tanjore

Tanjore district in the State of Madras which has a wide coast line has regularly been the target of cyclonic storms, the only other place having suffered by comparison being Visakhapatnam in Andhra.

On the 30th of November 1952, a cyclone struck Tanjore and affected nearly the entire district causing widespread havoc. Three years later, to a day, another cyclone struck the district on 30-11-1955 but mainly affected the three taluks of Tiruturaipoondi, Pattukottai and Arantangi. The devastation was widespread and a tidal wave which struck Vedaranyam and Topputhurai on the coast of Tiruturaipoondi Taluk caused about 400 human casualties. 15,884 cattle and 25,558 sheep and goats perished, and the number of houses damaged or destroyed in the three taluks amounted to 2,11,604. There was widespread damage to crops and the number of coconut trees felled was 2,03,255. It had been raining continuously for a few days prior to 30-11-55, and to make matters worse, it continued to rain for 6 days subsequent to the cyclone thus adding to the miseries of the homeless population. In Vedaranyam and Topputhurai there was not a dry spot to bury the dead. All communications were cut off, roads breached and rendered impassable, and the railway lines extensively damaged.

The immediate task was the restoration of communications and the rushing of relief to the badly affected areas. The Collector of Tanjore and I were camping at Kumbakonam on the 30th night and owing to lack of communications, the real state of affairs could not be communicated from the affected taluks by the local officials to the District Headquarters. On return to Headquarters on 1-12-55, purely as a precautionary measure due to the prevailing high winds, I sent my transportable radio station to Nagapattinam to be used in case of need. The first information received was through a messenger on foot from Pattukottai from the Revenue Divisional Officer on the afternoon of 1-12-55, and from the Sub-Collector, Nagapattinam, over my transportable radio set on the night of 1-12-55. A

report sent through a peon by the latter reached District Headquarters 3 days later, due to the lack of communications.

It is at such times of stress and calamity that the machinery of the Police Department can be seen and felt at its best. Immediately on getting information from the affected areas, Armed Reserve parties in transport were sent to clear the roads. Transportable radio stations were sent by the Inspector-General of Police and set up immediately at four places in the taluks that were affected and communication with the District Headquarters and outside world re-established. The Police Radio system thus came to the rescue of the Civil authorities at a moment of absolute darkness. Over this system were sent reports to Government, messages to neighbouring districts for help of all kinds, and the stupendous task of rushing relief arranged. Important and vital messages were sent by Sri Venkateswaran, I. C. S. Member, Board of Revenue, who was deputed by Government to study the situation and issue orders on the spot. But for the police Radio system rehabilitation would have taken months.

The Police staff in the three taluks were affected as badly as the rest of the population. They were homeless, and without food and clothing. Against all these odds the men and officers displayed great initiative, and forgetting their own miseries they were of immense use to the public in every conceivable way. A Police Constable at Vedaranyam left his own parents behind and went to the rescue of his neighbours and by the time he returned, his house had collapsed and his parents were killed. The Armed Reserve were the first to cut their way through and restore communications. Two companies of the Special Armed Police, Red Hills, deputed specially by the Inspector-General of Police, rendered magnificent service to the public in the matter of opening of roads, disposal of dead bodies, removal of debris, salvaging of properties and assisting the poor in rebuilding and rethatching their houses and huts. At a place visited unexpectedly by the Chief Minister of Madras in Arantagi Taluk, he was greatly impressed by seeing men of the Special Armed Police swimming in 10 feet of water to lay the first sand bags across a breach on the road. It is a matter of pride that there was not a single complaint against a single policeman during the entire period of rehabilitation.

The role played by the Police during such calamities is therefore a most significant one. The public realised that the department is meant not

only to wield the latti, use the musket, and penalise offenders, but that the force is an integral part of Society ready to rise to an emergency and be of real service to the public. The prestige of the Police was greatly enhanced by the fine spirit of service of the men and by the quality of leadership exhibited by the officers. The department earned the everlasting gratitude of the public and the encomiums of the Government of Madras.

Be A Better Driver

Keep yourself and your car in good condition, because...

A run-down car with a run-down driver is a killing combination.

Keep your eyes on the road, both hands firmly on the wheel.

Driving can be fun if you relax, but keep alert. Pull off the road and stop, if you're getting sleepy.

A 15-minute nap will rest you for another hour's driving.

A suddenly smoking exhaust is as good a daytime warning as a stop light.

It indicates that the driver ahead of you has let up on the gas and is slowing down.

Prepare for a quick stop or a sudden turn. Check what's behind with your rear-view mirror before pulling out to pass the car ahead.

Many bad accidents are caused by pulling out to pass just as another car is passing you.

It's safer to come to a full stop at all main highway crossings, even at those where only a "caution signal" is posted.

After passing a car, don't cut back until you can see the car you have passed in your rear-view mirror.

A bad pile-up can be caused by cutting in too quickly.

When approaching a railroad crossing slow down, turn off your radio and roll down at least one window if they're all closed.

Many accidents and close calls could have been avoided if the driver had been able to hear the train whistle.

At night, watch trees or telephone wire bordering the road on hill tops.

Reflected light will tell you when a car is coming from the opposite direction.

This is also a good practice on curves you can't see around.

You will be able to see the reflected light of approaching cars on trees, fence posts and billboards.

Watch for shadows or reflected lights from cars that may be directly ahead of a large truck you're planning to pass.

You may think you have plenty of time to pass a truck, but when you get alongside you discover there are one or more cars directly in front of the truck that you couldn't see before you pulled out and started to pass.

Remember that the wheel of your car is a wheel of chance.

Handle it with care.

(From "Efficiency News," July, 1955.)

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THE SHORT AND THE LONG OF IT

BY

INSPECTOR NOEL BRETT YOUNG
DEVON CONSTABULARY

(From The Police Journal (U. K.) Jan-March 1955)

The writing of reports is, or should be, as much an art as anything else. Yet in the Police Service, where report-writing increasingly occupies more and more time, it is a strangely neglected art.

There are men who can sit down at a typewriter and, clearly and in chronological order, punch out a report which lacks nothing in grammar, punctuation, facts and sense; but they are few. They are grossly outnumbered by either (a) the terse or (b) the verbose, with which I now propose to deal.

All senior officers know A, who, sometimes through laziness but more often through inability, fails to achieve even in the simplest of reports the minimum standard required in order to decide either what the next step should be in the progress of an investigation or whether there is sufficient evidence to justify a prosecution.

This type of officer, reporting on a vehicle without obligatory lights, will omit to say whether the rear light was burning or not, what the conditions of darkness and weather were, or whether there was some defect in one or all of the lights. The senior officer, unless he sends the report back for clearance, will be left guessing and may even in desperation be tempted to take a chance and assume something in court which may be proved to be wrong.

A. will disregard little things like points to be proved. He will disregard plain question and answer. Instead of writing: 'I said to him: "Have you any explanation to offer for your vehicle being here without lights?"' He said: "I forgot to turn them on." 'A. will put: 'I asked him for an explanation, and he made no reply.' Which, though it may not be terribly important in this instance, is in fact not accurate. And, some day, before a bored Bench or a dyspeptic Judge, it may make the difference

between a successful prosecution, complete with bouquets, and the type of case which is headlined in the Press:—*Judge Criticises Police: Facts alleged Suppressed.*

But if you told A. all this no one would be more surprised than he. A., indeed, is the sort of man who, in order to save a couple of minutes on the typewriter, will persistently leave his report suspended in mid-air. And, slamming on his typewriter cover, he will quit the station firmly convinced that he at least is doing something towards saving the criminal waste of time which, as everyone knows, all senior officers waste in posing foolish queries when the job has already been well done.

B. is a different proposition. A little woolly in thought, he will let the typewriter, which should be his slave, become the master. If he wants a new typewriter ribbon from divisional office he will not write: 'Sir, I would inform you that my typewriter ribbon, which has been in use since January 1st, 1884, is now too bad for use: may I please have a new one.' He will first collect two or three foolscap sheets of paper, carbon paper and scrap paper and, having for an hour or two written with pencil an original draft of his plea, will then get down to the real thing, thus:—

'Sir, I have the honour to inform you that I joined the Dumbleton Constabulary on June 1st, 1923. I joined in the first place because I considered the prospects to be good, but I have since learned that a man's service to his fellow creatures can outweigh all other consideration. I have served in twenty-three Station since joining, and I have dealt with every form of crime from mayhem to mumbo-jumbo...' and so on for some one and a half foolscap pages.

The remainder of the report deals at length with the ancestry, pedigree and full history of B's typewriter, with a discourse on its mechanical condition, the price for which it was bought and its present value (in pounds sterling, dollars and pesetas). The final two paragraphs, however, come swiftly to the point...

B., of course, may on reflection be more cunning than A. Divisional office is full of strange theories and emotions—or so the men outside maintain. It may be that the terseness of A, catching them on the raw after a hurried and indigestible lunch, will result merely in A's memorandum being returned to him with the suggestion that he apply again in a few years' time,

when supplies may have been received from H. Q. But B—that's a different kettle of fish.

Divisional office, used to B's methods, will have skipped the first two pages with a yawn, and read only the last two paragraphs. "This man is a busy chap," they will grunt. "We haven't time to read it all now, but it's quite clear he's a different fellow from A: he uses his typewriter."

And so, in the virgin margin, will be scrawled the magic word: SUPPLY.

The Parade will Wear Glasses

Experienced Police Officers must often wonder whether the staging of an identification parade is worth the trouble. Almost certainly, if they do, they reluctantly decide that it is just about worth while, but we heard of a case the other day in which the zeal of the Police in conforming to the requisite standards of fairness had comfortably outstripped discretion. The prisoner was a man of some substance (as they are still occasionally called), and therefore a man who might possibly make some fuss if he felt justified in complaining at all; and a minute or two before the witnesses were to be brought in he suddenly remembered that he usually wore spectacles. Getting the "eight or more" in from the streets is always a bother, but this time it had taken a long while. Accordingly, rather than send out for another eight with glasses on, the Police Officer in charge of the proceedings borrowed glasses from the lost property cupboard to put on the eight he already had.

Strategically sound, this turned out to be tactically wrong. You do not, in such an emergency, arrange that each participant in the parade shall have an optical test, and anyway you can usually conclude that people without glasses don't need them and would be at a disadvantage if they put some on. These eight people were at such a disadvantage that they peered and blinked at the witnesses, through lenses that destroyed their normal poise and established the prisoner himself as an immediately conspicuous odd man out. The witnesses walked straight up to him, one after the other: they simply weren't interested in his myopic, blinking and frowning colleagues. The whole idea was scrapped. The Police relied on the evidence they had already got, and it proved sufficient. At the time when the story reached us, a small and profane sub-committee was trying to guess which lost property labels belonged to which glasses.

(From "Police Review," 22nd July, 1955.)

THE SINGLE FINGER PRINT SYSTEM

BY

P. SEETHARAMAN

Superintendent, Finger Print Bureau, Vellore

In recent years, science has advanced by leaps and bounds, and the science of criminology has also kept abreast with the progress of other branches of science. For the identification of criminals and for detection of crimes, various systems like branding, anthropometry, Finger Prints and photography were devised. Numerous scientific appliances, such as X-ray, Ultra-violet Ray lamps, Microscope, Radio, Lie-detector, tape recorder, and finger print developers have been adopted for crime detection.

The Finger Prints play a very important role in the identification of criminals, and in the detection of crime, on account of its infallible nature and simplicity of working. It is the fundamental of criminology and the backbone of Police work. The marvellous advancement in finger print science is the Single Digit System, or Single Finger Print System.

Readers will be aware that there is a Finger Print Record Office in all the States, where the finger prints of persons, convicted for certain offences are kept on record. In this collection of records, called 'The Main Collections', the finger-prints of all the ten digits of a person are taken in a form and the classification is worked out on a formula representing the patterns in the fingers in combination, and recorded in a specified order. This helps a great deal in tracing the antecedents of an arrested person, whose identity is unknown. But it has its own limitations. With this system it is not possible to trace the culprits who have left some stray, chance impressions at the scenes of crime. To overcome this difficulty, a system of Single Finger Prints has been devised.

In this system, the impressions of the ten fingers of an individual are taken separately, and classified with reference to the characteristics found in the pattern according to Single Finger Print Classification, and arranged. A special tripod magnifier with a base-glass containing concentric circles, is

used for working out the classification (Fig. 1.) This collection is restricted to the class of criminals who are addicted to 'house-breaking and house-thefts'. The object of the system is to trace the identity of the criminals who have left behind them—incidentally, their finger impressions on objects at the scenes of crime, while committing the offence. This system can be worked out with success, only in big cities and towns, where there are rich people's residences, big shops, and well furnished bungalows, as chance impressions can be found clearly on smooth and polished surfaces. The Single Digit cards, about the size of 3" x 5", used in this system (Fig. 2.) are printed, ten in a sheet, and perforated for the ten digits of a person. The rolled impressions of each of the fingers are recorded in the respective cards. The Single Digit serial numbers and the classification worked out in the 'Main Finger Print' collection are entered for reference. Then the prints are classified according to the Single Digit Classification, the cards cut at the perforation, and are filed, finger-war, in separate drawers in the cabinet.



Figure 1
Single Finger Print Magnifier with Battley's Disc.

The important aspect in the criminal investigation is a thorough search for finger print clues at the scenes of crime, and the investigators should take all steps for their preservation. The investigating officers should reconstruct the crime, and search in the places and on articles, likely to have been touched by the culprits, and the search should be conducted methodically.

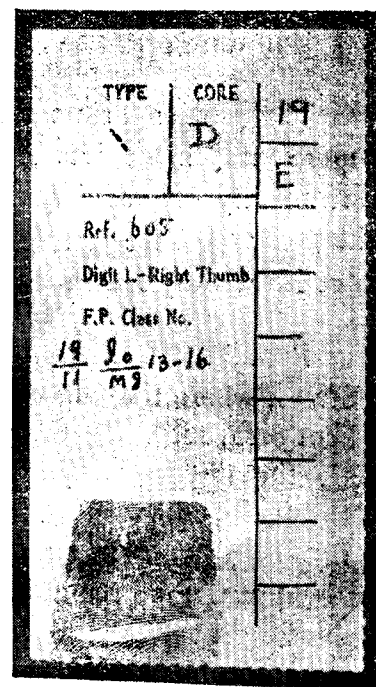


Figure 2
Single Finger Print Card.

and with great caution. The latent finger prints traced at the scene of crime should be developed with suitable developers, and their photographs taken to the actual size. Such photographs of the imprints are, in the first instance, compared with the finger prints of the inmates and other persons who have had legitimate access to the place, and eliminated. The imprints, which are 'unaccounted', are classified as far as possible, and a search is made in the Single Digit Collections. The imprints traced at the scene, may, invariably, be either partial and fragmentary, since they are left by the culprits by chance. A great deal of practice, patience and perseverance is required for this work.

The photographed copies of the imprints, which are not identified, are kept separately in a collection called the 'un-identified scenes of crime collection.' They are compared with the imprints in the scenes of crime collection already recorded, and with the finger prints of those persons who are arrested subsequently for similar offences. If the culprit, who was responsible for the previous offence, or offences is arrested, his complicity in all such cases is also thus established.

A card index showing the Single Digit Classification of all the ten digits, and the main collections and names, etc. is also maintained for easy reference and elimination.

A modus-operandi card index system is also maintained to minimise the field of search so that the identification may be made quickly.

The Single Digit system can be of immense use to investigators, as it affords a direct clue in fixing the identity of the criminal who has left behind his finger impressions at the scene of crime.

A Single Digit system has been, recently, started in the Crime Branch, Madras City. It is manned by one Assistant Superintendent and three Experts. Immediately an offence is reported, investigators can now requisition the services of these expert personnel to visit the scene of offence for searching for finger print clues left by offenders, whose eventual identification may be effected through a single-finger print inadvertently left behind.

Worth Remembering

"I am a little thing with a big meaning. I help everybody. I unlock doors, open hearts, dispel prejudice. I create friendships and good will.

I inspire respect and admiration. Everybody loves me. I bore nobody, I violate no law. I cost nothing. Many have praised me, none have condemned me. I am pleasing to those of high and low degree. I am useful every moment of the day. I am COURTESY".

(Contributed by Inspector TIMS, GUDALUR.)

ON HANDLING MEN

BY

R. T.

[From *The Police Journal* (U. K.) Oct.-Dec. 54]

This is a subject upon which much has been written and spoken by persons far more eminent and capable than the present writer. Some have, however, dealt with the matter in rather an abstract way leaving the reader or the listener, as the case may be, to sort out the principles from the written or spoken word. The present article is an attempt to deal with the subject basically and to comment pertinently on facts which, it is suggested, might be borne in mind by all police officers in position or authority. It is for this reason that a grandiloquent title has been avoided and that our enquiry is now labelled quite simply "On Handling Men".

Before splitting the subject into sub-headings it is necessary first to study one's own career; to cast our thoughts back to those occasions when we have been either admonished, praised or given instructions by a superior, and to see what we can learn from them. For instance, the memory of an improper "choking off" should make us appreciate the correct method; recollection of praise given us at the right time might cause us to wonder if we know when and how to give credit correctly; and if we remember any misguided verbal instruction which caused confusion in our minds as to a particular task we were required to do, perhaps we shall appreciate the more that such instructions must never be given thoughtlessly.

It is also essential in an approach to this subject to study and criticise our personal relationships with subordinates; to cast aside personal problems, frustrations, and ambitions, and to concentrate our thoughts for a moment on our relationships with the men who serve under us, whether we happen to be merely a humble Sergeant or Inspector, possibly a Superintendent, or even a Chief Constable. No matter what rank we may hold the principles to be followed in "handling men" are exactly the same, and, self-criticism is vital if there is to be a proper appreciation of the rights and wrongs. Questions which we should ask ourselves are, for example: "Whenever I

have admonished a man, have I been fair? Have I gone the proper way about it? If I was ever unfair, did I do anything to correct it afterwards? Did I praise enough the work done by young Smith on that larceny job? Or perhaps I 'laid it on' too much? That order I gave about the regulation of traffic in the main street; saw one or two puzzled looks; could I have made it clearer?" And so on.

In other words we must not take it for granted that because we have chosen to do something which involves the handling of men in a particular way that it is the correct one.

Let us now examine the subject in more detail.

Admonitions

The writer's view is that there is sometimes a reluctance to admonish erring subordinates mainly because superior officers lack the moral courage to do so. Anyone in his right senses knows that a Policeman will not respond to constant "pin pricking" neither can he, by the very nature of police work, be "driven" in the same way as might a member of the armed forces. But there are many occasions when a subordinate will benefit from a "chewing up" and, however unpleasant the task may seem, a superior is lacking in his responsibilities if he does not give an admonition when required.

Do we, however, always bear these points in mind?—(a) The admonition should be given privately and never in the presence of another person of the same rank, or of lower rank, than the offender. To castigate a man in the presence of his colleagues only causes humiliation and resentment and has practically no good effect at all. (b) The admonition should contain definite advice as to how the subordinate may improve, and a little word of praise included at the end about something which he has done well may help the man to accept his "strip" in the right spirit.

Have there not been many disciplinary cases which might never have occurred if the offender had previously been given proper correction in his every day work by his immediate superiors and which might, thereby, have prevented him committing the final delinquency for which disciplinary action had to be taken? This is a thought on which all police officers of rank might reflect.

Praise

Too often is good work taken for granted and unless effort is made to make the man concerned conscious that his actions have been appreciated,

he will become despondent and frustrated. Conversely, undue or exaggerated praise will create the feeling among subordinates that complimentary remarks and commendations are "two a penny" and are made merely as "a matter of form".

Therefore, it is suggested, the correct balance must be struck and praise should be restricted to actions which have genuinely shewn extra effort.

This matter of giving credit where it is due is particularly important in smaller forces where promotion is slow and even the chances of a keen individual being appointed to a specialist branch are sometimes remote. His spirit must be kept at the right level and a "pat on the back" when it is deserved will keep him out of the rut of despair into which he might otherwise slip.

Having generalised a little on "praise" the writer believes that there is one aspect which should be remembered especially. This is the responsibility of what might be called the "junior ranks"—Inspectors and Sergeants. Is there not a tendency for many of them to neglect giving the odd word of appreciation to a deserving constable because either (a) They have not watched the man's work closely enough to know that he has done well, or (b) They don't want to bother? Bluntly put, perhaps; but this is apt criticism in many instances, and, of course, this really amounts to the fact that efficient supervision must include not only the taking of a personal interest in every subordinate but making him think that such an interest is being taken.

Verbal Instructions

Space allows only a generalisation under this sub-heading and it will not be possible to examine in detail the giving of verbal orders.

It is suggested that the first thing to bear in mind when giving such an instruction is that it must be clear and without ambiguity. How often have we heard a subordinate say, when spoken to after failing to comply properly with a verbal order, "Oh, I thought you meant so and so". The fault may lie with the subordinate for failing to listen, but are there not many instances when the superior should be faulted for giving his orders inarticulately or in a garbled fashion, which has resulted in the instruction being carried out in a different way from that which the superior intended?

Verbal instructions must sometimes be given promptly and with the minimum of time for deliberation. Even in emergencies, however, it is surely better to pause for a moment and to frame the order correctly in

the mind before speaking it than to blurt out a thoughtless, hurried one. We should also realise that once an unwise order has been given in such circumstances there will be little opportunity of correcting it before it is put into effect. The situation may then be dealt with incorrectly.

The style in which the instruction is given also needs consideration. It should be given firmly yet with due regard for the good manners which the subordinate is entitled to look for in his superior. Does, for example, a superior lose any prestige by either prefacing or ending his words with "please"? Some readers may regard this as platitudinous, but one wonders how often a police officer with a rank realises when giving an instruction that the subordinate receiving it may, when he attains higher status, model his method of giving verbal orders on the way in which they were once given to him.

In this article the writer has discussed three of the essentials to be considered when "handling men". Further discourse might cover many pages, therefore in conclusion it is suggested that readers might like to give careful thought to the following additional questions:—

(1) How should difficult tasks be allocated among personnel? Should the man we know to be lazy and inefficient be given the same share of these tasks as he who has proved himself willing and capable? Is there not a tendency to make one's task in supervision easier by giving the more difficult jobs to the efficient man (which might seem the obvious thing to do!) when unwittingly we have pandered to the desires of the lazy and inefficient individual who does not want to work anyway?

(2) Whether there is a tendency now to "spoon-feed" subordinates, resulting in lack of self-effort in some of them? The writer believes this to be true.

(3) If, despite the frustrations we all experience, those "in charge" do enough to instil the thought in their men that whatever his status a policeman's job is now remunerative enough for him to give of his best? The writer thinks that superiors are sometimes lacking in this.

Finally, there is the vital thought which should always be uppermost in the mind when "handling men" in the Police Service that the supervision a subordinate now receives will undoubtedly influence his own ability to supervise in the future and thus will have a direct bearing on efficiency in years to come.

THE SUBBANNA REDDY MURDER CASE

BY

C. K. N. PANICKER

Deputy Supdt. of Police, Salem Town

In the investigation of cases apparently trifling clues may lead to detection. It is therefore necessary to carry out a very careful examination of the scene of offence to discover such clues. THE SUBBANNA MURDER CASE reported below, in the investigation of which I had the good fortune to be associated, will clearly prove what has been said.

Early in the morning of March 25th, 1931, one Neelamegham, a key watchman of the South Indian Railway, while proceeding along the line from Srirangam to Bikshandar Koil Station, saw the dead body of a man lying in the Coleroon river-bed below the railway girder bridge. He proceeded to Bikshandar Koil Station and informed the Station-Master of what he had seen. The latter telegraphed to the Permanent-Way Inspector at Lalgudi. The Inspector took the next train to Bikshandar Koil and inspected the body. That the deceased had not met his death as a result of any railway accident was evident at once, for the only injuries apparent were stab wounds in the neck and chest. Mr. Rangachari, the Permanent-Way Inspector, reported the discovery to the Police Out-post at Coleroon toll-gate and the Head Constable-in-charge passed on the information to Sub-Inspector of Police, Manachanellur and also to Srirangam Station, where I was then a probationer.

Sub-Inspector Thyagaraja Pillai, now a retired Circle Inspector of Police, was in charge of Manachanellur Station. He and myself reached the place at the same time. A minute examination of the scene showed that blood had oozed to some depth in the sand. It was evident that the deceased must have died in the river-bed. In the surface of one of the wounds, a tell-tale piece of straw was found.

There was no clue to the identity of the deceased. A careful examination of the pocket of the shrit, which was the only garment on the corpse, revealed a blood-stained piece of paper. This, on being unfolded, was found

to be a ticket for the Srirangam Lottery. The body was photographed and sent for autopsy.

The Sub-Assistant Surgeon of Srirangam Hospital, who conducted the post-mortem, found as many as 5 stab wounds, of which 4 were in the neck and one in the chest, 2 of the wounds in the neck having penetrated into the trachea and that on the chest into the thoracic cavity. All the wounds appeared to have been caused by a sharp instrument, and one of those in the neck by an instrument with a larger blade than that used to inflict the other injuries.

Sri Thyagaraja Pillai followed up the only clue in his possession by contacting Sri Jaganatha Iyyengar, the Secretary of the Srirangam Lottery. From the counterfoil in his possession, the Secretary was able to furnish the information that the particular ticket, found on the dead body, had been sold by one of their agents, Abdulla Sahib of Thennur, to a man called Subbanna, a goat-herd. From this Abdulla and another employee of a local goat dealer, particulars regarding the residence and the occupation of the said Subbanna were ascertained. Both these witnesses recognised the photograph of the deceased as that of Subbanna—the person to whom the lottery ticket had been sold. It was also ascertained during investigation that another person, one Thimma Reddy from Cuddapah, used to accompany Subbanna and that this person had come recently to Thennur with a number of goats and gone to Madurai from there. A Head Constable was immediately sent to Madurai to trace Thimma Reddy. He traced him in Madurai and brought him to Trichinopoly. When questioned, Thimma Reddy admitted that he knew Subbanna, but said that he had met him 8 months back. He agreed that the photo shown to him bore some resemblance to Subbanna. Since there was nothing to connect Thimma Reddy with the crime, he was allowed to go back to Madurai, where he disposed of the 50 goats and sheep he had with him.

An intelligent constable was sent to the native place of the deceased with a copy of the photograph. A number of relatives and friends of Subbanna recognised the photograph and some of them came to Trichinopoly. One Bhookarama Reddy told the Sub-Inspector that he had been financing the deceased and produced a letter which he had received from the dead man. This letter, which was post marked at Piler on 21st March, disclosed that the deceased was starting that day with a consignment of sheep and goats for Trichinopoly. Sri V. Gunnaiah, the Acting Station-

master at Piler, proved that a man named Subbanna had booked a waggon on 21st March for the conveyance of 60 goats and sheep to Srirangam Station; that the waggon was attached to mixed train which left Piler Station at 4-15 a.m. on the 22nd. At Pakala, which is the 1st junction after Piler, one Thulakkanam, a Railway Shunter, stated that he had seen Subbanna arriving at Pakala on the 22nd morning with a waggon load of goats. This witness also stated that one Thimma Reddy had been waiting at Pakala from 10th March onwards, messing in the hotel of one Abbai Naidu, that he had been expecting a waggon load of goats and that the deceased and this Thimma Reddy had left by the same train with the goats. At Katpadi, which is the next junction after Pakala, one Narasimhalu Naidu, a hotel keeper, identified the photo of Subbanna as the person who had arrived at Katpadi with a consignment of goats on 22nd evening and had eaten in his hotel. He said that on the 23rd morning he had seen the deceased and the other individual putting the goats into the waggon. At Villupuram also, the deceased and another individual had been seen together. The waggon in question had been attached to a goods train, which left Villupuram at 11-10 a. m. and reached Srirangam at 7-50 p. m.

Investigation showed that when the waggon arrived in Srirangam there was none in charge and hence it was detached from the train and pushed on to a siding. At 11-30 p.m. that night a man, representing himself to be the consignee of the goats, had appeared at the Srirangam Station and produced the Railway Receipt for the consignment. When the Station-master asked him why he had come so late to take delivery of the goats, this individual had explained the delay by saying that he had been to Thennur to find coolies to drive the goats. This individual signed on the reverse of the Railway Receipt as Subbanna in Telugu characters, and took delivery of the goats.

On the strength of the evidence available, accused Thimma Reddy was arrested. At an identification parade held in the court of the Lalgudi Sub-Magistrate, the Station-master of Srirangam, the pointsman who had assisted him, and the 2 coolies who had helped in taking out the consignment of goats from the waggon, all identified the accused as the person who had taken delivery of the consignment. The pointsman at Pakala, the hotel keeper, Abbai Naidu, and others also identified the accused as the person whom they had seen with the deceased bringing the goats to the waggon.

During the investigation it was disclosed that the deceased Subbanna was an illiterate person. In fact, when he booked the consignment at Piler, the Assistant Station-master had taken only his thumb-impression on the consignment risk note. The Railway Receipt, on which the accused had signed, was seized and sent to the Chemical Examiner who traced a blood mark on it.

The accused was not in affluent circumstances and investigation showed he had been trying to raise some money for purchasing goats but had not succeeded. He could not satisfactorily explain how he had come by the 60 goats which he had taken to Madurai from Trichy. Nor, could he explain how he came by the Railway Receipt on the strength of which he took delivery of the goats at Srirangam. The only inference was that Thimma Reddy had murdered Subbanna in the waggon, pushed him off into the river and taken delivery of the goats at the Station, by impersonating Subbanna.

There was no direct evidence and the accused was charged for murder on the purely circumstantial evidence appearing against him. He was ably defended. But Mr. Courtney, I.C.S., the Sessions Judge, found him guilty and sentenced him to death. The sentence was confirmed on appeal by the High Court, which paid a tribute to the painstaking investigation of the officers responsible for bringing the murderer to justice.

Do you know

That every minute you are angry, you lose 60 seconds of happiness.

That men are like steel. They are of little use when they lose their temper.

That the lines on the face are the shorthand of the soul.

That when kids get on the wrong track, the parents, should throw the switch.

That to be born a gentleman is an accident, but to die one is an achievement.

(From 'EFFICIENCY NEWS' November 1955.)

PANT APPROACH

(From "Indian Police," November '55—January '56)

Shri Pt. Gobind Ballav Pant, Minister for Home Affairs, referred in one of his recent speeches to the police as Paid Social Workers. For the first time, a leader of his eminence referred to the Police in these praise-worthy terms. His long experience as the Chief Minister of one of the Premier States of India combined with the rare capacity to speak facts without reservation has enabled him to understand the Police in the right perspective.

When Shri Pant expressed about the Police as paid Social Workers, he must have had in mind certain set standards for a Police Officer if he is to be called a Paid Social Worker.

Labelling oneself as a social worker is easy! But to be a social worker in practice is perhaps the most difficult objective one should cherish to achieve.

When Bapuji decided to call off mass Satyagraha and preferred to continue individual Satyagraha during the non-co-operation movement, the whole country looked to Gandhiji intently for the choice of the first individual Satyagrahi to launch the programme. He chose Acharya Vinoba Bhave. At that moment even some of his most ardent followers just could not follow Gandhiji when his choice fell on the Acharya. Time alone is the best Judge. We are today seeing Mahatmaji—life and soul—in Acharya Vinoba Bhave. He is today the greatest social worker in our country. Such should be the standard of a social worker.

How then, we could call a Policeman a Paid Social Worker even? The answer lies in analysing what a Police Officer ought to be and if those qualities that make a Police Officer are also common to a social worker, then the synonym truly applies.

In the words of Mr. Pant himself spoken while addressing the Special Police Establishment, Delhi, he stressed that "so you will have to take care that your own methods are always right and that however mean a person may be you do not let yourself to be distracted from the right path." Such

an approach to all problems by Police will give them food for introspection on all their actions. Mr. Pant as true disciple of Gandhiji only drew attention of the Police to the famous Bapuji's principle that means to achieve the end are as important as the end itself.

What then should be the make up of a Police Officer?

(1) Character (2) Knowledge of Police Work (3) To remember always that he derives his power from the people (4) To utilise his powers for the common good of the people (5) Intelligent perseverance (6) Straightforwardness pays—cunning stratagem won't pay in the long run (7) Never to resort to tricks when plain dealing is sufficient to meet your exigencies (8) To find causes leading the criminal to crimes and try to reform them (9) Devote some energy to convert the anti-social elements of the society (10) Kindness combined with firmness—in fact a Police Officer is the ambassador and spokesman of the Government to translate into action all the laws passed by the legislature to maintain law, order and harmony amongst the people of the state.

Most of the qualities of head and heart required of a Police Officer are also required by a social worker. While a Social Worker tries to improve the conditions of the down-trodden in society, the Police Officer tries to deal with that section of the down-trodden who have taken to anti-social activities and to pull him up. As a matter of course, a combined strategy by social workers and Police Officers would help to bring results early and helps to wean such people from anti-social activities and fit them properly as good citizens of the welfare state.

Considered from this angle, the Police Officer and a social worker are complimentary to each other and the words of our Home Minister will be translated into action if our Police Officers could become in the true sense of the term "Social Workers."

"Your Worship" said the accused, "I deny that I was creating a disturbance, although I may have been making noise."

"In that case" said the Magistrate, "I'll fine you a pound instead of of twenty shillings."

(from "On Looker" - 1st Oct., 1955)

SAINT SUNDARAR AND HANDWRITING COMPARISON

BY

K. G. NARAYANASWAMI

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Malvolio.—By my life this is my lady's hand: these be her very C's her U's and her T's; and thus makes she her great P's. It is in contempt of question, her hand.

Sir Andrew.—Her C's, her U's and her T's: why that?
(Twelfth Night—Act ii)

The title of this article may cause some surprise and raising of eyebrows, for readers may think, what has Saint Sundarar, one of the famous quartette among the sixty-three Nayanmars, to do with the comparison of handwriting? The law, as it is understood today, is a very prosaic and material subject confined to the Courts, and often overladen with much mendacity, avariciousness and glibness of tongue. It may perplex all to find that Sundarar was somehow mixed up with a worldly incident, when we know him only as a saint, occupied in singing hymns of praise at the feet of the Lord. There is no need for cogitation on this point. He is so pure and effulgent that nothing could tarnish his name and glory. But at a vital stage in his mundane existence, a comparison of the writing in two documents led to his transformation from the worldly Nambiyurar into the venerable saint. This story reveals incidentally, how the comparison of handwriting was effected in the old days, without the help of an Expert. Even today, the expert comes in only for the purpose of explaining to the Judge, the similarities or divergencies in questioned documents, in a scientific manner.

Nambiyurar, the son of a Saivite priest, was also the god-son of the king of the realm. His marriage to a daughter of Sivachariar of Puthur, near Tiruvonnainallur in South Arcot District, had been settled and he was going to the place on a horse, accompanied by a retinue of relations and attendants, befitting a royal procession. On the borders of Puthur, the bridegroom's entourage was met by a fanfare of trumpets and a bevy of beautiful girls carrying silver plates full of flowers and fruits. An old

Brahmin was at this time hurrying past the crowd, mumbling to himself as to how the marriage could be consummated without his consent. Nambiyurar got down from his horse and was advancing towards his prospective father-in-law's house, when the old Brahmin accosted him and said in a loud voice, "You are my serf. How can you go through this marriage without my express consent?" The crowd was surprised and began to murmur "the old man has lost his balance of mind." Nambiyurar asked him with all humility as to how one Brahmin could be the serf of another. The law of the land did not permit it. The old Brahmin replied that Nambiyurar's grandfather had executed a deed wherein the latter had bound himself and his progeny to serfdom and he had come to claim his right. He waved aloft the concerned deed, written on a palm-leaf. As Nambiyurar thought it to be a clear forgery, since Brahmins becoming serfs was something quite unheard of, he snatched the leaf, crushed it and put it aside. This raised the ire of the venerable intruder, who fretted and fumed at the injustice meted out to him. The bystanders then intervened and opined that the matter could be decided only by a council of Brahmins at Tiruvonnainallur and all of them proceeded to that place. The council was accordingly called, the old Brahmin stated his case, and Nambiyurar put forth his objections. Then the council asked the complainant to produce his authority. The latter went out and brought another palm leaf, which he said was the original deed, the one destroyed by Nambiyurar being only a copy. The council said that this document, though it categorically supported the contentions of the plaintiff, could be a forgery. They demanded substantial proof of its genuineness. Then another document admitted to be in the handwriting of Nambiyurar's grandfather was produced, and the council of judges compared the writings in both the documents. Both were found to be the handiwork of the same person. The council gave their judgment in favour of the old Brahmin and Nambiyurar bowed to the decision. The marriage was not solemnised, for Lord Siva who came in the guise of the Brahmin, desired Nambiyurar to renounce a worldly life and dedicate himself solely to the service of the Lord.

The interesting point for the Police is this test about the genuineness of the documents. It is in keeping with modern trends in criminal investigation, where admitted handwriting is used by the Expert for his experiments with suspected handwriting. The essential principle in all these comparisons is, that as we grow older, we develop little tricks of style which are very difficult to imitate in a forgery and almost impossible to eradicate when attempting to disguise one's writing. A forger trying to imitate a particular style

cannot do it in a single continuing process. He has to do it like painting—in patches, and the several layers or tremors are invariably revealed under a microscope. The pressure of the writing instrument on the paper, the leisurely or hurried way in which a note is penned and the nature of the medium on which the writing is done, all in a way contribute to the mutilation of the ordinary, normal handwriting, but they can never suppress the characteristic variations of an individual's writing. These peculiarities enable the Expert, by means of photography and measurements of curvature, distances between letters and other factors, to discover the author of a disputed document.

Legalistic trends in recent times are putting a spoke in the work of comparison of handwriting. The question is raised whether an accused could be compelled to write a passage to the dictation of a Police Officer, even in the presence of a Magistrate, as that may conflict with the right of every man not to be compelled to be a witness against himself, a right enshrined as a principle in the Constitution. Accused persons are likely to evoke this constitutional principle in order to evade giving samples of their handwriting. Such a course will surely frustrate efforts to find out the truth in several cases where bogus documents had been manufactured for the purpose of making easy money. Forged permits for import and export of goods or for distribution of controlled articles are instances in point. In the control of such crimes a sympathetic judiciary willing to reject hair-splitting subtleties in law, in favour of common sense, is the prime requisite.

Only One Wife

The Chief of Police of Thailand (Siam) has told the members of his Force that in future they may not have more than one wife. Experience had shown that two or more wives prevented a Policeman from concentrating on his duties. The Chief of Police has also encouraged his men to enter the Buddhist priesthood for a short period, "to make them more honest and conscientious," and it is reported from Bangkok that a total of 375 Policemen are entering the priesthood for three months.

(from "Police Review," 22nd July, 1955)

ALIBI

BY

V. L. PARTHASARATHY

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The term 'alibi' is derived from Latin words 'alius' (other) and 'ibi' (there). It means the plea that a person charged with a crime was elsewhere when it was committed. The theory of alibi lies in the fact that presence elsewhere is essentially inconsistent with the presence at the time and place, and therefore, with the personal participation of crime.

The plea of an alibi is the most satisfactory and conclusive defence when clearly established by an unsuspected testimony. If the time is definitely fixed and the accused conclusively shown to have been elsewhere, it becomes then absolutely incompatible. Illustrations 11 (a) and 153 (c) of the Indian Evidence Act 1872 are examples of alibi.

(i) Illustration 11 (a) :—

The question is whether A committed a crime at Calcutta on a certain day.

The fact that, on that day, A was at Lahore is relevant.

The fact, that near the time when the crime was committed A was at a distance from the place where it was committed which would render it highly improbable, though not impossible that he committed it, is relevant.

The relevancy of this plea is its entire inconsistency with the hypothesis that the accused committed the crime. The second portion of the illustration is similar to some English and American cases wherein such a plea was raised and considered.

(ii) Illustration 153 (c) :—

A affirms that on a certain day he saw B at Lahore. A is asked whether he himself was not on that day at Calcutta. He denies it.

Evidence is offered to show that A was on that day at Calcutta.

The evidence is admissible not as contradicting A on a fact which affects his credit, but as contradicting the alleged fact that B was seen on the day in question in Lahore.

The evidence in this case is admitted only for the purpose of contradicting the alleged fact which materially affects the question at issue, viz., the accused's guilt or innocence. As otherwise, there will be no end of proving collateral issues and the mind of the judge may be drawn away from the points in issue. There are, however, two exceptions and they are embodied in the very section.

It is an error to hold that an alibi is a suspicious defence. "It must be admitted", says Sir Michael Foster, "that mere alibi evidence lieth under a great and general prejudice, and ought to be heard with uncommon caution; but, if it appeareth to be founded in truth, it is the best negative evidence that can be offered; it is really positive evidence, which in nature of things necessarily implieth a negative". Phillip J. is, however, of opinion that alibi evidence should be scrutinised very carefully. The law regarding the force of the plea and the heavy onus on the accused is the same in India as in England.

Where the accused 'ab initio' pleaded alibi and where there was adequate motive coupled with the lack of a strong evidence about his presence at the scene of occurrence, it was held, in a charge under Section 147 I. P. C., that the accused was entitled to the benefit of the doubt.

A more recent case of interest wherein alibi was successfully raised and considered is the 'Lakshmikanthan Murder Case', the defence counsel being no less a person than Sri K. M. Munshi (now Governor of Uttar Pradesh). An important witness in this case deposed that all the accused met in a hotel and conspired the crime; and that he left his house for the hotel exactly at 4 p. m. after 'Rahukalam'. By mathematical calculations, the particular day of the year was worked out and it was found that, on that day, the accused was staying at the Taj Mahal Hotel in Bombay.

An unsuccessful attempt to establish an alibi is always a circumstance of the greatest weight against the accused person. In re Sarat Chandra Vs. Emperor (1934) Cal. 719, where a defence of alibi was set up but not proved,

it was held to be a strong inference that the prisoner was not where he said he was. The defence of alibi will be disregarded if the evidence to the commission of the crime is otherwise satisfactory. Similarly, a Court will not hesitate to reject an alibi, if there is satisfactory evidence that a man committed the crime at a certain place and at a certain time.

In a case of murder in which evidence was strong and motive found adequate, and blood-stained garments and knife were recovered from the accused, it was held that the defence of alibi was not to be treated seriously. In another case of arson, the defence of alibi was disregarded when the prisoners offered to prove that they were in bed on the night in question at 12 o'clock and were found in bed the next morning after the crime was committed, for the distance being only two miles, they might have risen, committed the deed and returned to bed. Of the murder of a young woman in her father's cottage in the forenoon where the circumstances of presumption were strong, the plea of prisoner that he was at work the whole of that day with his fellow labourers at a distance from the cottage did not exculpate him from the crime. It turned out that he had been absent from his work for about half an hour, during which time he could have visited the cottage, committed the murder and rejoined his fellow workmen.

The range of evidence in respect to time and place must be such, for a plea of alibi, as reasonably to exclude the possibility of the presence of the accused. It is essential that it should cover and account for the whole of the time of the transaction in question or at least for so much of it as to render it impossible that the prisoner could have committed the imputed act. A mere rendering of his guilt as improbable is not enough. If the time is not exactly fixed and the place at which the accused is alleged by the defence to have been is not far off, the question then becomes one of opposing probabilities. But failure to prove an alibi or proof that an alibi is false cannot be safely regarded as evidence supporting the case for prosecution. The mere fact that the accused made efforts to concoct false evidence of an alibi does not prove either, that he committed the offence charged. In judging the defence of alibi, all the evidence pointing towards his guilt as well as that relating to the alleged absence should be considered. Evidence tending to establish an alibi even though viewed insufficient for that purpose, may be considered together with the other evidence in determining whether the guilt has been proved beyond a reasonable doubt. If upon consideration, there exists a reasonable doubt whether the defendant was present, the benefit of doubt goes in his favour.

Opinions are varied as to who should, in a criminal prosecution, assume the burden of proof and the degree of proof required in an alibi evidence. It is often suggested that the accused must establish his defence of alibi to the extent the prosecution is called upon to prove his guilt. At the same time, it has been uniformly held that he need not prove it beyond a reasonable doubt. There are certain cases which hold that plea of an alibi is not an affirmative proposition made by the accused with the burden of proof lying on him. There are other cases which hold that the accused has the burden of proof after the State has made out a 'prima facie' case to the extent atleast, of raising a reasonable doubt. And there are still other cases which hold that a plea of alibi is an extrinsic evidence not arising out of the 'res gestae' and hence, the onus lies on the defendant to prove his defence.

The essence of these controversies is whether an alibi is a distinct issue or a special traverse of one element of the charge viz., the presence elsewhere. If the former view is to be adhered to, the burden rests on the accused and he cannot then object to evidence of presence in rebuttal. In the latter view, the prosecution must prove presence; and prove it beyond a reasonable doubt.

It will, however, be seen that the defence of alibi is about the best mode of exculpation from crime. In fact, it is the best evidence an innocent person can offer in his defence.

"I'm going to award you the maximum punishment", said the Judge to the Defendant.

There was a hush in the Court as people craned their neck to hear what was coming.

"And therefore" continued His Worship, "I am not going to send you to a comfortable jail. I am letting you off so that you can worry about taxes, food shortages, unemployment, war and the hydrogen-bomb like every other honest soul."

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INTERROGATION OF SUSPECTS*

BY

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1. *Interrogation of suspects should be undertaken by experienced officers*:—Interrogation of suspects is a difficult task and ought not to be left entirely in inexperienced hands. A sixth sense, developed and perfected over long years of patient work and unfailing experience can only secure an occasional victory in this encounter of wits with the criminal. Here the subject is not merely reluctant and unwilling, but also in the vast majority of cases definitely hostile towards the interrogator whom he considers to be the most potential source of danger to his own security. To get things out of a man who is constantly trying to recede within his defensive shell like a snail at the slightest apprehension of danger is certainly not an easy job. Ruling out, as we must, all vestige of the third degree method from this field, an investigating officer can only hope to achieve success in interrogation of suspects either by winning the confidence of the suspect or by cornering him with material already in his possession.

2. *Interrogation should be taken up only after preliminary investigation*:—Before the suspect is put to interrogation it is necessary to see that all preliminary investigations such as, the examination of the scene of crime, the collection of available technical evidence, the search of his residence, office or the rendezvous, etc., are finished and as much information as possible gathered. Such a course of action is essential to ensure a better start for the interrogator. Even information quite unconnected with the crime and relating to such ordinary matter as age, occupation, hobbies, the place of birth of the suspect, the year of his marriage, the names of his different relations living at distant places, the names of his friends, associates, etc., may at times, be of immense advantage to an officer conducting an interrogation. If such data are collected beforehand by a secret and intelligent enquiry in the

*An adaptation from chapter III of the author's forthcoming book entitled "Principles of Criminology, Criminal Law and Investigation" to be published by Messrs. S. C. Sarkar & Sons Ltd., 1-C College Square, Calcutta-12.

suspect's locality, the interrogator can always surprise the suspect by telling him occasionally that he already knows a good deal about him and in evidence thereof give out some such details of the suspect's family life. There is also no harm in telling him as to what the interrogator thinks about his guarded statements. At the same time he can also give the suspect an impression that when such minor details of his private life could be ascertained so easily, it would not be very difficult to get the required information as well from other sources. Such a feeler may, at times, break through his defensive position and he may feel that since the interrogator already knows so much about him he could perhaps tell him the rest of the story and thereby try to gain his sympathy. This is, however, not an absolute certainty but only a possibility that may materialise in some cases.

Such information may also prove helpful in correctly judging the truth or falsity of the answers given by a suspect during the course of interrogation. If the interrogator is in possession of such information, he can ask the suspect with confidence a number of questions, relating to facts which he already knows, and since he already knows the correct answers to those questions he can always find out as to how the suspect behaves at the time of giving a truthful answer. Having thus made his observations about the demeanour of the suspect with regard to questions whose answers he knows he may thereafter put a crucial question the answer to which he does not know. If at the time of answering this last question he notices a sudden change in the demeanour of the suspect, e. g., a bit of hesitancy to answer the question or an unnecessary and sudden pause in the conversation or a little wrinkling of the forehead or twinkling of the eyes or an abrupt change in the manner of sitting, etc., he may from the variation of his demeanour come to a fairly correct conclusion, at times, as to whether the suspect has answered the last question correctly or not.

3. *Examine the suspect away from his home or relations*:—The technique of interrogating a suspect resembles to a great extent the technique of interrogating a hostile witness. Like the hostile witness the suspect also should be examined at a place away from his residence where he does not have the encouraging presence of his parents, relatives and friends.

4. *Allow him to speak lies if he so chooses*:—If the suspect pleads innocence and comes out with excuses, it would be better to allow him to exhaust himself. Even if the interrogator knows that the account given by the suspect is untrue, still he should not disclose it. The more the suspect lies

the weaker his position becomes in the long run, as it is almost impossible to lie consistently and logically for any length of time. And when the suspect begins to show lack of consistency, a pointing out of the contradictory portions of his statement is often enough to create a mental confusion in him much to the advantage of the interrogator. Once this confusion is created the interrogator has to further it to its logical ends by a rapid fire of questions without giving the suspect any more opportunity of rallying round his defensive position.

If several persons are suspected, they should, if possible, be questioned at the same time and in the same manner but not together.

5. *Pray for police remand in case of necessity*:—On no account should the suspect be forwarded to court with undue haste without a proper and thorough interrogation. If in the course of a preliminary interrogation some clues come to light and it becomes necessary to pursue them with the help of the accused, a prayer should be made to take him back in Police remand. It should, however, be remembered that Magistrates are reluctant to remand the accused in Police custody except on very cogent grounds. Thus before a prayer for Police remand is made the interrogator would do well to collect all material in support of the application so that his prayer does not meet with a summary refusal. Such a prayer should be made, as far as possible, through the highest police officer present at the station to the highest available Magistrate.

6. *Either gain his confidence or corner him with evidence already obtained*:—To break the suspect the investigator must either win his confidence or corner him successfully by confronting him with the evidence already obtained. To win the confidence of the suspect it is not necessary, as is often thought, rather erroneously, to hold out false promises or inducements to the suspect. A false promise may hoodwink a man for some time but it can hardly keep him under perpetual illusion for all times. Similar is the case with regard to statements obtained by threats or inducements. Such statements are mostly made only to be withdrawn at the earliest possible opportunity by making allegations against the investigator. So one should never use third degree methods to obtain a confession. Such methods are not only unconscionable but also absolutely prohibited by law. They may in one or two cases compel an accused to speak the truth but in the vast majority of cases lead to all sorts of false confessions and mis-statements of the worst kind. To avoid torture innocent persons have often confessed to

crimes which they never committed. Honesty, straightforwardness, an unassuming yet a dignified attitude coupled with a good personality may often go a long way to win the confidence of the suspect.

When the interrogator is already in possession of some material concerning the suspect but the suspect still continues to evade the matter at issue by false and misleading statements, it may, at times, be necessary to tell the suspect bluntly as to what the interrogator thinks of the statements made by him. Such a statement often knocks the suspect out of his head and he surrenders himself before the superior intelligence of the interrogator from a sense of diffidence in his own wits. But to enable him to do so the interrogator must have a practical knowledge of human psychology.

7. *Interrogator should be a mind-reader*.—A good interrogator should, therefore, be a mind-reader. The best method to acquire this quality is to put himself in the position of the suspect and try to visualise his mental action and reaction with reference to the circumstances of the case. Reading of a suspect's mind is essential to assess correctly the value of the statement made by the suspect.

8. *The Interrogator should not readily believe the suspect*.—The interrogator should also know that a suspect always dodges his interrogator by giving prepared answers to anticipated questions. The accused is a reluctant speaker and tells only that much as he cannot avoid or that which he is compelled to speak. He often leaves his story half-way and does not want to complete it. If the interrogator readily believes him or begs for a confession, he is bound to fail in his job. The suspect at once forms his opinion about the interrogator and gets an idea about the extent of information in his possession. When the interrogator comes with a begging bowl before the suspect or shows his eagerness to believe any sort of a statement, the suspect rightly thinks that he can make such a clumsy person believe anything he likes and dodges him with assurance. In appropriate cases, therefore, there is no harm in handling the suspect in such a way as to give him an impression that the interrogator is cleverer than him and that he already knows much more than he had suspected. In fact, interrogation is a sort of mental struggle between the suspect and the interrogator and in order to achieve success the latter has to prove his mental superiority over the former. An element of surprise has to be kept up constantly in a successful interrogation. On no account should the suspect be given any opportunity to forestall questions and to give prepared answers. The interrogator should, therefore, be always prepared to

surprise the suspect with questions and remarks of which he has not dreamt. Only through such a mental victory an interrogator can hope to be successful in his job. And this kind of mental victory can only come if the interrogator possesses not only a greater amount of tact and skill than the suspect but also an abundant measure of patience and perseverance.

9. *Interrogator should have a disciplined temper*.—Sometimes the suspect becomes extremely rude and abusive. If the interrogator also loses his temper and reacts in the same fashion, he is sure to lose; but if he can stand the test quietly with a smiling face, he will soon notice that the suspect begins to suffer from the reaction of his own emotion. This will be a turning point in his favour. The suspect looks small before a stalwart and a mental confusion is created in him much to the advantage of the interrogator. It is something different from the apparent physical reactions caused by torture. In a game of wits the man who loses temper almost invariably loses the game. An intelligent interrogator, therefore, cannot afford to lose his temper however great the provocation may be. An angry man can hardly formulate an effective questionnaire which is so essential for an effective interrogation. Instead of being himself angry the interrogator should try to take advantage of the accused's temper, for an angry man being devoid of the power of self-control often gives out his points.

10. *Suspects with or without a feeling of remorse*.—A suspect like any other human being, at times, is likely to be subjected to the varying emotions of the human mind. Thus a suspect who has committed a crime in a fit of temper might afterwards really feel sorry for his own action. In such a suspect the feeling of repentance serves as the strongest urge from within to speak out the truth. Cases are not altogether unknown where after as serious a crime as murder the suspect has voluntarily come to the police station and confessed to his crime. A first offender or a person of character and integrity who suddenly commits a crime in a fit of rage or passion very often suffers from a feeling of remorse after the crime. It springs either from his innate goodness or comes as a result of the bitings of a conscience which had remained hitherto unsoiled. Such a person, therefore, feels within the depths of his being an yearning to speak out the truth. But if this inner urge is not sufficiently strong to overcome the instinct of self-preservation, it is generally subdued by the fear of punishment and ultimately fails to express itself in the form of a confession. But if the interrogator has correctly read the psychological reactions of the suspect, he can probably do a

lot to see that his conscience triumphs over this instinct of self-preservation. Thus, if in the case of a criminal with a sense of remorse he can keep alive this feeling of repentance and tactfully increase the load on his conscience, which is something quite different from inducement or physical torture, he may reasonably expect to get from the suspect a full, frank and voluntary confession in the long run. The first prerequisite in this matter, however, is to keep the suspect in a lonely place and allow him to brood. In other words, his conscience should be allowed to have a free play on his mind. Best results can possibly be achieved by keeping the suspect in segregation immediately after a period of interrogation so that the questions asked in the course of the interrogation may have an unrestricted influence on his conscience during the period of segregation that follows. If necessary this process can be repeated more than once.

Another method of enhancing the load on his conscience is to discuss the tragic features and consequences of the crime within the presence and hearing of the suspect, or to take him at the scene of the crime where his sense of guilt is likely to occur to him in a more vivid way than anywhere else. Thus taking a murder-suspect near a dead body or making him hear the piteous wail of the woman widowed by the offence, may enhance the tempo of repentance in a guilt-conscious mind. Similarly, a vivid description of the sad and unenviable social plight of the outraged girl may produce a genuine sense of remorse in the mind of a person who has committed a sexual offence against her in a fit of passion. In both these cases the aroused conscience of the accused may try to seek relief from the unbearable mental agony by making a clean breast of the crime.

The method suggested above may savour of indirect pressure and trickery to a highly sensitive mind but there appears to be nothing in law which prevents adoption of such a course during a process of interrogation. On the mind of an innocent person this method will obviously have little or no effect. He has no guilty conscience that can be whipped up to make a false confession by such a mental process. Repentance comes from the realisation of one's guilt and if one is absolutely innocent, it is not known as to why he should have any sense of repentance at all, and on that account be goaded to make a false confession. It is something like confronting the accused with facts and evidence already collected and should be regarded as unexceptionable as that. There is, however, another class of criminals who have no feeling or sense of remorse at all. In the case of such persons, however, the method suggested above is not likely to produce any tangible

results. Thus a hardened pick-pocket or burglar, who has taken crime as a profession, would hardly feel any pangs of conscience by committing such a crime. In the case of such a crook therefore the best method to get a confession from him is either to win his confidence or to corner him by the evidence already collected (see para 6 & 8 supra).

11. *Statement During sleep or Dream*.—There cannot be any question of interrogating a suspect in the course of his sleep, but it may sometimes be possible to get some useful information from him during his sleep. Some people have the habit of talking in sleep, or in the course of a dream and it is in the course of such unconscious talking that they sometimes disclose what they would not do in their conscious state. Thus if some arrangement is made to overhear such statements or have them mechanically recorded by means of a tape or wire recording device, it may be sometimes possible to get some clues towards the detection of a crime from the mouth of the suspect himself. Such statements are, however, mostly incoherent and unintelligible. And even if they are clear and unambiguous they can never be accepted in evidence. For a confession or admission made in the course of sleep or dream, when the faculty of judgment is suspected, can never be said to be voluntary (1861 *people v. Robinson*, 19 *Californis* 40 (U.S.A.); *R. v. Elizabeth Sippels*, Kent, *Summ. Ass.* 1839 (U.K.)). But though such a confession or statement is inadmissible as a piece of legal evidence, yet it may be of immense help in unearthing a crime. Best quotes the instance of a Madras case to illustrate this point. In that case five persons namely D, N, V, T and C were tried for the murder of P. The severed head of the deceased was found on an ant-hill at some distance away from the mutilated body. Suspicion for this diabolical murder fell on one W, who was on inimical terms with the deceased. When interrogated, W could not give satisfactory answers to the questions put to him. He was, therefore, kept under surveillance in the house of a neighbour. In course of his sleep next night he was heard to say "F, catch hold of the hands. A, cut off the head. T, C and V catch hold of his legs, come, we may go home after we have deposited the head on the top of an ant-hill". On this statement W was taken into custody next morning and when charged with the crime at once confessed with regard to the offence of murder implicating all the five persons whose names he had mentioned in his sleep. Those five persons were also arrested and when questioned confessed their guilt. The accused were convicted in the case mainly on the basis of their own confessions (Best on Evidence, 11th Edn. p. 514).

12. *Do not Censure the Criminal* :—At no time should the interrogator try to censure the conduct of the suspect. He should behave in such a way as though the offence committed were but a normal event. As far as possible he should avoid using words like 'Murder', 'Rape', 'Arson'; 'Robbery' etc., even though he may have to interrogate the suspect on one of these offences. Use of such words at once makes the suspect mentally alert and he realises that he is before a man who is trying to censure his conduct instead of appreciating his point of view. It can only make things more difficult for the interrogator and the suspect instantaneously withdraws within his defensive position. Not to speak of not using any nomenclature of this type, it may even be necessary to give the suspect an impression that in the opinion of the interrogator his act is not at all shocking and any other man placed in the position of the suspect would have probably behaved exactly in the same way as the suspect did. When such an impression is formed, the suspect begins to feel that the interrogator is a person who is trying to understand his point of view with sympathy and understanding. And if the suspect had committed the offence under a sense of so-called moral justification, e.g., to undo a supposed wrong or to avenge a real or supposed insult, he would not probably hesitate to confide in such an interrogator whom he considers capable of understanding his point of view of the story.

13. *Interrogator to Start without Preconceived Bias* :—The interrogator should have an open mind and be completely free from all bias and prejudices. This will enable him to judge things in their proper perspectives and to read correctly the mind of the suspect, which is essential for a fruitful interrogation. A preconceived bias often acts as a colossal barrier between the interrogator and the suspect. It not only prevents a correct comprehension of the suspect's mind but makes the interrogator roam again and again within the little labyrinth of his own dogmatism.

14. *How to write the Interrogation Report* :—The writing of the interrogation report is not an easy job. It should be a comprehensive statement of facts and events in an orderly sequence, viz., Introduction or preliminaries, preparation, performance or Actual Commission of the crime with details of time and manner of commission, and subsequent conduct. All these different phases should be dealt with stage by stage in a systematic and chronological order. The introduction should not only give a full description of the suspect containing his name, parentage, residence, friends and associates, but also an idea of his past criminal history. The rest of the report should be divided into different chapters in the light of the above classifications with conclusions drawn in a separate paragraph.

The actual recording of the interrogation report may be done in three different ways, viz.,

- (i) To record it sentence by sentence ;
- (ii) to record it stage by stage during the interrogation and
- (iii) to hear it fully and then draw up a comprehensive report.

The first method, though easiest, not only causes constant interruption but also prevents an effective interrogation by diverting the attention of the interrogator too often to the writing business. It also affords opportunity to the accused to think and withdraw within his defensive position. With an Indian whose capacity of introversion is considerably more than that of an average European this method, if adopted, is likely to prove disastrous in most cases. If, however, a team of interrogators is employed for the interrogation, this difficulty can be averted to some extent, but it nevertheless causes some distraction for the actual interrogation work. So this method should be eschewed as far as possible. The last method is certainly the best for the purpose of an effective interrogation as here the suspect does not get any time to cook up a story. It enables the interrogator to subject the suspect, if need be, to a rapid fire of questions without giving him any pause, breathing time or point to rally and thus to bring the suspect to his wits end. This method though best, demands not only a colossal memory but also a degree of skill and ability that is often wanting in the average interrogator. Thus the second method which is the golden mean between the two would suit most an interrogator of average intelligence and ability.

"What is the charge against this man?" enquired the judge.

"Bigotry, Sir," explained the clerk of the Court, who had obviously been celebrating the evening before and was still suffering from the after-effects.

"He is supposed to have gone through a form of marriage three times."

"That is not bigotry", replied the Judge, who was in an equally light-hearted mood. "That's Trigonometry."

(From *The Illustrated Weekly of India*, October 2, 1955)

A SHADE JEALOUS

BY

"CANDIDE"

(From "Police Review," 11th March 1955.)

I shall not tell you where the Saracen's Head is; at least until I am sure about Ann—I have enough competition as it is. Ann is the daughter of the landlord, John Hudson, and that's all there is about her except that, judging by the photographs of her mother which Hudson has shown me, she is, as he is never tired of repeating, "her mother all over again".

It was the end of November when I was last staying at the Saracen's Head. I was sitting in the snug parlour with Hudson long after the last customer had gone to bed, sharing with him a bottle of his special port. Outside the wind was blowing hard, occasionally hurling a flurry of rain against the windows. As I sat there in warm firelight, sipping an excellent port, the unpleasantness of the night outside made a perfect foil for my feeling of secure well-being.

"If it's weather like this at Christmas," I said, breaking the silence and nodding at the windows, "there will be some ghost stories told".

"Eh ? What's that?" said Hudson. "Ghost?" then he chuckled. "Ghosts!" he repeated. "I never could understand why ghosts should be reserved for Christmas!"

"Ever seen a ghost?" It was an idle question.

"Seen one? Yes," he answered, and laughed so heartily that I could not help laughing with him.

"Well," I said, "That's the first time I've known anyone get genuine amusement out of the idea of ghosts. Tell me about it."

Hudson pursed his lips and looked at me for a moment. "I've never told anyone about it," he answered. "Yet" and his eyes glinted mischievously—"as I suspect you might fairly soon be one of the family I'll tell you."

"When I was a Detective Inspector," he began, "my best friend was a doctor. He was a bachelor, as I was then, and whenever I had an evening

off I would go round to his place, after surgery, and we used to play chess and listen to music on his radiogram. That is, unless the bells went for one of us.

"Well, one night, I went round to Doc's and walked into the hall just as the last patient was coming out of the surgery."

He paused for a moment to light his pipe.

"The patient was a Mrs. Ann Morecambe. I had seen her occasionally but had never spoken to her. She had not been living on my manor very long then. She had bought a very nice bungalow after selling up what the solicitors call the 'martial home', at the other side of the city, after the death of her husband. He committed suicide. Doc introduced me to her and I took it badly, right on the point. She was a very beautiful woman," he said, emphatically.

"Like Mrs. Hudson and Ann?" I asked, laughing.

My friend did not laugh. He just grunted and said "Aye"

"The three of us chatted in the hall for about five minutes," continued Hudson; "then she left us and Doc and I went into his room and got out the chessmen. It was our usual routine: I talked my shop and he talked his."

Hudson filled up our glasses.

"I remember," he went on, "that on that particular night I talked to him about a chap we had christened The Shadow. The Shadow seemed to have everything—expert climber, safe breaker, knew the value of things and always worked alone. He could get anywhere; clean out a bedroom with people sleeping in it and never make a sound. The only description we ever got was 'a fairly tall slim man dressed in black, seemed just like a shadow slipping out of the room'. We never found anything but odd glove marks and the marks of a pair of plimsolls, size 8".

"Did you ever catch him?" I asked.

Hudson smiled. "Mrs. Morecambe, or at least her husband, did," he answered.

"But," I protested, "you said he had committed suicide."

"I know I did and he had," said Hudson.

I shrugged my shoulders and waited.

"After I had nattered a bit to Doc," he went on, "I turned the conversation, innocently I hoped, to Mrs. Morecambe. I suggested that there did not seem to be much the matter with her. Doc agreed that there was nothing at all the matter with her either mentally or physically, and after a bit of probing I got the story out of him.

"According to the Doc," went on Hudson, "Mrs. Morecambe was thirty and her husband had been ten years older, a brilliant architect, a first-class artist, very temperamental and, in fact, a little unbalanced. He was very much in love with his wife and insanely jealous. The husband used to work a lot at home, and affected red silk pyjamas with gold frogging which he always wore, except when they had visitors. He used to say he could use his imagination better in that rig-out. He started to drink quite a lot of brandy; she didn't like that at all, and one night, at a civic ball, they had a row. Mrs. Morecambe dodged her husband, and when he missed her he went still stronger on the brandy. He finally got home first, put on his red silk pyjamas with the gold frogging and used his imagination. When his wife came in he blew the lid off, accused her of everything under the sun, flourished an open razor and threatened to kill himself and haunt her if ever she looked at another man, and finally cut his throat."

"Cheerful character," I said, toying with my empty glass.

Hudson filled it up.

"The man was all right," said Hudson, "until his jealous obsession and the brandy got too much together. Doc told me," he went on, "that Mrs. Morecambe had lived very quietly, and then, quite recently, one of her old suitors had been around making a second bid, as it were. Apparently she had been out to dinner with the suitor and afterwards had asked him in for a drink. The gentleman in question naturally took advantage of the occasion to press his suit strongly, and the lady was not altogether objecting to the opening moves, as it were, when, glancing over her would-be lover's shoulder, she saw a figure in gold-frogged red silk pyjamas against the door, a figure wearing, as one might say, an expression of strong disapproval."

"What happened?" I asked, a little inanely.

"She screamed and pointed, the suitor swung round. He saw nothing. Mrs. Morecambe told him she thought she had seen the door opening. They looked for non-existent burglars and that was that. The same

thing happened a second time, bang went romance, and Mrs. Morecambe went and told her story to the Doc—and that," concluded Hudson, "was where I came in."

"Mrs. Morecambe suffering from nerves?" I suggested.

Hudson shook his head. "The Doc said she was as sound as a bell in all departments. Shortly afterwards," continued Hudson—"it's funny how things work—I had to see Mrs. Morecambe about some trivial matter. She gave me a cup of tea, we chatted, and that started a friendship. If you will remember that I was then thirty-five years old and in a state of celibacy, and had fallen hard, you will appreciate my position."

Hudson relit his pipe. The last Act started very late one night when the Station got an urgent call from Mrs. Morecambe's bungalow. I was on duty, and the Sergeant and I got there in sixty seconds flat. Mrs. Morecambe opened the door. Without a word she led us to her bedroom and there, crouching in a corner, his hands over his face, trembling and crying hysterically, was a tall, slim young man dressed in black, black felt hat, black silk muffler round his neck and black plimsolls on his feet—the Shadow himself.

"We took him to the Station and he was in a mood for confession. He eased his soul to a delightful tune, which was a blood transfusion to the Crime records. The most interesting part was when he told us that having got what he wanted in the way of goods and chattels from Mrs. Morecambe's bungalow he was moving out of her room when she put the light on. Having had a good look at her he stepped out of character and went over to her. He didn't say what was in his mind," said Hudson, "but he was quick to notice that, instead of looking at him, the lady was looking over his shoulder. He spun round, and you know what he saw."

"Gold-frogged red silk pyjamas," I said.

"Just so," said Hudson. "The Shadow, clearly was no coward, and he pulled a cosh and went solidly to work, but when he found that he wasn't fighting anything he could hit, his nerve went. That, again, is where I came in," concluded Hudson.

"And Mrs. Morecambe is now Mrs. Hudson?" I asked.

"Yes."

"And my Ann's mother?"

"Yes."

"But you said you saw the ghost," I remonstrated.

"So I did," he answered with a mischievous grin, "and I laid it as well—on my wedding night."

THEFT WITHOUT A TRACE

BY

K. PARAMESWARA MENON

Inspector of Police, Ootacamund

It was the 3rd of August 1952...a very busy day for the Manager of a premier Textile Mill of Coimbatore, with merchants, commission agents and representatives of various firms jostling with one another to see their business through. Suddenly, the cashier with stark tragedy written on his face, rushed into the Manager's Office, and informed him that an amount of Rs. 15,000 was found missing from the cash-box. The Manager came hot-foot to the cashier's room for verification. The missing cash had been safely locked up the previous evening in the strong Godrej cash-box fixed to the cashier's table, and there was not a scratch anywhere on the box or the table to suggest tampering by any one. The large amount, all in crisp one-hundred rupee notes, had disappeared, as if by magic.

Everything in the cashier's room suggested that the culprit could have been none other than the cashier himself. The room with its strong granite walls, its door safely padlocked, and the windows protected by thick iron-bars, threw a challenge to the ingenuity of any house-breaker.

The Manager asked the cashier to collect his wits and calmly consider the possibility of his having failed to account for any large payments to parties the previous day. But the cashier had a ready answer, and swore on all his Gods and his dear and near ones, that on the previous day, he had carefully counted the cash after balancing receipts and expenditure, transferred the major portion to the big iron safe in the Manager's room, and safely locked up the balance of Rs. 15,000 in his cash-box, so that he could begin the morrow's transactions without encumbering his boss. A scrutiny of the account-books further confirmed the protestations of the cashier. Questioned about the key, the cashier remembered that he had had it with him ever since he had rounded off the previous day's work, and that he had clung to it more tenaciously than to dear life.

Under the above circumstances, the only surmise to be drawn was, that the cashier had helped himself to the entire cash, and that he was

just enacting a drama with an adroitness possible only to a culprit gifted in intrigue. As hard as a flint and a beaver for work, the Manager toiled and moiled for two days to break the dogged tenacity of his apparently innocent cashier, and wring out a confession leading to the discovery of the cash, which had so mysteriously disappeared. Outwitted by the crafty cashier, and unable to resolve the mystery, the Manager, as a last resort, approached the Police for help, on the morning of the third day after the loss.

The Inspector of Police immediately took up the case, and pumped out all details from the exasperated Manager. Step by step, he went through the preliminaries of minutely observing the scene and its surroundings, and subjecting the cash-box to a detailed examination with the aid of a magnifying glass. Unable to find out a clue anywhere, he concluded that here was a job, the result of a clever plot, by somebody possessed of a key, either genuine or false, and in the know of the disposition of the cash-box, and the large amounts kept within.

It is a fundamental rule in investigation, that a Police Officer should take nothing for granted, that he should disabuse his mind of all bias and doubts arising from any circumstances which may appear to be against an unfortunate individual.

Battered and shaken by the suspicions of his boss, and his honour sullied by the cruelty of an inexorable destiny, the cashier was found sweating fear in every pore, when he was called in by the Police for interrogation. After a little questioning, the experienced Inspector found it not worth his while, to waste further time on the innocent cashier. He struck other chords. Next was the arduous task of going into the possible complicity of every member of the staff, until at last, by the process of elimination, he weeded out all but one, and he a clerk, who happened to be on leave since the last three days.

This clerk had to be got at and questioned without delay. If he was really the culprit, the advantage gained by a lead of three days, had to be off-set by a methodical sifting of facts, before he could realize that the arm of law was close at hand to grab him.

Getting at the address of the clerk, the Inspector rushed to the man's village, about three miles away from the town. His father was the Headmaster of a local Elementary School and burdened by a large

family of children and grand-children, of whom the clerk was the only earning member. Though father and son pooled their income, this was hardly sufficient to keep the wolf from the door. The very house and its surroundings was mute evidence to their abject poverty.

When the Inspector visited the clerk's house, he found all adults absent, and only a number of children engrossed in their play. Calling a eight-year old girl, and gaining her confidence by sweets and caresses, the Inspector questioned her about the resources of the family, and the reasons for the absence of the adults. It was elicited that her father had gone to a distant village to buy a cow, and that her brother (the clerk), accompanied by her mother and sister, were in Coimbatore Town on shopping expedition. This information, which suggested sudden prosperity in a family eking out a hand-to-mouth existence, further confirmed the suspicions of the Inspector and spurred his flagging enthusiasm to get at the culprit before he could know that the Police were on his track and make good his escape with the large booty.

But, to trace the clerk quickly was no easy matter. Coimbatore is a large industrial town, with numerous roads and lanes, and the chances of finding a particular individual amongst its teeming thousands, was like finding the proverbial needle in not one, but two hay stacks. Undeterred, however, the Inspector began his man hunt. He had been told that his quarry had taken a jutka. After a considerable search, when it was almost dusk, the clerk was seen coming out of one of the leading hotels in Coimbatore, with the two women. The Police shadowed them and saw the three enter the premises of a cotton dealer. This confirmed all suspicions. Father out to buy a cow, and son to speculate in cotton! Without wasting a minute, the Inspector entered the place, just in time to see the clerk handing over a sheaf of notes to the man at the counter. The Inspector's arm closed on his in a firm grip; a search produced Rs. 875 in cash from a wallet. Completely confounded, the clerk fell at the feet of the Inspector and made a clean breast of his crime. He then took the Police back to his house, where he surrendered an old copy of the Tamil weekly "Anantha Vikadan" in whose pages were hidden Rs. 12,000 all in one hundred rupee notes. He also produced a gramophone, and some clothes and jewellery, all proceeds of his ill-gotten wealth.

The clerk worked in the office of the cashier, who used to keep the key of the cash-box and those of the almirahs in one bunch. Having

free access to this bunch for opening and closing the almirahs, he had managed to take the impression of the cash-box key on wax, from "which he had fashioned a duplicate key. On the 2nd of August, he had lingered on in the office, and when the unsuspecting cashier had gone to the Manager's room after closing the day's transactions, he had stealthily opened the cash-box with his duplicate key, and transferred the contents to his pocket. This was how a theft without a trace had been committed, for which the culprit in due course made reparation behind prison bars.

Equestrianism in the Royal Ulster Constabulary

For the third year in succession an equestrian police team, consisting of County Inspector R. D. Gramsie, Co. Antrim; Sergeant F. G. Harris, "E" District, and Constable Craig have won the handy hunter inter-unit and inter-hunt event at the Palace Barracks, Holywood. Sergeant Harris and County Inspector, incidentally, formed the guard of honour for the Prime Minister at the Coronation of Her Majesty the Queen in London in June 1953. Sergeant Harris is the only member of the Force to have his own "troop" and stables.

Memories of the bugler in the old Alma Mater in the Phoenix Park sounding "stables" in the a.m.!

Sergeant Harris owns two mares, "Lassie" and "Star" and a gelding named "Diamond". When not on duty he may often be seen exercising his mounts in a field near his home at Clara Park.

"Love of horses runs in the family," said the Sergeant. "My wife rides the horses both at practice and at hunts—and my two children have just qualified as veterinary surgeons this year at the Royal Veterinary College, Dublin."

Sergeant Harris's stable grew from the time when he bought his son and daughter a pony each.

"But when they grew up I had to buy horses, of course. "Lassie" and "Star" were bred by myself and "Diamond" in Eire!"

To accommodate the horses the Sergeant built three stables at the back of his house in his spare time. He still takes all to do with the feeding and training of his mounts which have now received "official recognition" from the R. U. C.

What does Sergeant Harris do if he has time to spare at the weekend? "I go hunting, of course with the North Down Harrier's."

What price a regular "troop" for the R. U. C?

Our city has grown into a "big girl" now and some mounted men could do good work at functions which attract large crowds. London, Glasgow and other centres have proved this.

(From Constabulary Gazette, 22nd November 1955.)

THE KALLARS OF MADURAI

BY

N. KRISHNASWAMY, I. P. S.

District Superintendent of Police

The criminal Kallar has always been one of the major crime problems of Madurai district. Though Madurai forms a single revenue district, it has been bifurcated into two police districts, and this bifurcation and the reorganization of the district from time to time has been necessitated in the main by the need to devise a system for the effective control of the Kallars.

A historical legend would have it that a band of hunters set out from the Kingdom of Valanadu which had its capital at Kancheepuram and when they came to the Melur area near Madurai, they saw a peacock fighting a dog. They decided to settle down in the area thinking that the region was an ideal one for hunters, where all animals were possessed of a real fighting spirit. They are stated to have given rise to the Kilnad branch of the Kallars. A later similar incursion which settled down in the West and North of the district are stated to be the forefathers of the Melnad branch.

The Kallars for a long time in history formed a wild and unruly lot, not amenable to any form of law or discipline and what prevailed in the area was more or less anarchy. In 1680 Raghunatha Kilavan, the then ruler of Ramnad married a Kallar girl and gave to her brother under the title of Raghunatha Thondaiman, domain over the Pudukottai area. This marked the beginning of Pudukottai State, the present ruler being descended from Raghunatha Thondaiman. The ruler of Pudukottai is regarded as the head of the Kallars. In 1801 the Madurai area was annexed by the East India Company and the Kallars, till then impossible to subjugate, had to give in.

The area in which the Kallars settled was and continues to be in a great part, a poverty ridden and backward area. The advent of the Periyar Project brought irrigational facilities to great tracts in the district, but nowhere, except in the Melur area, did the Kallars make any attempt to give up their wild and lawless ways. In Tirumangalam, Nilakottai and

Periakulam Taluks particularly where the earth was either unproductive or never got sufficient rain, the Kallars never had sufficient incentive to give up their lawless ways and take to agriculture. The average Kallar lived in dire poverty and never chose to work for an honest living when living was far easier stealing crops or lifting cattle from the prosperous villages, or robbing wayfarers on the road. Harvesting whole fields by dead of night, stealing cattle and returning them for "thuppu-cooly" and robbing merchants and villagers going to or returning from the shandies still continues to be the main types of crime they commit.

From 1914 onwards Kallars in the various Taluks of the district were progressively brought under the control of the Criminal Tribe Act. Registration of the Kallars was taken up and by 1921 about 26,000 Kallars had been registered under the Act out of an estimated adult population of about 45,000. Even at an early stage; it was recognized that the solution for Kallar crime lay primarily in economic assistance and reform. While on the preventive side there were special police parties stationed in bad villages and also a special Magistrate to deal with Kallars under the security sections, positive efforts were made under the Kallar Reclamation scheme started in 1918 to reclaim them by the following measures :—

- (a) Sanction of special preference under the darkhast rules.
- (b) Opening of a settlement at Gudalur where 1,800 acres of land was provided.
- (c) Encouraging recruitment into the army, and labour corps at various projects.
- (d) Starting of multi-purpose co-operative societies.

From 1918 till 1949 the work of Kallar Reclamation was entrusted to the police and the police setup during this period in this district underwent several changes periodically in order to secure a satisfactory working of the two-fold aspects of the problem, firstly the purely police aspects of prevention and detection of Kallar crime, and, secondly, the reclamation aspect.

In 1920 Sri A. K. Raja Iyer, Deputy Superintendent of Police was appointed as the "Kallar Special Officer" and with a limited staff he pushed through measures on a scale that can well be described as gigantic. A respect for law and authority was brought into the Kallar village through the medium of the Kallar Panchayat—a court of justice within the Kallar community which was the only one the Kallar gave any allegiance or respect

to. Exemptions from the onerous responsibilities a registered member had to discharge under the Criminal Tribes Act, were offered to villages, where the panchayats would in return, guarantee co-operation with the police in preventing and detecting Kallar crime, in keeping Kallar criminals under proper check and control and in pushing through the reclamation measures in the villages. The reclamation measures took the form of the opening of elementary schools and hostels, and opening of training centres for tackling useful handicrafts like mat making, tape making, rope making, spinning, weaving, carpentry, smithy, leather work etc. The success of the whole scheme was remarkable, and this is readily seen in the decrease by 23.5% in the figures of grave crime in the district in 1921 as compared with the figures in 1918 when the scheme was started.

In 1922 the post of Kallar Special Officer was upgraded to the rank of a District Superintendent of Police and to him was entrusted the prevention and detection of Kallar crime as also the Kallar Reclamation in the entire district. For reclamation work he was responsible to the Collector and from 1921 onwards, he was responsible also to the Labour Commissioner who contributed some funds for reclamation work. The regular District Superintendent of Police looked after all the other aspects of the district administration. The creation of an officer responsible for Kallar crime and Reclamation work for the whole district, in the face of the fact that the prevention or detection of Kallar crime was an important and integral part of the problem of prevention or detection of the overall crime of the district, and the fact that the prevention of Kallar crime was inevitably tied to the functioning of the panchayats, led to an anomalous position in the responsibilities of the two District Superintendents of Police. A positive deterioration set in, in the working of Kallar control, as observed in the fact that grave crimes in 1926 increased by 8% over the 1921 figures in Madurai district while the State figures actually registered a decrease of 23.5% over the same period.

An attempt was made to stem the deterioration by reorganizing the stations, circles and sub-divisions of the district. The district which previously comprised 7 circles, 38 stations, and 9 out-posts was reorganized into 8 circles, 41 stations and 7 out-posts, without an actual increase in the executive strength. This reorganization did not improve matters as the basic anomaly continued without being solved. A further solution was attempted in 1929 when the district was bifurcated into two—Madurai South and Madurai North, the former being the predominantly

Kallar area and its Dt. Supdt. of Police being entrusted with Reclamation work for both the police districts, while for all the rest the two District Superintendents worked independently.

The 1929 reorganization remained only a partial solution because there was still the basic weakness, that Reclamation work proper could not be pushed through unless the executive officer to whom it was entrusted had the use of Criminal Tribes Act or "the big stick," as it was called by Sir Charles Cunningham in his reorganization report of 1932. Here was the District Superintendent of Police, Madurai South, expected to push through Reclamation work in the North district, while in the jurisdiction it was only the Dt. Supdt. of Police, North who could use the Criminal Tribes Act. And there was a multiplicity of controls and supervisory authorities which complicated matters a great deal—the Collector from whom all authority in regard to the Criminal Tribes Act or Reclamation issued, the Commissioner of Labour who financed a good bit of the Reclamation work, and the Co-operative Department that had its say in the numerous Co-operative Societies which formed an important element in the Reclamation set up. Recognizing these weaknesses, Sir Charles Cunningham got Government to accept a further reorganization in 1932 which made each Dt. Supdt. of Police responsible for the working of Criminal Tribes Act, for reclamation, and for the regular police responsibilities in their respective jurisdictions. 1948 brought the Kallars release from the Criminal Tribes Act which was repealed. The bifurcation of the district was allowed to continue even after 1949, when the Kallar reclamation work was handed over to the Director of Harijan Welfare; reclamation is being now attended to by a wholetime Special Deputy Collector assisted by sufficient staff.

Kallars continue to contribute about 40% of the crime in the district, as they have been doing all along. But economic conditions have been steadily improving and the overall crime figures of the district have been going down since 1953. In 1953, there were as many as 240 Kallar elementary schools and 301 co-operative societies catering to the various needs of this community. In recent years the National Extension Services and Local Development Schemes have been bringing them more and more benefits in the shape of roads, wells, assistance for agriculture, more schools, hospitals etc. The starting of the Vaigai Project and the Periyar Hydro-electric scheme have provided employment on a large scale. The results are already in evidence in the downward trend that crime is taking in the district. The day is not far away when education, health and prosperity will remove a great portion of criminality in this Kallar community, which was led into crime by generations of poverty and ignorance.

NEWS & VIEWS

AWARD OF COLOURS TO OUTSTANDING POLICE ATHLETES

The All India Police Athletics and Sports Meet Organisation has awarded All India Police Colours to the following four persons :—

1. Ex-Sergeant Ivan Jacob—Athletics 1954.
2. Sub-Inspr. Joseph (Chingleput Dt.)—do
3. Sergeant Francis (Madras City Police)—Hockey 1955.
4. L/Naik Susainathan do do

The colours will be presented during the ensuing State Police Sports Meet.

WELFARE OF THE CONSTABULARY

In the past two years, much has been done towards improving the welfare of the Constabulary and their families by providing them with various amenities and means for the useful employment of their leisure hours.

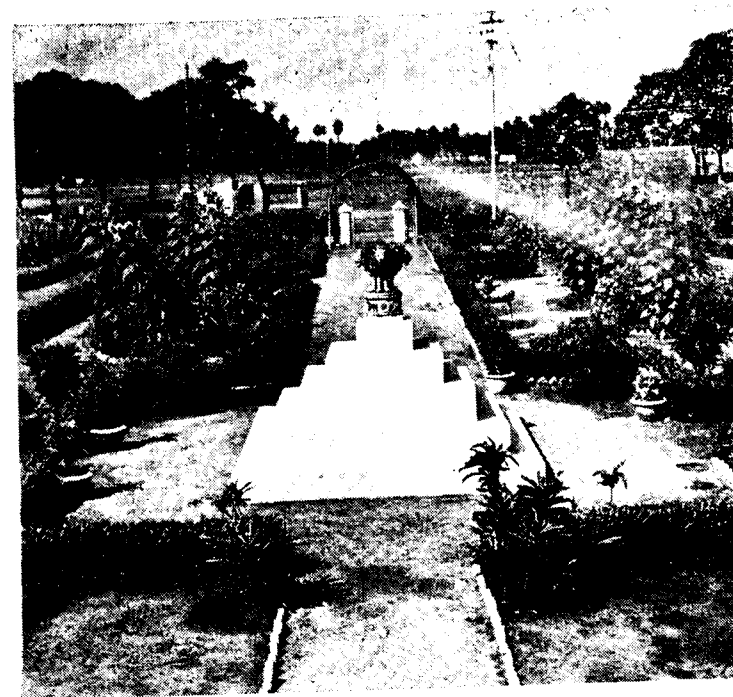
We have received a number of photographs which prove the above statement, but, for obvious reasons, it is impossible to publish all. We hope those selected and reproduced on the following pages will give some idea of what is being done.



The Women-folk enjoy a game of Tennikoi in Kozhikode.



The Recreation Club for Constabulary at Mangalore.



The Rajaratnam Park, Armed Reserve Lines, Tiruchi.



Distributing Milk to Police Children of Arcot.

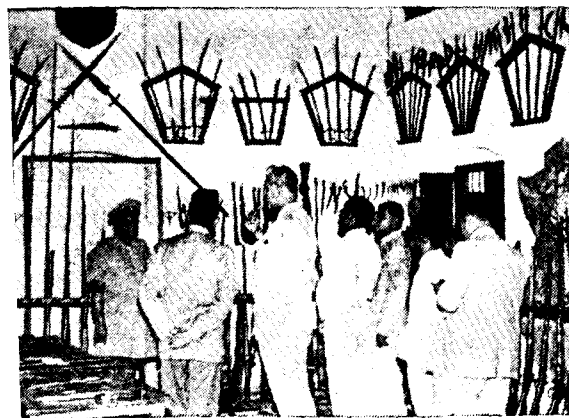
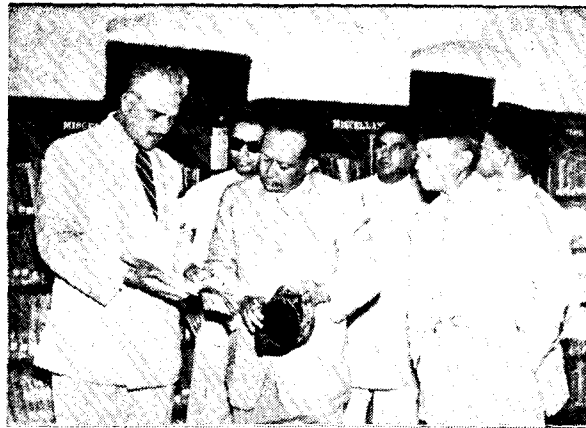


The Women Sew and Spin at the Welfare Centre in the A. R. Lines, Salem.

INDONESIAN POLICE OFFICERS VISIT THE POLICE TRAINING COLLEGE.

A group of Indonesian Police Officers, who came to India to study its Police Forces, visited the Police Training College, Vellore, on the 27th February 1956. They were shown around by the Principal.

In the photographs below the Indonesians are seen visiting the College Library and the Museum, and at dinner in the Officers' Mess.



LEGAL NOTES

I

1956 Cri. L. J. 108 (Vol. 57, C. N. 42)

A.I.R. 1956 RAJASTHAN 24 (V. 43, C. 8 Jan.)

Wanchoo C. J. and Dave, J. (2-9-1955)

State Vs. Ramkishan.

Criminal Appeal No. 104 of 1953, against judgment of 1st class Extra Magistrate, Jodhpur D/3-6-1953.

(a) Arms Act (1878), S. 19 (f)—Essentials of—Possession by Pawnee is not possession by Licensee.

All that S. 19 (f) requires is possession or control of the arm, and there is no requirement in that section that the possession should be with the intention of using the weapon when the necessity or opportunity arises. Where a servant or a friend is in temporary possession of a licensee's arm for a limited purpose, say repairs, he would not be guilty under S. 19 (f), because in such circumstances the possession in law will be that of the licensee. But in the case of a pledge or pawn possession passes from the licensee to the pawnee or pledgee, and if the pledgee or pawnee has no licence he is guilty under S. 19 (f).

II

1956 Cri. L. J. 138 (Vol. 57, C. N. 50)

(S) A.I.R. 1956 S. C. 88 (V. 48, C. 9 Jan.)

(From Bombay)

14th October 1955.

Bhagwati, Venkatarama Ayyar and Sinha JJ.

Topandas, ... Appellant.

State of Bombay Vs ... Respondent.

Criminal Appeal No. 42 of 1955.

Penal Code (1860), Ss. 120A, 120B,—Conviction of One Person for Conspiracy.

By the terms of the definition of Criminal Conspiracy itself, there ought to be two or more persons who must be parties to an agreement and it

is trite to say that one person alone can never be held guilty of criminal conspiracy for the simple reason that one cannot conspire with oneself. If, therefore, four named individuals were charged with having committed the offence under S. 120B, Penal Code, and if three out of these four were acquitted of the charge, the remaining one accused could never be held guilty of the offence of criminal conspiracy.

III

1956 Cri. L. J. 150 (Vol. 57, C. N. 53)

(S) A.I.R. 1956 S. C. 54 (V. 43 C. 14, Jan.)

9th December, 1952.

Mahajan, S. R. Das and Bhagwati JJ.

Criminal Appeal No. 99 of 1952.

Sanwat Khan and another ... *Appellants*
State of Rajasthan ... *Respondent.*

Evidence Act (1872), S. 114, Illustration (a)
Possession of Stolen Property.

No hard and fast rule can be laid down as to what inference should be drawn from a certain circumstance. Where, however, the only evidence against an accused person is the recovery of stolen property and although the circumstances may indicate that the theft and the murder must have been committed at the same time, it is not safe to draw the inference that the person in possession of the stolen property was the murderer. Suspicion cannot take the place of proof.

From the solitary circumstance of the unexplained recovery of the two articles from the houses of the accused the only inference that can be raised in view of illustration (a) to S. 114 is that they are either receivers of stolen property or were the persons who committed the theft, but it does not necessarily indicate that the theft and the murders took place at one and the same time.

IV

1956 Cri. L. J. 181 (Vol. 57, C. N. 62)

A.I.R. 1956 ALLAHABAD 122 (V.43 C. 49, Feb.)

Roy J. (12-9-1955)

Ganga Singh and others ... *The Applicants.*
Vs.

The State ... *Opposite Party.*

Criminal Revision No. 131 of 1955, against order of Civil and S.J., Etah, Dated 8-12-54.

Evidence Act (1872) S. 9—Identifications—Only Evidence Against Accused being Evidence of Identification—he should not be Released on Bail before Identification Proceedings are held—(Criminal P. C. (1898), S. 496).

Where the evidence against an accused person is said to be the evidence of identification alone, the person in question should not be enlarged on bail before the identification proceedings are held. It is open to the Magistrate to accelerate the proceedings of identification. It is further open to him to postpone the grant of bail after the proceedings of identification have been conducted. But simply because the accused person gives an undertaking that he will not raise the plea that the witnesses had the occasion to see him before the identification proceedings are conducted, it is not open to any Magistrate to grant bail to the accused. An undertaking of that nature never acts as an estoppel and what the Magistrates in such a case have to consider is whether prudence requires that bail should be granted at that stage. If bail is granted, the risk of the accused person being seen by the witnesses before the identification proceedings are held cannot be eliminated. And if that risk is there, the identification proceedings are reduced to an absolute farce.

V

1956 Cri. L. J. 215 (Vol. 57, C. N. 83)

(A.I.R. 1956 HYDERABAD 25 (V. 43, C. 10 Feb.)

Siadat Ali Khan J. (19-9-1955.)

Vadula Buchanna ... *Petitioner, Appellant,*
Vs.

The State of Hyderabad ... *Respondent.*

Revn. No. 287 of 1955, against judgment of Court of Munsiff Magistrate, Nirmal, dated 22-2-1955.

Penal Code (1860) Ss. 182, 211—Prosecution under S. 182 Complaint Repeated before Magistrate—Conviction under S. 182—BAR of S. 195, Cr. P. C.—(Cr. P. C. 1898) S. 195.

After the Police had filed a complaint under S. 182 Penal Code against the accused the latter lodged a complaint to the Magistrate alleging that his allegation was correct. The Magistrate tried both the cases together and convicted the accused under S. 182 holding that his complaint was thus automatically dismissed.

Held that the complaint under S. 182 could be proceeded with, even though a complaint was filed by the accused. The question whether the Magistrate should have also filed a complaint under S. 211 was a distinct question and if so persuaded he could have lodged a complaint himself under S. 195 Cr. P. C. If the Magistrate did not choose to do so his convicting the revision petitioner was not incorrect. Action of the Magistrate is required for a complaint under S. 211 and not for one under S. 182 I. P. C.

Order :—This is Revision Petition No. 287/1955 filed against the judgment of the Munsiff Magistrate's Court, Nirmal, dated 22-2-1955. I have heard the arguments of the learned Advocates of the parties.

2. The facts alleged are that on 23-4-1954, a buffalo of the Revision Petitioner, Buchanna, was, according to him, stolen and slaughtered by Dometi Venkiah. Therefore, he lodged a complaint with the Police on the 24th. The Police issued an F. I. R. and investigated the complaint. It came to the conclusion that the complaint was a false one, issued a final report on 16-8-54, and filed a complaint on 22-9-54 under S. 182, I. P. C.

After this, revision petitioner also lodged a complaint to the Magistrate on 20-10-54 alleging that his allegation of theft was correct and it should be inquired into. The learned Magistrate tried both the cases together, convicted the Revision Petitioner under S. 182 and fined him Rs. 30 holding that the complaint filed by the Revision Petitioner was thus automatically dismissed.

3. The learned Advocate for the Revision Petitioner argued that as the complaint of the Revision Petitioner was to the court, it should have been proceeded with, and if found untrue, the Magistrate himself should have lodged a complaint before another Magistrate in accordance with the provision of S. 195 and before that he could not have inquired into the complaint by the Police under S. 182, I. P. C. He also argued that the learned Magistrate tried both the complaints together, but this was incorrect, and not warranted by law.

4. I carefully considered the above contention. It should be noted that the complaint by the Police was filed before the complaint by the Revision Petitioner. There is a clear authority for the proposition that a complaint under S. 182 can be proceeded with, even where a complaint is filed by the accused. In this connection 'Notaram vs. Emperor', A.I.R. 1943 Lah. 31 (A), may be perused. Thus it appears to me that there was no bar to the Magistrate coming to a conclusion on the complaint filed by the Police.

The question whether the Magistrate should have also filed a complaint under S. 211 is a distinct question and if so persuaded he could have lodged a complaint himself under S. 195 Cr. P. C., before another Magistrate for proceeding against the Revision Petitioner under S. 211, I. P. C. If the Magistrate did not choose to do that, there appears to be no reason why his convicting and sentencing the Revision Petitioner under S. 182 should be deemed to be incorrect.

Sanction of the Magistrate is required for a complaint under S. 211, and not for one under S. 182, I. P. C. I, therefore, see no force in this revision petition. Before dismissing it I may quote from the Lahore case referred to above, below :—

“The real question in the present case is, whether when the Police in conformity with the provisions of S. 195 Cr. P. C. filed a complaint under S. 182, Penal Code, and the offence as far as S. 182, I. P. C. is concerned, is complete, the jurisdiction of the trying Magistrate is taken away because the accused subsequent to his report to the Police, choose to file a complaint before a Magistrate on the same facts which was also found to be false.

The contention appears to be that because the institution of criminal proceedings under S. 211 I. P. C. resulting from a false complaint to a Magistrate requires magisterial sanction under S. 195, Cr. P. C. the proceedings in 182 case (the offence under this section being already complete) should be quashed as without jurisdiction, in the absence of the magisterial sanction which is necessary for the institution of a complaint under S. 211, Penal Code.

On principle we can find no basis for any such contention. It may be noted that neither the Full Bench ruling—'Muthra V. Apaya Tatoba Munde, 15 Bom. L.R. 574(C); nor—'Ghulam Razul Vs. Emperor', A.I.R. 1936 Lah 288 (D), deal specifically with the question now at issue. In none of these cases had a false report to the Police been followed by a subsequent false complaint to a Magistrate. In the Full Bench Case, 16 Pun. Re 1870 Cr. (B), which

dealt with a false report to the Police, the man who made the report was convicted under S. 182 Penal Code. The Full Bench declined to interfere.

At the same time the learned judges expressed the view that the offence more properly fell within the scope of S. 211, Penal Code. They held, however, that the mere fact that the Magistrate had charged and convicted under a wrong section did not affect the merits of the case, and did not warrant interference in revision."

In the revision before me also the Revision Petitioner has been convicted under S. 182 and on the authority of the Full Bench case 16 Pun Re 1870 Cr. (B), declined to interfere. The Revision Petition is, therefore, dismissed.

CORPORATION:—*An artificial person created by the law to prey upon real ones.*

APPEAL:—*An artifice for getting more money out of a client.*

JUDGE:—*The essence of infallibility.....until the appeal.*

JUDGE:—(sarcastically): "You are a very clever fellow indeed."

WITNESS:—"I would like to return the compliment, sir, but you see, I am on my oath."

(from the 'Illustrated Weekly of India' October 23, 1955)

A well-known advocate, arguing before a deaf judge, was disturbed by the whispers of some members of the Bar. He pleaded, "For heaven's sake, stop talking! It is bad enough to have to deal with this deaf old man on the Bench."

There was a roar of laughter.

The judge said: "Order, order, let that interesting argument be repeated. I must get that on my notes."

(From the 'Illustrated Weekly of India' October 23, 1955)

Crime for the Quarter ending 30-6-1956 in Madras State

Serial No.	Name of the District	Area in Sq. miles	Population	Total number of crimes	Offences relating to coins	Offences relating to bank and currency notes	Murder	Kidnapping	Dacoity and preparation for assembly	Robbery	House-breaking	Theft both ordinary and cattle	Criminal assault	Total number of juveniles concerned	Police men per 10,000 of population
1	Chingleput	3294.03	17,84,251	1057	...	...	10	7	...	7	130	369	138	13	10
2	Coimbatore	7100.32	93,204	899	...	1	34	7	5	12	132	291	59	20	6
3	Madras City	49.4	14,00,000	1483	...	...	1	5	...	3	123	1265	24	61	21.6
4	Madurai North	3099.24	16,22,989	984	...	...	18	12	3	5	70	232	3	6	6
5	Madurai Urban	1769.76	12,68,828	564	...	...	7	3	...	3	47	297	33	55	12
6	Malabar	5758.18	43,13,547	573	...	...	10	5	...	1	135	177	98	4	5
7	The Nilgiris	1098.14	2,79,359	100	...	...	...	...	...	1	26	65	8	1	13.1
8	North Arcot	4654.28	59,157	845	...	...	12	9	...	3	163	380	18	16	5.3
9	Ramanathapuram	5919.23	99,938	3057	...	...	14	3	3	8	73	293	30	13	8
10	Salem	6894.8	30,97,220	554	...	...	27	...	1	4	136	387	...	...	6
11	South Arcot	4208.27	90,651	2206	...	...	8	10	...	...	399	165	130	18	6
12	South Kanara	4007.17	48,991	1220	...	...	6	...	...	1	59	94	55	4	5
13	Tirunelveli	4337.24	45,967	667	...	1	23	13	2	9	147	314	140	37	7
14	Tanjore	3742.01	28,82,670	664	...	...	11	...	1	2	252	392	6	6	7
15	Tiruchirapalli	5571.13	26,95,071	1280	...	2	16	17	...	3	178	522	31	2	8
16	Tiruchirapalli Ry. Dt.	2451.5	...	253	...	...	...	...	...	1	3	230	...	9	...

NOTICE TO CONTRIBUTORS

Contributions should be typewritten with double spacing and bear the name and address of the sender on the first page.

They should be addressed to the Editor, The Madras Police Journal, Police Training College, Vellore, North Arcot District.

Suitable articles on any subject of educational value or interest to the Police, or which promote co-operation between the public and the Police, are acceptable.

Items not accepted for publication will not be returned.



THE MADRAS POLICE JOURNAL

(Issued under the authority of the Inspector-General of Police)

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Examination Howlers From Ex-Prohibition Sub-Inspectors

A Police officer can arrest without warrant any person running immoral traffic without a licence.

Any girl who is habitually leading an immoral life is a habitual offender.

Possessing an unlicensed arm is a non-cognizable offence.

A P. O. can arrest any motor driver for driving a motor vehicle without proper light, without badge, for parking in an unauthorised place.

For eradicating untouchability, Social Disabilities Act has been passed by Madras Govt.

While checking a M. V. I will look for the brake certificate.

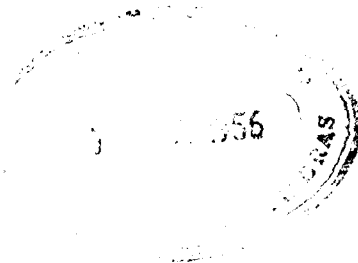
Public Service vehicle is a vehicle kept and run by a Department of the Central or State Govt. for the exclusive use of the Department.

While checking a public carrier, I will find if the R. O. is current or expired.

Brothel is a woman who misuses her chastity.

A police officer can arrest without warrant under Sec. of M. V. Act any person for delivering speech against state within a bus.

Private Carrier means a pleasure car owned by private persons.



The Progressive Police Officers Cannot Afford to be without

THE MADRAS POLICE JOURNAL

The Service Journal of the Madras Police Force

(Issued under the authority of the Inspector-General of Police)

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Notes of Law with judicial decisions of importance to policemen.

Statistics of Crime in Madras State.

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Instructional articles on the scientific detection of crime.

Articles on general subjects of interest to Police and Law Officers as well as the layman.

Articles on interesting and instructive police work from various forces in India and abroad.

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THE MADRAS POLICE JOURNAL

Vol. VII

OCTOBER-DECEMBER 1956

No. 4

EDITORIAL

In our Editorial in the last number for 1955, exactly a year ago, we reported that the Journal had doubled its circulation of the previous year. We are very happy to report that at the end of the current year, our tale is still one of progression, not geometrical—as we, be it admitted, somewhat rashly hoped last December—but progression nevertheless. Then, just over eight hundred copies, our circulation is now a round, and very comforting, thousand.

Having given ourselves a pat on the back, we now proceed to pass on the compliment to our contributors—their articles have vastly improved both in quantity and quality. We take this opportunity of thanking them for their kind co-operation. We are quick to add that we have every hope that it will continue to be extended!

Finally, be it remembered, this Journal is as much yours as ours. No! More yours than ours, because, without you, it cannot survive.

69354

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ORIGIN AND DEVELOPMENT OF THE FIRE SERVICE IN MADRAS CITY

BY

SRI F. V. ARUL, I. P.

(Commissioner of Police, Madras)

The genesis of the Fire Service in Madras City is to be found in the establishment of the City Fire Brigade in 1908 by the Corporation of Madras. This Brigade consisted of a small number of pumps which were operated either manually or by steam. The operational control of these units was placed under the Commissioner of Police, Madras. Each pump had a skeleton crew of 1 driver, 2 cleaners and 4 lascars while the fire-fighting personnel were drawn from the City Police Armed Reserve. Thus both the composition and control of the City Fire Brigade were mixed, which naturally did not tend to efficiency.

Though these pumps were stationed in various parts of the City covering congested areas such as Triplicane, Mylapore, Vepery, Flower Bazaar, North Beach, Chintadripet and Washermanpet, they did not prove to be of much use when three serious fires broke out in August 1908 causing considerable damage to Government property. Failure was attributed to the difficulty in getting those ancient fire engines to the scene of the outbreaks quickly enough. The question of obtaining more modern and speedier appliances was therefore taken up.

The following year (1909) Government sanctioned the purchase of a motor fire engine, but it was not till five years later (1914) that a suitable motor appliance could be found. This was put into commission at the Triplicane Station. This motor fire engine, a Merryweather, fitted with a 350 gallon per minute reciprocating pump, proved to be of great use and as a result it was decided to replace all the steam and manually operated fire engines. However, only two more Merryweather engines were procured and brought into use in 1915.

As it became clear that the speed in turning out motor fire engines in emergencies would be considerably reduced if the quarters for the crew were

not found reasonably close to the Fire Station and inasmuch as the fire-fighting personnel were drawn from the City Police Armed Reserve all the fire engines were moved to Pudupet in 1916 and placed under the control of the Deputy Commissioner of Police, Law and Order.

With the growth of the City which necessitated additional fire protection one more Merryweather motor fire engine was purchased in 1934, bringing the total up to four. The dual control of the Fire Brigade adverted to earlier continued to be in force which as pointed out already was not conducive either to efficiency or to the maintenance of discipline. Besides the Police whose work was steadily increasing with the growth of the City could not afford to spare any men for Fire Brigade work. It was therefore decided to obtain expert advice on the reorganization of the City Fire Brigade and for that purpose the Chief Officer of the Calcutta Fire Brigade was brought down to Madras in 1935 to go into the whole question and to submit his recommendations to the Government. However, nothing tangible emerged from his recommendations for the next few years.

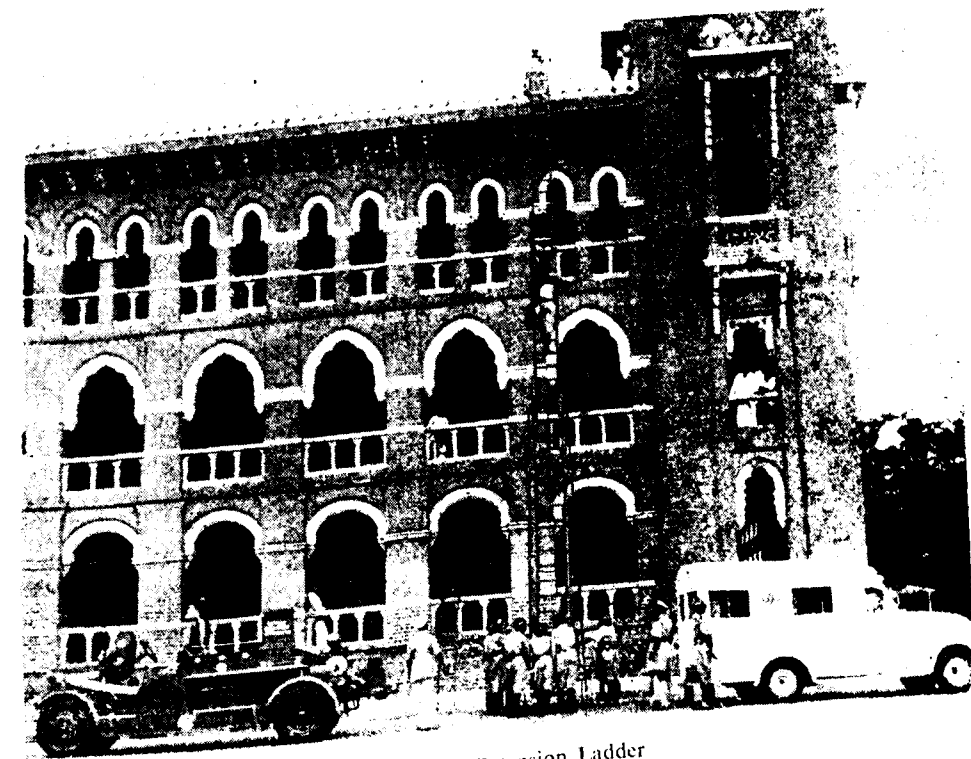
In 1940 a serious fire occurred which caused serious damage to the extent of several lakhs of rupees at the All India Congress Exhibition. A public enquiry was held which resulted in some of the old fire engines purchased in 1914 and 1915 being condemned and replaced by a Dennis turbine motor fire pump and two Dennis trailer pumps. With the outbreak of World War II the same year (1940) a District Superintendent of Police was placed on special duty to organize an Air Raid Precautions Scheme for the City of Madras which would include fire-fighting. As a first step, control of the City Fire Brigade was handed over to the Commissioner of Police. The Brigade then consisted of four self-propelled units of ancient vintage with a staff of two officers lent by the Madras Police and some fifty men with headquarters at Pudupet.

At the same time the Auxiliary Fire Service was formed under the control of the A.R.P. Controller. This unit was composed of recruits mostly from the upper classes who volunteered to serve as ordinary fire-men. The majority of business houses in George Town were approached to encourage members of their staff to join and to allow them time to attend fire service exercises. By 1941 the strength of the Auxiliary Fire Service reached the respectable total of 106.

In September 1941 six additional Trailer Pump Units were obtained and with a sufficient number of volunteers these units moved from the



Fire Control Room



Rescue by Extension Ladder

headquarters at Pudupet to take temporary station in the garages at Fort St. George until such time as pucca Fire Stations in the process of construction were ready for occupation.

The Auxiliary Fire Service was under the control of the A. R. P. Controller while the regular Fire Brigade continued to be under the administration of the Commissioner of Police. Thus the bogey of dual control had again raised its head. In July 1941 the Government of India suggested that all fire-fighting units should be treated as one service and placed under Police control. The Madras Government did not at first agree with this view, but later they appointed an additional Deputy Commissioner of Police to take charge of all the Fire Service units in Madras City. It was from this development that the Madras Fire Service as it is known to-day was destined to emerge in the following year (1942).

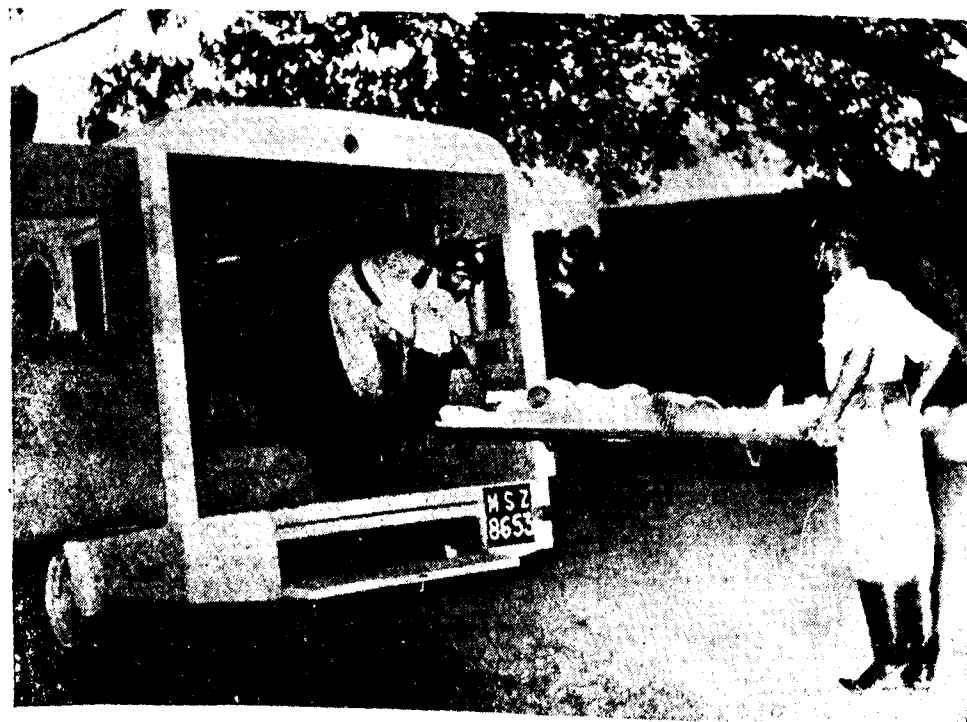
With the deterioration of the war situation in the East in the early part of 1942 the Madras Government sought the help of the Government of India for building up fire-fighting units and in June 1942 the latter sent down to Madras Mr. W. A. Tozer who had many years of experience of regular fire brigade work in the East and had been Director of Fire Services in Burma until its evacuation. With his appointment as the head of the Fire Service in Madras the department was separated for the first time completely both from the A.R.P. and the Police. It was reorganized as a self-contained department and the appointment of Deputy Commissioner of Police (Fire Services) was abolished, Mr. Tozer taking the designation of Director of Fire Services, Madras.

This set-up continued from 6th November 1942 to 30th September 1949. During this period the Fire Service was strengthened by the recruitment on contract basis of National Fire Service Officers from the United Kingdom. The water supply system was also improved by the construction of static tanks built at strategic points in the City capable of holding from 10,000 to 100,000 gallons. Sumps were also constructed along the banks of the Cooum River and the Buckingham Canal so that water may be available throughout the year. Further, storm water drains were fitted with sluice valves and arranged so that they could be easily filled and kept full. A Control Room was also set up and a staff of messengers was sanctioned who were to operate in case the telephone system was damaged.

In 1949 on the recommendation of the Retrenchment and Reorganization Committee set up by the Madras Government the post of Director of



Rescue by Chair Knot



An Ambulance Answers a Call

Fire Services was abolished and the Fire Service was placed under the control of the Inspector-General of Police with effect from 1st October 1949 to function as a separate wing of the Police Department.

At present there are 8 Fire Stations in Madras City. In 1953 they attended 258 fire calls and saved property worth Rs. 21,07,981. Corresponding figures for 1954 and 1955 are 223 and Rs. 16,08,652, and 207 fire calls and Rs. 25,27,857. These Fire Stations also provide an Ambulance service which is becoming increasingly popular. In 1953 a total of 2,715 ambulance calls were answered. Corresponding figures for 1954 and 1955 are 2,963 and 3,658.

The Fire Service has been rendering valuable help to the public in a variety of other ways such as providing Standbys of Fire appliances at large gatherings, fairs and festivals, rescuing human and animal life from collapsed buildings, transporting of sick and injured to hospitals for medical attention and assisting the Medical and Public Health Departments in combating epidemics. It is hoped that the public will co-operate with this Force which has been rendering yeoman service to rich and poor alike and that with the allocation of more funds it will be possible to increase the number of Fire Stations so that adequate fire protection for this great Metropolitan City may be provided.

A counsel, in cross-examination, was very diffuse and had been asking the same questions. He had begun by asking the witness how many children she had and had repeated that query later on. The judge interposed with the remark :

" When you began your cross-examination, she had three. "

(From the ' Illustrated Weekly of India ' — October 23, 1955)

WHY WOMEN WENT

BY

" HALF-PAST FIVE "

(From ' The Police Review,' 18th August 1955)

Not many Policemen can say that they made their biggest mark on the Force some years after retiring on pension. Yet this was so in the case of a man I once served with. Charlie Boye was the feller I mean, and it was in the "fifties" that I served under him. Well I remember the time when he went to the College; those week-ends when he would nearly send us crackers with the old "quick thinks" and involved "what offence?" situations. Back he came to us in due course, dead keen and destined for big things, so we thought... and I believe he agreed with us.

This was about the time when there was all that agitation about equal pay for women, and indeed it was a few weeks after Sergeant Boye had been promoted Inspector that those fateful regulations were published that gave women complete parity with men in the Police Service. I have little doubt that Charlie was too busy submitting reports even to read these regulations through. Little did he know.....!

Meanwhile, we became used to women working traffic points and a full tour of nights, being posted to country Stations, and eventually and inevitably being promoted to take charge of hitherto all-male rural sections. It was a bit much for some of the old stagers, and one of these, a real old radical Policeman named Superintendent Easy, put in his retirement application after seeing a quarterly Divisional drill parade taken by Sergeant Emily Artifice.

You can imagine the stir that this caused in the Force, and, as ever, the grape vine started to buzz easily. We discussed the subject morning noon and night and could conclude that there was only one man for this job—Charlie Boye for he was suited by age, by service, by temperament—yes, and by ability—to fill Easy's shoes.....and I believe he thought so too.

But all this discussion and high-pitched buzz was as a little whisper of summer breeze compared to the gale force roar, disciplined of course, that

arose when Force Order No. 21 proclaimed that Inspector Agnes Stern would make history as the first woman Superintendent in the Buffshire Constabulary.

I suppose Charlie was wrong to allow himself to get bitter about this, but he was only human. I remember that we who had known him in the old days marvelled at the change that one little Force Order wrought in him. He was never in serious danger of further promotion thereafter. "Ma'am" sensed his rancour and, resenting it, she saw to that. Charlie just soldiered slowly on and was heaved out on to pension when averaging was abolished, with a mere thirty-five years in. It hurt.

But Charlie planned revenge and the instrument of this revenge was to be his son Reginald. Young Reg was hand-reared by Charlie on a mixed diet of revenge and the Police and Pension Regulations. It was a nasty blow to the old chap when Reg stopped growing at five feet seven inches despite the fact that his father had never allowed him the luxury of tobacco. Like a true Police officer and a College graduate Charlie sat himself down to appreciate the situation anew, and evolved an even more diabolical plan than that first intended.

A startled Buffshire Constabulary awoke one morn to read in the Buff's Gazette that a wedding had been arranged between Reginald Boye, son of Mr. and Mrs. Charles Boye, and Harriet Stern, the only daughter of Chief Superintendent Agnes Stern of the Buffshire County Police. This Harriet was a Policewoman of about four years' service and with a face and figure reminiscent of the spine of *Archbold's Pleading*. It speaks volumes for the family loyalty of the Boyes that she and young Reg were lawfully wed a month later. The bride's mother gave her a copy of *Paterson* to go away with. Being a total abstainer she was a little ignorant on the subject of licensing.

Everywhere Harriet went about the county Reg went too. He didn't need to go to work, of course, and we found he was very obliging about taking messages over the phone if Harriet was out on her beat. There was something of his father in him, too, for he was a stickler about seeing that Harriet never missed any of her points—especially if the weather was bad. Harriet was not made of the same stuff as her mother and we could see that she wouldn't stick it. Experience tells in these things she didn't.

The moment of Charlie Boye's revenge came soon after when (and it was all reported fully in the Buff's Gazette) Reg stood before the Standing Joint Committee fully assembled, his Pension Regulations in his hand, and argued his case that they had no alternative but to allow him a widower's full pension. That he was right was confirmed by the Police Council four months later. The day after he received his first pension payment young Reg and his old Dad boarded a plane for South America to forget—at the rate-payers' expense.

After this expensive experience, when recruiting for Police-women in Buffshire lagged we let it lag, and that is why, although provision is made for the fair sex in the Regulations we have none in the Force to-day. However you can still see the portrait of Harriet's mother in the gov'nor's office, and if you examine carefully the firm line of that resolute jaw you may get some inkling of what you missed.

"The Policeman is but a citizen in uniform, entrusted by his fellow-citizens with powers which are necessary for the maintenance of the common peace and welfare, but which are clearly defined and are at all times to be exercised under a sense of complete responsibility to the chosen representatives of the citizens as a whole."

(Introductory to the 'Indian Police' by J. C. CURRY.)

"The Police Officer is regarded neither as a demi-god nor a brute. He is a citizen with the rights and obligations of his fellow citizens, but given special training to fit him for his task of protecting the society to which he belongs. Like Caesar's wife, however, he must be above suspicion."

(A French conception of a Police Officer.)

A lawyer is a gentleman who rescues your estate from your enemies and keeps it to himself.

The Law is a sort of hocus-pocus science that smiles in your face while it picks your pocket.

The Laws are like cobwebs wherein the small flies are caught and the great ones break through.

Justice is mighty but money is almighty.

(From the 'Illustrated Weekly of India'—October 23, 1955)

PROPHYLAXIS FOR CRIME

BY

Sri J. M. LOBO PRABHU, I. C. S.

Home Secretary, Govt. of Madras

Of the dual aspects of my work, as Home Secretary, prevention and punishment of crime, the former has attracted me more. The social value of punishment is small, except to the extent it is also a cause of prevention. Therefore in dealing with punishments, I have always applied my mind to the causes of crime and the means of curing them. One general cause is poverty in which connection it may be mentioned that in 1953, when drought conditions reached their peak in the Madras State, the number of offenders were 60,216 as against 42,842 in the combined Madras and Andhra State in 1945 when the war had brought general prosperity. Another cause is absence of appropriate employment, the devil of finding work for idle hands. The analysis of individual cases, as of general tendencies seems to show that the offenders knew nothing better to think or do. Murders, which I have to examine in respect of reprieves from hanging, are in a large majority, due to frustration. Similarly people indulge in drinking, cotton betting, quarrelling or loafing, generally to fill up their enforced leisure. Police action, which has been stepped up is not wholly effective, as human nature somehow finds a way to satisfy itself. The basic problem is of the use of leisure. Since no attention is paid to this, people only know the abuse of leisure generally from purveyors who make a comfortable living from it. It is possible to convert the people only along the line of their habits, by rendering innocuous the forms of their indulgence. The strategy may be considered in respect of the broad classes now prominent for delinquencies, arising from unemployed leisure.

Gymnasium for Children

Children, unfortunately in our country receive less attention than they deserve. Except when they are at school or on work they have to find their own means of employing their time. In 220 villages of Chingleput I set up Children's Gymnasiums, at a cost of Rs. 300 which each drew at least a hundred children, in the hours of the morning and evening. The Madras

Corporation has followed my advice and is setting up a children's Gymnasium in each of its 50 divisions. The Corporation is adding to each Gymnasium, a little covered platform which can serve for public speaking, dancing and dramatics, a radio which will attract the adult population and a weekly cinema show. The Chief Minister will shortly open these recreation centres, which are expected to make available to the poor, recreation now outside their means. The success of these centres will depend largely on the co-operation of the voluntary workers, who will organize the programmes, and the audiences. For Delinquent Children, a Work House to accommodate 500 has just been started by the Madras City Child Welfare Committee which may serve as a model to other Municipalities.

The Problem of 'Roadside Romeos'

The next age group is of the students. Recently the police have been alerted to look for 'Roadside Romeos', who disgrace themselves in public because they are not provided appropriate opportunities for social life in private. It must be admitted that college boys and girls live separated like animals in a zoo. With a student population of nearly 20,000 there is not one students' club in Madras where boys and girls may meet each other in the right atmosphere. The reasons may be first that no one has thought of the value of social contacts for students during the hours of their leisure, second that accommodation for the purpose was not readily visible and third that the students themselves have not been encouraged to think about what they can do. As for accommodation, perhaps the spacious halls of the University Buildings could be given to students, when they are not required for examinations and Convocations. Activities like indoor games, dances, dramas, and tea parties will not injure the premises. Similarly for schools, clubs could probably be established in similar premises now used only occasionally. The idea is the same that our student population should learn to use its leisure itself with respect and restraint, if its education is to be complete.

Need for Amusement Parks

The working classes have leisure and holidays added to them in a measure wholly unknown before. It is not only wasteful but mischievous to leave this time unemployed. At present some find their way to cinemas and coffee hotels. Some others prefer cotton betting and drinking. There are a few who gather to nurse grievances. Many remain at home to quarrel with their families. We cannot fully eliminate gambling. It has been suggested that it may be legalised, as racing is, in a few places, and under

methods which allow no cheating and are for the benefit of public purposes. For instance, in the recreation centres, to be opened by the Corporation, Fruit Machines may be allowed to be owned and operated by organisations approved by Government; on the Beach and elsewhere on open spaces, Amusement Parks, with shops, games of luck and skill may be allowed, a part of the proceeds of the gambling being reserved for public purposes. The idea is that open and controlled facilities like these, will replace the secret and dishonest gambling which now robs the poor. Amusement Parks, a regular feature of other cities in the world, can engage the people now condemned to drinking and betting, in happily shopping, sight-seeing and taking calculated chances on games of luck and skill. It is for the Corporation or others interested to satisfy Government that such Amusement Parks deserve some relaxation of gambling rules, in the wider interest of diverting the people from worse pursuits.

In respect of their leave, the working classes have not so far been habituated to travel or visit holiday resorts. In the result, leave earned is spent at home in enforced idleness, frequently in quarrels and intrigues. Organised holidays should be considered as a labour ameliorative measure, which employers can jointly provide. In a place like Mahabalipuram the accommodation and catering necessary for a camp of, say 500 workers can be easily arranged.

Another important class, is the increasing body of intelligentsia. At present, a few of them may attend the public meeting notified in the Papers, but the greatest number have nothing in the evening to do. Can the Corporation organize in the Napier Park, or other suitable open place, a kind of Hyde Park corner where there may be orderly public speaking? What may be necessary is first a few small platforms, second a supply of folding chairs to be hired, say at one anna an hour. In the beginning both speakers and audience may be reluctant, but in due course this forum of democracy particularly in a city like Madras may attract those who hesitate to go to privately organized meetings. The Marina also could be more attractive, if the Corporation undertakes, first, provision of folding chairs for those who do not like to sit on the sand, second, floodlighting of a small space, where those who do not like darkness, may sit late in the evening.

Another feature is public entertainment in the open, the spectators paying what they like in the hat taken round. A space could be set apart for this on the Marina. It is possible that even open air cinemas may use it,

as the draft Cinema Rules now allow such shows at a licence fee of only Rs 5. With folding chairs on hire, and the hat taken round for contributions, the takings could be sufficient even without restricting admissions. Democracy in Greece and Rome was integrated with public games. Almost all modern countries have facilities to engage the leisure of the people. Our democracy has to come in line.

These are a few among many suggestions which can be made for better use of our leisure. They deserve each to be fully examined, not only by the authorities, but by the people themselves. It is only when the people are satisfied that any measure is for their benefit, that the authorities can be expected to carry it out. Unfortunately at present the public only reserves criticism for itself, and leaves not only action but also thinking to the authorities. In the matter of the proper use of leisure, not only pleasure but Law and Order are involved. A people happily engaged, are lawfully engaged. Crime arises because of lack of work and play. Recreation is therefore an important prophylactic measure for crime.

Unknown Fame

This man owned a grocery store. He needed a delivery boy and so he put a sign in the window which read: 'Boy wanted'.

The sign was not put up ten minutes when a bright, freckle-faced and red-headed kid came in and applied for the job. He asked him several pertinent questions and finally said, "Well, son, I think you will do. What's your name?"

The kid said: "Shakespeare"

"And your first name?"

"William," the boy replied

"Oh! William Shakespeare, That's a pretty well known name, isn't it?"

"It should be," the boy agreed, "I have been living around here for ten years."

THE POLICE OF THE MADURAI URBAN DISTRICT

BY

T. K. VENKATARAMAN

District Superintendent of Police, Madurai Urban

Madurai District as a whole with its area of 4,369 sq. miles was once a single District for Police purposes under one District Superintendent of Police, whose jurisdiction coincided with the Revenue District under the Collector. The District is bounded by the Travancore-Cochin State to the west and north, by Trichinopoly District to the north and north east, and by Ramnad to the south and east. It has for revenue purposes 8 taluks—Dindigul, Palani, Kodaikanal, Nilakottai, Madurai, Melur, Thirumangalam and Periyakulam.

For a District of this size, the responsibilities and functions of the District Superintendent of Police were found to be so great and extensive that bifurcation of the District was effected in 1925. There were only 7 circles for the entire Madurai District prior to 1925. Under G.O. No. 750, Judicial dated 28-12-55, a new circle was formed at Sholavandan. Under this G.O., the original 7 circles, 38 stations and 9 O.Ps. were increased to 8 circles, 41 stations and 7 O.Ps. Though the Police administration was coterminous with the Revenue jurisdiction in the entire Madurai District, the rapid increase in Police functions necessitated changes. The criminal activities of the Piramalai Kallars of Madurai and Ramnad districts were of such magnitude that they required not only to be effectively checked but steps had also to be taken to reclaim these criminals.

The Criminal Tribes Act which was in force had also to be worked. The District Magistrate was assisted by the Kallar Special Officer in running Kallar Schools, Kallar Co-operative Societies, collection of common good funds for ameliorative purposes etc., and by the District Superintendent of Police in the working of the Criminal Tribes Act, checking of Kallar Panchayats, and effectively controlling the criminal activities of Kallars. Experience showed that such dual control over the ways and means to check and reform Kallars was not satisfactory, hence it was thought necessary to entrust the

District Superintendent of Police with reclamation work as well. This naturally resulted in the bifurcation of the District, and under G.O. No. 466 Public (Police) dated 27-8-1932, the original Madurai District was divided into two Districts of North and South for Police purposes alone. Madurai North District consisted of six circles—Madurai Taluk, Nilakottai, Mudurai Town, Dindigul, Vendasandur and Palani, while Madurai South District consisted of 4 circles—Uthamapalayam, Periakulam, Thirumangalam and Usilampatti.

With the growing importance of Madurai Town and its surrounding areas and with the introduction of prohibition in October, 1946, the responsibility and functions of the North Dist. Supdt. of Police had so increased that it was found necessary to reorganise and rename the districts. Under G.O. 5002, Home Department, dated 23-11-50, Madurai South District was named as Madurai Rural and Madurai North as Madurai Urban district. Consequently the circles that came to exist under Madurai Urban District were Madurai Town North, Madurai South, Crime Branch, Madurai Taluk, Melur, Sholavandan and Thirumangalam. Because of the ever increasing importance of Madurai Town, which is a substantial part of Madurai Urban District from the Police point of view, further changes not only in the jurisdiction of circles but also in the Police functions had to be effected. Madurai Town on the model of Madras City had to be functionally divided into Crime Branch and Law and Order. These came into being in 1953. The merger of the Prohibition Department with the Police further necessitated the formation of a new circle and reorganisation of the Town Circles with the result that there now are 8 circles in Madurai Urban, namely Madurai Town Central, Town North, Town South, Traffic Circle, Taluk Circle, Sholavandan Circle, Thirumangalam Circle, and the Crime Branch. There are 27 stations, including the two new stations at Peraiyoor and Nagamalai Pudukottai, and two out-posts. The present Urban district area is about 1700 sq. miles.

In spite of the bifurcations of the District and the various changes in it, the Armed Reserve continued to be a single unit to serve the needs of the entire original unbifurcated District and its overall control continued to exist under the Urban District Superintendent of Police. The strength of the Armed Reserve had also increased from time to time as was justified by its increased functions.

The present strength of the Police force under a District Superintendent of Police assisted by three Sub-Divisional Officers, is as follows :—

	Local or Taluk Police.	A.R.
Inspectors ...	12	—
S. Is. ...	60	—
H.Cs. ...	124	47
P.Cs. ...	728	561
Sergeant-Major ...	—	1
Sergeants ...	—	11
Jamedars. ...	—	8

Physical peculiarities of Madurai Urban District

The river Vaigai runs from north-west to south-east across Sholavandan, Madurai Taluk and Madurai Town. There are two ranges of Hills—the Alagarkoil Hills and Nagamalai Pudukottai Range. The former has a forest area and the latter is comparatively barren. Except Thirumangalam Taluk, most of the District area has irrigation facilities through the Periyar Channel. There are a number of tanks spread out throughout the District in catchment area which facilitate irrigation, provided there are seasonal rains. If the rains fail the cultivation in Thirumangalam Taluk gets seriously affected and the villagers, mostly Piramalai Kallars are perturbed and move out for work or for crime.

Interesting places and their importance in Madurai Urban District

Madurai Town is both a commercial and an industrial centre. It has a growing population with an ever-increasing floating one. It is an ancient City of temples, which attracts pilgrims. Its gopurams and the grand Thirumalai Naicker Mahal, an ancient massive structure which dates back to the fifteenth century, are centres of attraction and of archaeological interest. Madurai Town itself is 8.56 sq. miles in extent with a population of 4 lakhs. It is next in importance to Madras City in the entire Madras State. The fact that Madurai has grown into a City had been recognized by authoritative estimate even as early as 1932. J. F. Hall, Esq., in 1932, when he was the District Magistrate and Collector of this District, stressed the point that the various establishments charged with the administration could no longer be treated as establishments working in an ordinary mofussil town and that

Madurai had to be treated like Madras City; he reported that “Madurai has not only grown into a city, but it has become one of the twenty great cities in India.” He went on to say that “a reference to the preliminary figures for the census of 1931 should convince those who are still unaware of the fact that Madurai is now practically the same size as Allahabad, is larger than Srinagar and Patna, is considerably larger than Dacca and is not very much smaller than Benares and Nagpur.”

Thirupparankundram within the compass of Madurai City for Police administration is another pilgrim centre which attracts large numbers of pilgrims from far and wide quite often. Within this station jurisdiction and about 7 miles from Madurai City, there is an aerodrome quite fit for landing and taking off, but put to occasional use only, as regular service has not yet been started.

The Mariamman teppakulam, which is a square tank 1,000' × 1,000', is a centre of attraction. There is a tower in the centre of the tank from the top of which an aerial view of Madurai can be had.

Alagarkoil with its annual festival is yet another pilgrim centre, where the congregation of vast crowds is a usual feature every year. It is situated at a distance of 12 miles from Madurai.

Political Activities :—This city is also noted for various political activities. There are about 10 parties—Congress, Tamilarasu Kazhagam, Communist, Socialist, Dravida Kazhagam and Dravida Munnetra Kazhagam, Hindu Maha Sabha, Rashtria Swayam Sevak Sangh, Muslim League, Tabligh Party and Forward Bloc. All these political parties are spread throughout the District with Madurai as their centre of activities.

There are also various labour Unions.

The activities of the various parties and Unions need constant vigilance. Even a small incident cannot be brushed aside, as there are numerous unsocial elements quick to take advantage of even minor incidents to cause unrest and panic, with a view to creating opportunities for their nefarious activities.

At Kallupatti, 24 miles from Madurai, there is the National Extension Scheme centre in “Gandhinikethan” which has been recognised as one of the best in India. This is a place which is frequently visited by important personages and high officials from all parts of India.

"Sorry, sarge," he said. "Hedley Beerbohm was playing a new composition for the first time—I just had to listen. First time to be broadcast, ever. Heytiddley-um-tum!"

"Something afflicting your innards?" I asked him, feeling sour.

"A mighty catchy tune—kind of thing you don't forget in a hurry", he said. "Well, sarge what's the gen for tonight?" He always talked the RAF way, having been a wartime pilot.

"Scratchem, the ironmonger, told me Bill Belting had been buying cartridges," I said. You work on bits of gossip of that kind. "We'll take a look around Halliday's Copse..."

"Not the kind of night poachers are likely to be abroad," he said.

And then Emily Heald came scudding along, shrieking her head off. She could hardly stand, far less talk.

"It's the missus!" she yelped, holding on to me like I was a rock and she a drowning sailor. "Murder!—oh, the blood!"

So that put Halliday's Copse clean out of the picture; and when we got to The Larches, which is what they call Mrs. Pierpoint's Cottage, we found plenty. A nice, kindly woman, Mrs. Pierpoint, a real lady, even if we didn't know a whole heap about her. She'd been murdered, sure enough. Shot through the back. Must have died instantly. Her big wireless set was blaring away fit to waken even her!

I took a look at the dead woman, and she couldn't have been dead for long. And I said to Gubbings, who was admiring the radio set far more than he was attending to a policeman's business: "Switch that damned din off so we can hear ourselves think." Then I phoned the CID.

She'd been a pretty woman, Mrs. Pierpoint had, and she was still fairly young. I'd seen her in the village a few times, doing her shopping, and she'd always been as genial as they come.

Emily Heald was getting hold of herself by this time. Gubbings had found a bottle of brandy in the pantry and given her a swig, to steady her, me being too busy to trouble with trifles.

"What sort of friends had she", Gubbings asked in a chatty sort of way.

"Hadn't many, though a few folks did come from a distance," said the maid. "Colonel Lacey sent her a brace of pheasants once in a while. But he does that to most of his sort. He's laid up with a nasty touch of the 'flu, according to Mrs. Gaunt, she that's cook at The Grange."

"Looks as if there'd been no break-in, anyway," Gubbings said. And he asked Miss Heald: "Did you come in front door or back?"

"Why, knowing my place, the back door," she said.

"There are muddy footprints on the lobby carpet," said Gubbings.

"And it only started raining an hour and a half ago." We went on with the routine stuff until the CID men came along. They'd brought the police doctor with them. He said Mrs. Pierpoint had been dead less than an hour. That made it somewhere around nine o'clock, though may be a bit after.

Tryon, the chief CID man asked Miss Heald a lot of questions, but they only covered the ground I'd been over already. I wasn't promoted sergeant for letting my brains melt.

"It might be as well," Tryon said, "If you local men see this colonel and ask him if he can give a line on her, since he seems to have known her. We'll carry on here, Williams."

The rain had taken off when Gubbings and I headed for the Grange. It wasn't far away. And all the way Gubbings showed mighty little interest in this murder case: he could only talk about his (infernal)—radio.

"I could never understand why Colonel Lacey didn't get himself a set," he said. "But he's pretty old-fashioned; doesn't hold with modern ideas. Hasn't a telephone even."

Mrs. Gaunt opened the door. She'd put on a dressing-gown, and her hair wasn't dry yet from the rain.

"The Colonel can't see you," she explained. "He's in bed and got a temperature."

"I'm sorry," said I, "but I've got grave news, and I must see him." She let us into the library and said she'd see what her master thought about it.

I said we would go up, but before I had rightly spoken the colonel came in, in a dressing gown, all muffled up and smelling of eucalyptus. He

Crime and Criminals

Taking the average incidence of crime in the district for the last three years, it is seen that on an average there have been 2,032 property cases including murder for gain. Madurai City alone has contributed over 55% of the cases on an average.

Madurai Town is surrounded by criminal centres consisting mostly of Piramalai Kallars, Appanad-Kondayankottai Maravars, and Koravars. The town is connected by rail and bus so conveniently that criminals round about find it easy to infiltrate for the commission of offences.

Apart from the notorious local ex-Criminal Tribe members of Keelakudi Karadikkal and Moonandipatti of Chekkanoorani Station limits, the Koravars of Attukulam and Alanganallur limits and the Kal Oddars, criminals of Ramnad and Madurai North districts from the following places have also operated frequently in Madurai Town :—

1. Madippanur, (Mettupatti P. Ks.).
2. Alangulam, Kallankulam, Mustakurichi (Amabalakars of Kariapatti P.S.).
3. Appanadu, Maranadu, Palayanoor (Maravars of Thiruppathi P.S.).
4. Sathur and Vaduvarpatti (Koravars).
5. Avarampatti, Karuthandipatti (P.Ks. of Nilakottai P.S.).

For an effective check and location of criminals, constant contact with the border Police and frequent enquiries about the movements and activities of these criminals at the above said centres have been found to be profitable.

*A rejoinder that Curran once made to an English Judge :
Judge : " If that is law, Mr. Curran, I may burn my law Books."
To which Curran tartly replied,
" Better read them, my Lord."*

A BONE HEADED CONSTABLE

BY

CAPTAIN FRANK H. SHAW

(From 'THE MAIL,' 30th June 1956)

Occasionally, off-duty Sergeant-Williams, of the County Constabulary, would allow me to buy him a pint of beer. He liked to air his views on a policeman's life in general, and his own in particular.

Take this policeman that's newly come to Coxall (he complained). No more suited to the profession than a cow is to handling a Sten gun. Always got his head in the air messing about with wireless.

Wireless ! The times I've had to wait for that thickhead to rendezvous with me as appointed, and been told he simply had to nip in to listen to some blighter playing a piano or a fiddle !

" You study the local folks and their behaviour, my lad," I told him a hundred times. " Listening to radio won't ever win you promotion, Gubbings," I said.

I was waiting for him at the bus stop on Market Hill, around nine o'clock—maybe nine-fifteen to be exact—to go the rounds ; and he was late. A streaming night, rain lashing down.

Emily Heald, that's maid-of-all-work to Mrs. Pierpoint, got off the nine-twenty bus among a few others.

" Not much of a night for the Pictures, Miss Heald." I called to her. " Worth it, though," said she from under her brolly. And Sarah Gaunt, she that's cook to Colonel Lacey, she was hurrying along with Emily and she said : " Talk about a thriller !"

And still there wasn't any sign of P. C. Gubbings, and me near drenched, spite of my cape. And just as the bus ground its way to Rainham, up he comes—out of breath.

sneezed a lot. And his mouth dropped open when I told him what we had come about.

"God bless my soul!" he gasped. "A very charming woman. Murdered!"

"Shot through the heart by some person or persons unknown," I told him.

"Dear me!" he said. "I knew her slightly—a stranger to the village. I occasionally gave her a cheerful word. Any clues as to the murder?"

"None, sir," said I.

"I've been in bed for three days", he said. "This 'flu makes me forget my manners. Can I offer you two men a drink on a nasty night like this? Then you can tell me all about it." He took a tantalus off the table and poured the whisky. Then he got a siphon, and hummed to himself as he fizzed in the soda water.

"Say when?" he invited, and I said "when" at the appropriate time. He was filling up Gubbing's glass when the constable said in his idiotic way :

"You're still antagonistic to wireless, sir?"

"Can't be bothered with the futile thing?" he snorted.
The new tune

"Then why are you humming Hedley Beerbohm's new tune?" Gubbings asked, and moved behind the Colonel.

"What the devil do you mean?" asked the Colonel.

"You're humming a tune that was played for the first time around 9-20 tonight," said Gubbings. "Where did you hear it?"

And he grabbed the Colonel's arm as it dropped to his pocket. Just in time, as it happened. There was a gun in that pocket, and it had been fired not long before—still smelt of burned powder.

"A dose of 'flu is as good an alibi as you could ask for," said Gubbings. "Would there be a dripping raincoat anywhere around the house and some muddy shoes?"

All the Colonel said was: "It couldn't go on. I had to stop her blackmail."

The wet mackintosh was there all right, and the muddy shoes. He'd sent Sarah Gaunt to the pictures to get her out of the way. The bullet in Mrs. Pierpoints's heart came from that gun. He'll hang for it, of course.

And do you know they've promoted Gubbings to sergeant. Tryon says that if he doesn't look out he'll be an Inspector before I am! But he'll learn. Being crazy about wireless doesn't help a man when it comes to dealing with poachers.

(By kind courtesy of the Madras Mail.)

Police Jargon

Spring 3100, the journal of the New York police is engaged in preparing a glossary of police slang on an international scale and would appreciate any information available on the slang or an equivalent to the following :

Proper Term	N.Y. City Slang	Other Terms
Abnormal person	Psycho	
Amateur policeman	Buff	
Arrest	Collar, pinch	
Baton	Nightstick	
Call Sergeant on phone	Ring	
Captain's man or clerk	124-man	
Chesty cop (lots of nerve)	Hairy	
Drug Addict	Hophead, cokies	
Favour	Contract	
Forger	Paperhanger	
Imprisonment	Canned, clinked	
Midnight to 8 a.m. taur	Late One	
Official complaint	Rip, Dido, Little One	
Official entry in records	Scratch	
Patrol one side of street	One-arm post	
Patrolman	Cop, Bull	
Person found dead	D. O. A.	
Photographed	Mugged	
Pickpocket	Dip	
Police Station	House, Shop	
Probationary policeman	Rookie	
Recognition by superior	See	
Salute	Slam, highball	
Set post	Fixer	
Station orderly	Broom	
Switchboard	Boxes	
Veteran policeman	Hairbag	
Uniform	Bag	
Work every minute of tour	Do a "Dan O' Leary"	

(From—'The Garda Review'—January 1956)

INTERROGATION OF WITNESSES*

By

R. DEB, B.A. (HONS.), B.L.

(Chief Law Instructor, Central Police Training College, Abu)

Investigation is but a search for the truth. Naturally the Investigator is a fact-finder. His aim, however, is not merely to find out the truth but also to bring the culprit to book by the collection of legal evidence. He must, therefore, have a fairly good knowledge of the law of evidence and the ingredients that go to constitute the offence under investigation. And as evidence in most cases has still to be obtained by the examination of witnesses, the question that naturally arises is: When, where and how should he examine the witnesses?

The next important point is the desirability of early interrogation. The interrogation of witnesses should be conducted early because human memory becomes fainter and fainter with the lapse of time, and ultimately a time comes when the witness forgets almost everything about the occurrence. A belated examination of witnesses may produce another undesirable result. Very often witnesses discuss things observed not only amongst themselves but also with others, and as a result enrich their story with what they hear from others. Moreover, as memory fades with the lapse of time there grows a certain tendency to fill up the gaps from one's own imagination. All these, however, do not always happen as a result of a conscious process of thinking, rather they happen most unwittingly in very many cases. Nevertheless, they show the necessity of taking up interrogation of witnesses soon after the occurrence. Though early interrogation is very much necessary yet it should not be undertaken before the place of occurrence has been carefully inspected, map of the scene of crime prepared, searches made and exhibits preserved.

*An adaptation from chapter II of the author's forthcoming book entitled, "Principles of Criminology, Criminal Law and Investigation" to be published by Messrs. S. C. Sarkar & Sons Ltd., 1-C College Square, Calcutta-12.

In some cases however, it is found that due to genuine preoccupations the investigator fails to contact the witnesses within a reasonable time and by the time a contact is established, the witnesses have either forgotten all about the occurrence or forgotten a substantial portion of it. Now, what to do in such a case? Should the investigator throw up his hands and abandon all hopes of unearthing the crime or should he try to help the witness to recollect his thoughts? Obviously he should adopt the latter course, but how? There are two different ways of achieving this purpose, namely (i) by adopting the association method of investigation and (ii) by placing the witness amidst the same surroundings in which he first made his observations.

The association method is of great help in reviving lost memory.

Generally a man associates different facts with each other and one fact remembered may stir up his memory with regard to another fact. Thus an educated man's memory regarding the date of occurrence may be revived by making a reference to an interesting or sensational political event and that of a rustic villager by recalling a village festival of or about the same date.

Another method of reviving lost memory is to place the forgetful witness in the same surroundings and situations, in which he first made his observations. The old environs help a great deal in stirring up the memory of the witness. Even if his memory be not revived instantaneously, it is likely to be rekindled after a certain lapse of time. For this reason it is rather advantageous to examine all important witnesses at the spot because memory reacts better, if it has the actual place of occurrence before it. It must, however, be remembered that nothing should be suggested to the witness so as to make him testify on matters about which he has no personal knowledge. To be trust-worthy the testimony must come spontaneously from the witness and not as a result of suggestions and feelers thrown at him with a view to get a particular statement.

Each witness should be examined separately and none of the suspects or witnesses should be allowed to hear the interrogation of others. As far as possible the important, favourable and trustworthy witnesses should be heard before the suspect is interrogated so that the investigator may be sufficiently conversant with the facts of the case by the time he takes up the interrogation.

3 (a). The Association method.
3 (b). Place the witness amidst the same surroundings.
4. Witnesses to be examined separately. Favourable witnesses to be examined First.

of the suspect. The questions should be clear and unambiguous. The questions should neither be suggestive nor leading. As a rule the witness should be allowed first to give an account of his experience in his own way and only thereafter the real interrogation should begin. The investigating officer must see that the witness does not omit any important details but he should at the same time guard against being misled into any false or inaccurate statement.

The method of interrogation should vary according to the psychology of the person interrogated, his age, sex, education and social status. A good investigator must, therefore, have a practical knowledge of human psychology and a good deal of tact and experience in the art of handling different classes of witnesses.

Some witnesses may require a little bit of stern handling, but as a rule best results are obtained through patience and sympathetic treatment. The complainant and the inmates of the house for example must be made to feel that they are narrating their own tale of woes to their own kith and kin and not to a band of callous and indifferent persons. People wronged deserve kindness and sympathy. To talk to people in distress in a high-handed, haughty and imperious fashion is not only indiscreet but also inhuman and unknown to any code of civilized conduct. The witness, specially those that have suffered as a result of the crime, should be handled with utmost sympathy and consideration. A word of sympathy would bring the witness much nearer to the investigator than a thousand harsh words. There is, therefore, no harm to demonstrate this attitude of sympathy towards the witness by words and conduct in the course of the investigation. Threatening, bullying or browbeating witnesses with a view to extort information is not only illegal but also unwise, unnecessary and unbecoming of a good investigating officer.

Witnesses may be classified into following groups:—

Interested witnesses:—An interested witness is a person who stands to gain by the successful investigation of the case. The test in every case is what interest the witness has to further the ends of investigation. The complainant and his relations, the rival Zemindar, the unfriendly neighbour, the envious co-sharer, the leader of the rival faction, the jealous lover, the

5. Study of witness—Psychology an essential step.

5 (a). Sympathetic handling produces good results.

6. Classification of witnesses—Interested witnesses

disgruntled employee all belong to this class. No doubt the investigator should tap these sources to the best of his ability, but he should not repose implicit faith in their statements without some sort of preliminary checking. These witnesses are prone to exaggerate things, and an intelligent investigator must be on his guard against being taken into half-truths and falsehood by such witnesses. As an investigator one's job is not to blindly accept the theory propounded by the complainant or other interested witnesses. They might have set up a story before the investigator in accordance with a preconceived plan, and if he readily believes that theory without any verification or without going to the root of the case, he will in some cases at least simply play into their hands unwittingly and become a party to the bringing of a false charge before a court of law.

They are a class of witnesses who stand to lose something from the investigation and generally come from amongst the friends, relatives, associates, receivers or other well-wishers of the suspect or his family. The investigator must be on his guard against this class of witnesses.

Interested as they are in the suspect their constant endeavour would be to lead the investigator to a wrong path and thus thwart the purpose of investigation. So to deal with them, the investigator must at once be tactful, cautious and firm in his stand. It is almost wrenching something from unwilling hands, not by sheer use of superior force but by the utilisation of greater intelligence, wit and resourcefulness over the forces of the hostile camp. The investigator should not give any chance to the hostile witness to know that he proposes to examine him.

It is always profitable to take him by surprise. If he gets an earlier intimation he either absents himself or gets enough time to cook up a story to mislead the investigator. He should be examined at a place away from his friends, associates, lawyers and relations. As far as possible his house should never become the venue of an interrogation. The place of his employment is often the most suitable place for this purpose.

And if the interrogation takes place in the immediate presence of his employer, his position becomes all the more difficult. Any attempt to become evasive or shuffling is bound to produce an adverse impression in the

6 (a). Their evidence requires preliminary check-up.

7(a). They often lead the investigator to wrong path.

7(b). To take him by surprise. Examine him away from own place, preferably at his place of employment.

mind of his employer—a thing which no employee wants to create to his own detriment. His attitude therefore, becomes to tell all that he knows and get back to his work without much ado.

This class consists of persons who have neither to gain nor to lose anything from the investigation. Naturally therefore, they are disinterested in the issue of the case. Devoid as they are of any personal motive or consideration for manipulating things their evidence deserves the highest credence. Such a witness however, unless he is an extremely duty-conscious citizen, does not usually come out of his own accord to help the police.

Naturally such a witness does not like to stay away from his place of business incurring an amount of personal loss simply to oblige the investigator. The convenience of such witnesses must, therefore, be taken into consideration in deciding the date and time of interrogation.

While interviewing a disinterested witness, the investigator should do well to develop a common ground of mutual interest for the conversation instead of putting a blunt question like, "What do you know about this case?" at the very outset. That is indeed an awkward way of beginning a conversation with a respectable and disinterested man. Such a cut and dry question produces a very bad psychological effect on the mind of the witness and he instinctively assumes a sort of unfavourable attitude towards the imperious investigator. A wrong approach at the outset acts and reacts as a colossal barrier between the investigator and his subject much to the disadvantage of the investigator himself. So he should be extremely cautious to deal with a witness of this type and approach him only with utmost civility, politeness and a due sense of dignity in his undertaking. On no account should he provoke the apathy of the witness. A word of greeting or an expression of courtesy from the side of the investigator often produces a marvellous effect and the investigator at once finds his ground well prepared to start the conversation in a congenial atmosphere.

Lying witnesses are not necessarily hostile witnesses. Witnesses may at times, give false information from lack of observation, incorrect observation, low intelligence, lack of education, as also due to self-interest and interest in the suspect.

8. Disinterested witness.
8(a). Look to their convenience regarding the time and place of interrogation.
8(b). Develop common ground for conversation.

So a good investigator must be able to find out the motive of the witness in giving false information in each case and shape his questions accordingly. As regards the person who gives false information intentionally it is always better to allow him to talk as much as he likes, as it is not possible to lie logically and consecutively for any length of time. When the witness exhausts himself, an intelligent interrogator may not take much time to discover the tissue of falsehood in his statement.

Unwillingness may come for a variety of reasons. Interestedness in the accused is no doubt a real cause but it is not the only cause to engender such a feeling. A witness may be unwilling to depose because of his dislike for the police, his reluctance to be drawn into a court of law or his aversion against publicity.

The remedy lies in discovering the cause of aversion and in taking steps to remove it. Threatening or bullying the witness in such cases makes matters worse confounded. Thus, if a purdah-nashin lady is found to be reluctant to appear in open court and that is why she does not like to give a statement to the interrogator, she may be assured that arrangements would be made for taking her evidence on commission under the provisions of chapter XL of the Criminal Procedure Code.

From the nervous witness the interrogator will have to pick up information slowly and gradually. The witness should be allowed to recollect his thoughts and then made to deal with the points one after another in a systematic fashion.

He should not be confronted with a volley of interrogatories as that invariably increases his nervousness and he mixes up things. He should always be approached in a spirit of sympathy and examined in his own surroundings. The interrogation should be in the nature of a conversation.

Children are often good witnesses when handled with care. They are minute observers but being receptive to suggestions are easily influenced and tutored. A fatherly and friendly tone should be used to give them self-confidence. They should be asked to tell about their own experience and not what they heard, for children often confuse their own experiences with those of others. The interrogation should be in the form of

9 (a). Motive should be discovered and questions shaped accordingly.
9 (b). Allow him to speak—constant lying not possible.
10. Unwilling witness.
10 (a). Causes of unwillingness should be removed.
11. Nervous witnesses.
11 (a). Examine him gradually in own environs and in a spirit—of sympathy—preferably by way of a conversation.
12. Child witness.

a simple conversation and must be as brief as possible. The questions should not be leading or suggestive as on account of their tender age it becomes sometimes difficult for them to give precise narration of what they actually witnessed and when leading questions are put to their mouth they are likely to give affirmative answers without understanding the full implications of the questions.

13. Female witnesses. In view of the peculiar conditions obtaining in India and other Oriental countries, it is necessary to say a few words about the examination of the female witnesses. In India, especially in the villages, the majority of the women still observe 'Purdah'. So when women figure as witnesses, the investigator is often faced with a number of peculiar difficulties. If the female inmates of a house-hold had witnessed an occurrence, say, the commission of dacoity or murder that took place in the house, they become the most natural and vital witnesses of the case and as such it is not possible to ignore their evidence. For the presumption of law is that evidence that could be and is not produced, would if produced, be unfavourable to the person who withholds it. In view of their Purdah System, low standard of education, great aversion against publicity and habits of seclusion, the females constitute the most nervous set of witnesses in India. Naturally, the investigator has to be extremely polite and sympathetic in examining them. The examination ought to be conducted as far as possible at the residence of the witness and in the presence of her relations or guardian. A high standard of decency, decorum and courtesy should be maintained throughout the interrogation and on no account should the interrogator lose patience or behave in a way that may look like rudeness or incivility on his part. It should be remembered that an enormous amount of patience is required to examine a purdahnashin female in India. The witness who is not accustomed to speak at all with an unknown male may take a long time simply to overcome the initial shyness that stands in the way of her giving a narrative of the facts witnessed by her. If possible, the services of the women police should be requisitioned to help the interrogator. If no member of the women police is available, the interrogation may be conducted through the help of an elder female, preferably a co-villager, or with the help of an adult male relation of the witness with whom the witness is on speaking terms. In fact, very considerable allowance should be made in the case of a female witness, and the interrogator must make sure that the witness has understood his questions thoroughly.

14. Appreciation of evidence — Natural limitations of human testimony. No human faculty is infallible. To err, they say, is human. The principle is equally true in the case of witnesses. Human testimony has three stages of development i.e., (i) Perception (ii) Fixation in mind of what is seen and (iii) Expression. As these powers vary from person to person some amount of discrepancies are bound to crop up amongst the versions of different witnesses even regarding a particular incident. The investigator should see if the discrepancies are vital and go to the root of the case. Minor discrepancies, however, do not take away a case; rather, they go to prove the genuineness of the occurrence. Dove-tail precision is only possible in concocted cases.

"It is not possible for every witness to remember all the details. Some differences and discrepancies in details are generally found even in the case of honest witnesses and unless the contradictions are material they need not necessarily be disbelieved." Slight differences in the story of witnesses of the same event show that the witnesses are giving their own account and not talking upon a single agreed story (38 Cr.L.J. 84).

"Discrepancies in the statement of the witnesses do not necessarily point to their uttering deliberate falsehoods. When they do, full effect must be given to it. But in a case where the witnesses have to state a long story, after a lapse of considerable period, of a number of acts by various persons divided into parties and at various places, a discrepancy need not necessarily point to a falsehood.....Power of observation and retention and description and expression all have their own part to play, when one comes to examine the record of evidence. Therefore, mere immaterial discrepancies will not be allowed to be availed of, without regard to their actual importance in the case," (Kasim Rizvi V. State, 1953 Cr.L.J. 1123). Almost to the same effect are the observations of Panigrahi J. in Anam Swain V. State, 1954 Cr.L.J. 132 (135-136).

It is therefore, seen that material discrepancies on important and broad points of the case have to be given their due weight in arriving at a conclusion but the minor discrepancies need not worry an intelligent investigator. In fact, they are often a sure test of the truth.

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In Law, there is nothing certain but the expense.

THE THADUKKASSERI MURDER CASE

BY

K. GOPALAN NAYAR

(Inspector of Police, Perintalmanna, Malabar District)

Man is a strange being! His nature is full of contradictions and improbabilities. It is difficult to fathom the human mind and analyse its workings, in spite of years of experience. An apparently innocent-looking young man may turn out to be a hardened criminal, though all the time, well-tried and experienced Police officers have little suspected him. The following illustration of a cold-blooded double murder will exemplify the proposition.

There is a village called Thadukkasseri attached to Mankara Police Station in Palghat Taluk. In the month of July 1937, the Village Magistrate of Thadukkasseri sent up a report to Mankara Police stating that two boys of the village aged 8 and 9 years, were found murdered on the top of a hillock situated on the borders of the village and that the gold ear-rings and silver waist threads of the boys were missing. On receipt of the information, the Sub-Inspector of Police, Mankara registered a case under Section 302 & 397 I.P.C. and proceeded to the spot at once for investigation. The usual inquests were held and the dead bodies were despatched to the Government Hospital, Palghat for post-mortem. It was a clear case of murder for gain; but there was no clue to work upon. A young boy, named Krishnan, aged about 16 years, of the same village, was present with the Police, both day and night, for assisting them in the investigation—such as packing up the dead bodies for post-mortem, getting witnesses from the neighbouring places, giving information of suspicious persons and their movements. Vigorous and searching enquiries were made for days together, but there was absolutely no information to proceed with the investigation. The boy Krishnan was still with the Police, rendering all assistance to verify the movements of suspicious characters; but his countenance did not betray the turbulence within. The investigating Officers were completely deceived by his innocent looks and immature years.

There is a proverb that 'murder will out.' As days passed on, the boy, Krishnan, underwent a change and he could not keep his secret any longer. One day, he went to the Sub-Inspector and told him in the most innocent manner that the stolen jewels were in the possession of a Chuckler, who had thrown them on a foot-path near his hut. The Sub-Inspector proceeded to the spot along with Krishnan and recovered a leather packet from the spot pointed out by Krishnan. On examining the packet, it was found that it contained the jewels of the murdered children. One pair of gold ear-rings alone was missing.

The boy, Krishnan, was thereafter questioned very carefully and closely. And then followed a very strange confession. Krishnan admitted that he was in illicit intimacy with a married but barren woman aged about 50, named Kothamma, and that it was this woman who had instigated him to commit the offence. The two murdered boys were cousins. On the date of murder, at about dusk, they were returning home after impounding their cattle in the cattle pen about two furlongs away from their house. The two boys were decoyed by the woman to the hillock, where her boy paramour was waiting with a tapping knife, a lethal weapon. Both Krishnan and Kothamma were so well-known to the boys that they suspected nothing sinister. Krishnan led them one by one to the top of the hillock and murdered them with one heavy cut on the neck with the tapping knife. The boys fell down without a groan even and died instantaneously. The ear-rings and waist-threads of the murdered boys were removed by Krishnan and handed over to Kothamma. On the directions of Kothamma, one pair of ear-rings was sold to a gold-smith at Mankara by Krishnan.

The unfortunate parents of the murdered lads searched for their sons in various places, but got no information. On the third day, they came to know that the corpses of two boys were lying on the top of Thadukkasseri hillock. They went to the place and identified them as the bodies of their own missing sons. Information was given to the Village Magistrate immediately and he sent his report to the Police.

Krishnan and the woman were charged for murder for gain. Krishnan stuck to his confessional statement to the end. The Sessions Judge, South Malabar, convicted him for murder and transported him for life, with the observation that the tender years of the murderer was the only consideration for not inflicting the extreme penalty of the law. The woman was acquitted, as there was insufficient evidence against her.

In this strange case, a married woman of 50 years conceived an illicit passion for a youth, who was young enough to be her grandson. He was a mere tool in the hands of the woman who wielded tremendous influence over him, and he had no sense to realise the awful nature of the crime which she persuaded him to commit. It was very difficult for the investigating officers to find out that strange alliance, unless Providence revealed it, or one of the contracting parties voluntarily confessed it. When once remorse had set in, a thorough change came over the youth and he was no longer under the influence of the woman. He made a clean breast of his crime and the part played in it by his woman instigator, regardless of all consequences.

The following anecdote of a well known actor and musician, Tom Cooke, as told by the London Sunday Times, affords a good illustration on accents :

Cooke was subpoenaed as an expert witness. On his cross-examination by Sir James Scarlett :—

Sir James (very angry) : “ Now...the meaning of what you call accent ?”

Cooke : Thus, if I were to say “ You are an ‘ ASS,’ the accent rests on ‘ ASS’ but if I were to say ‘ YOU’ are an ass, it rests on ‘ YOU’, Sir James.”

ANY FOOL CAN CRITICISE

(From ‘Efficiency News,’ Nov. 1955)

A little girl once wrote, in her composition, the sentence, “ I have went home ”. Her teacher was annoyed. “ That is wrong !” She shouted. “ How often must I tell that the correct form is ‘ I have gone home ’? You shall stay after class this evening, and write fifty times, ‘ I have gone home ?”

That evening, the little girl wrote out her penance as she was told. When she finished, the teacher was nowhere to be seen. Growing impatient, the child decided to go home. So she placed the written punishment on the teacher’s table with this note:

Dear Teacher,

After writing 50 times I have gone home, I could not find you, so I have kept the papers on your table and I have went home.

With all our modern boast of progress in psychology and Psychiatry, the world is still too full of don’ts. Don’t smoke! Don’t drink! Don’t spit! and a thousand other prohibitions that face us every day.

Miss Amy Rustomji, the popular Inspectress of schools, never tired of telling teachers the story of the harassed mother who, while busy in the kitchen, used to call out to her ten-year-old son and say : “ Jim, go upstairs and see what little Bobby is doing and tell him not to !”

In the four-week programme in our last issue, we offered for your adoption this resolution :

“ I shall never criticise unless necessity demands, and only when I can offer constructive criticism.”

In a teacher’s training college, one of the trainees was told : “ You talk too fast to the students. You gesticulate too much with your hands. You move about the class when you talk ”. He replied : “ I knew about all these teaching faults of mine, before I came here. Pointing them out to me does not help, unless you can show me how to overcome these bad teaching habits.”

Many a worker on a new job or in a fresh employment has the same experience. It is of no use to criticise if we cannot correct. A carping critic is like the cynic who knows the price of everything but the value of nothing. The nagger too, is so busy criticising, that he has no time or energy left to correct.

If your criticism is not constructive, be sure that you are one of those who take pleasure in finding fault with others to cover your own shortcomings.

If you are thinking, what I'm thinking, you are thinking, then this applies to you all the more. For, if on reading the previous paragraph, you said to yourself, "This does not apply to *Me!*" then it applies to you without doubt. For, you are like the absent-minded professor who was invited to join his college students in a game of cards.

Each player put one rupee in the 'pool'; but the professor, absent-minded as usual, forgot to do so. The students pretended to argue among themselves as to which one had not paid the stake. The professor listened to the argument for a while, then calmly removed a rupee from the 'pool' as he said, "If you young men are going to quarrel, I had better take my stake back and quit."

The next time you are inclined to find fault with a colleague or subordinate, ask yourself first if *You* are not to blame for his or her mistake.

Few people like to be criticised. If you are one of those who resent criticism, remember that if you are not being criticised you are not being noticed. Or to put it lightly: "Only the tree that is full of good fruit is pelted with stones."

"Those men who have so often risked, and too often lost, their lives at the call of duty need no rhetoric."

(Lloyd in preface to the Indian Police)

A VOYAGE TO THE ISLAND OF MINICOY

BY

K. RAMANUJAM

(District Superintendent of Police, Malabar)

Minicoy island is the southernmost of the Laccadives Archipelago and is over 100 miles from Kalpeni, the nearest island of the group. These islands are being visited only at irregular intervals by inspecting officers from the main land. Communication with the main land is seasonal. During the monsoon months there is no touch whatever between the islands and the main land. After the slackening of the south-west monsoon odams from the island bring their cargo mostly of coir and take back all the requirements of islanders.

The entire group of islands is administratively divided into 2 groups. The Northern group called the Amindivi group is administered by the Collector of South Kanara District and the Southern group called the Laccadives and Minicoy are attached to the Malabar District. There is a Deputy Tahsildar in Amini island and the South Kanara group is in charge of this officer. The Malabar group has no overall executive officer in charge of administration. There is no police force on any of the islands.

The ancient history of these islands is lost in tradition and oblivion. They appear to have been inhabited by settlers from the main land and were independent of any control till the latter half of 16th century when the Portuguese settled down on the Amini island where they built a fort and began to rule the islands with a good deal of tyranny. The islanders sought the help of Chirakkal Raja who established his authority over all the islands by overcoming the settlers. At some later date he transferred them to Ali Raja the head of Mopila community in Cannanore as a Jaghir.

The Cannanore rule does not appear to have been happy. Unfair monopoly in trade and severe exactions led to the revolt of the Northern islands in the Amini group. Towards the end of 18th century a group of these islanders sought the help of Tippu who was then besieging Mangalore, for relief from the tyranny of the Bibi of Cannanore. The Bibi proceeded to

punish this act of insubordination with such rigour that the islanders rose in revolt, overpowered the guards and formally offered their allegiance to Tippu who eventually accepted their offer in 1787. The Northern group thus passed into Tippu's possession. With other possessions of Tippu these islands passed over to the British with the fall of Tippu and came under their formal rule. The Southern islands continued to be under the possession of the Bibi of Cannanore till they were eventually taken over by the East India Company at a much later date. This accounts for the difference in the set-up of administration of the two groups of islands. The Southern group is governed by a special Regulation of 1912. According to this, the Amin of each island is the chief executive officer with powers to investigate serious offences like murder, grievous hurt, robbery, dacoity etc. and charge the accused before the Inspecting Officer or the Collector. The Amin himself is empowered to try minor offences including theft and mischief and sentence people upto 15 days' imprisonment or fine upto Rs. 50. Trials by the Amin or by the Inspecting Officer are held with the assistance of Karnavars who are appointed for life. There are other minor offences peculiar to the island such as failure to attend rat hunts or to assist in launching or drawing up of a boat which are punished with small fines. There has been no occasion for serious breach of the peace and serious crime is not known.

The Governor of Madras decided personally to acquaint himself with the state of affairs on the islands. He accordingly visited 4 islands in the Laccadive group and the Amini island in the first fortnight of December 1954. The islands are now proposed to be centrally administered presumably as a result of study of the situation by the Governor.

I had the privilege of accompanying the Governor on this voyage. The purport of this article is to describe the visit to the Minicoy which is the most picturesque of the islands and was the first island to be visited by the Governor.

In civilisation and customs the people of Minicoy are different from the people of other islands in the Laccadive group. The inhabitants of the other islands speak Malayalam and are more or less similar to the people of Malabar in their culture and dress. The people of Minicoy though all are muslims like the inhabitants of the other islands, speak Mahl. Malayalam is not understood there. Their culture is more akin to that of the Maldives which is separated only by a short distance from the Minicoy. The ordinary dress of a Minicoy man consists of a turban and a white cloth tied over a

pair of white or blue trousers and not the "mundu" worn by a Malayali. The waist cloth reaches down slightly below the knees. The upper body is always bare. Actually when the Governor presented banians to the winners and runners up in a boat race, they were shy about putting on the banians and sought special permission from the Inspecting Officer to do so. The women wear long overalls over their sarees.

Women folk are not shy as in the other islands and attended the reception to the Governor and public meeting in large numbers whereas the women in the other island were conspicuous by their absence. Women in this island have got separate clubs of their own called Varangis, where they meet and spend their time in discourse when not engaged in work. The island is divided into 9 Athiris (group of shore habitation) each in charge of a headman elected by the inhabitants.

The I.N.S. frigate Kistna was used for the voyage of the Governor to the islands. It left Fort Cochin on 5-12-54 A.N. The voyage was pleasant and the sea was almost like a pond. We covered 215 miles and reached Minicoy by 8 a.m. on the 6th. There is no anchorage at Minicoy and the frigate had to drift in the sea outside the lagoon during the visit of the Governor. The periodical inspection of the islands by Sri Raja Ram, Collector of South Kanara, had just commenced and the inspecting officer made arrangements for the reception at Minicoy where he was camping. A special jetty had been put up to enable the ship's motor launch to go close to the shore. Like most of the islands in the Archipelago the Minicoy island also lies north to south with a lagoon on the west to protect the island from the fury of the south-west monsoon. Cruising in the lagoon is a tricky affair due to treacherous coral reef. The islanders have marked the more treacherous of the reefs by wooden poles. A pilot from the island was brought to the ship by Mr. Rajaram and got into the motor launch to show the course. We entered the lagoon at the north-west. The lagoon is a magnificent expanse of water about 6 miles long and 2 miles wide. The water in the lagoon is so clear that the sparkling white sand seemed within reach of the hand though often over 30 feet below.

The first morning's programme included a visit to the observatory and the wireless telegraph station both of which are manned by staff from the main land. These people were very jubilant at the sight of visitors from the main land and their faces gleamed with pleasure at an opportunity to meet people from Madras State.

The wireless station and the observatory are in adjacent premises and the former is the only means of communication in all the Laccadive islands with the main land. The other islands are so completely isolated that the inhabitants were not aware of India attaining independence in August till following November when the first odam returned from the main land after the monsoon season. The wireless station was used by the Governor to send a message to the main land. A snake boat race concluded the morning's programme. These boats are beautiful, long, narrow structures just wide enough for 2 men to sit abreast. They were rowed out to a distance of about $1\frac{1}{2}$ miles from shore and the race was started from the beach by the starter waving an oar. The boats raced towards the shore at very fast pace. Each boat had about 12 pairs of rowers with a platform at the stern for the coxswain. At the feet of the coxswain sat a man who gave the timing to the rowers. The result was perfect clockwork-like movement of the rowers, putting forth the maximum effort of each. I was wondering how these people would end up at the beach as they showed no signs of slackening of the force of rowing even when they were within 25 yards of the shore. At a given signal when the boat was within 20 feet of the shore all the oarsmen jumped into the water as one man and caught the boat bringing it to a stop within about 10 feet. As an exhibition of perfect unity and team work the snake boat race was exemplary. There is one boat for each Athiri and the owners vie with one another in painting their snake boats as attractively as they can. The boats are also used to tow large jolly boats in which we were taken for a ride the next day.

The evening's programme consisted of entertainments by way of dances which included a rhythmic drum dance. The men take part in these dances in which as many as 60 people work at a time. This was followed by the traditional reception of the distinguished visitor by processions of women of all the 9 Athiris. Groups of women from Varangis (women's club) representing each Athiri took part in this function. They marched past by Varangis. Two women who came first sprinkled rose water on the Governor. They were followed by a couple of women who offered scents and then a woman offered sweetened drink in fancy cups. They were followed by other women bearing presents of eggs and fowl. The Governor's speech was delivered in Urdu and translated into Mahl by a local islander.

The islanders have got a strict code of sanitation. There is a leper colony in the northern extremity of the island. This consists of

a group of small houses where people who are diagnosed by the Khazi as suffering from leprosy enter into voluntary segregation. They are maintained mostly by doles from Government and from villagers. They do not, under any circumstances, come back to the main village or mingle with other villagers. The Governor visited this colony on the 7th morning and made presents of clothes, rice, kerosene etc., to the inhabitants. Viringelli is an island to the south of Minicoy island. It is uninhabited and used as a quarantine station for persons attacked by smallpox. If the patients die they are buried on the island.

A light-house at the southern end of the island was programmed to be visited on the 7th morning. The lagoon at this place is shallow and we reached the jetty erected at the landing place in country boats towed at a fast pace by snake boats. A surprise awaited us on landing. We found the Union Jack flying aloft on the light house. Enquiries showed that light house staff who are periodically sent from Ceylon had no instructions about flying any other flag. The light-house was managed by the Board of Trade. Steps have since been taken to rectify this anomaly which might have remained unnoticed but for the visit of the Governor.

We started at 8 p.m. on 7-12-54 on our voyage to Kalpeni 115 miles away. The rest of the islands were more or less of the same type and do not present any marked variations to deserve a separate account. The visit of the Governor helped to focus attention on the urgent need for taking more close and active interest in the administration of these islands. It is proposed to inaugurate at an early date a regular steamer service for the islands and to set up an efficient administration locally to improve their condition.

Judge Jefferies once mistook one of those apparently stupid witnesses and having taken quite a dislike to the man (who had been testifying in his Court and who happened to have a very long beard) finally broke out with the remark that if his conscience was long as his beard, he must have a very vacillating one, to which the witness quickly replied,

"My Lord, if you measure conscience by beards, you have none at all."

Waste of Police Time

Some statistics submitted to us by the Commissioner of Police of the Metropolis indicate a very substantial waste of Police time in London at present: A check was kept on five consecutive days from Monday, 29th Nov. to Friday, 3rd December, 1954, at all Magistrates' Courts in the Metropolitan Police District. During that period it was disclosed that 3,556 hours of Police time were spent in attending the courts in connection with 1,410 cases in which defendants pleaded guilty. This represents a daily average of 711 hours, or the equivalent of the full time of 89 Policemen each day. In 993 of these cases, involving 2,372 hours, the defendant did not himself appear but sent a letter pleading guilty. An analysis of the 1,410 cases referred to in which there was a plea of guilty discloses that 1,346 or 95 per cent of them were for motoring offences. The loss of the equivalent of 89 Policemen each day, for five days a week throughout the year clearly suggests that there is room for a substantial saving in Police manpower in cases in which there are pleas of guilty. There is similar evidence from Provincial centres, of large number of Policemen having to attend court in such cases: statistics were placed before us relating to the four "Police Summons Courts" held in Sheffield on the 2nd, 3rd, 7th and 8th February, 1955, which represent the normal weekly sittings of these courts; the total number of eight-hour working days which would have been saved if no Policemen had been required to attend on those four days in the 83 cases heard in which there were pleas of guilty was at the rate of 1,652 such days a year, which would appear to be about the equivalent of the full time of six Policemen. In a country district, while the number of cases is smaller, the distances to be covered (and therefore the time occupied) by rural Policemen in attending courts are substantially greater than in London and other cities. At the present time certain Police Forces are gravely handicapped by a shortage of manpower and it is important in the public interest to relieve them of all unnecessary duties.

(From the 'Police Review' issue No. 3263, dated 22nd July, 1955).

USE:-
Nirmolin
POLISH
MATEL, BOOT, SILVER
& PHENYLE
Manufactured by:- H. Dey & Co.
GOVERNMENT CONTRACTOR
UNIFORMS, BUTTONS, BADGES, E.T.C.
5/A, RAJA GOPENDRA ST, CALCUTTA-5

NEWS AND VIEWS

Shri B. N. Datar, Minister in the Ministry of Home Affairs, Government of India,
 Visited the Police Training College at Vellore on 13-6-1956



In the Tippu Mahal



Leaving the Model Police Station with the Deputy Inspector-General, Railways and C. I. D.

OBITUARY

Sri A. SUNDARAM PILLAI



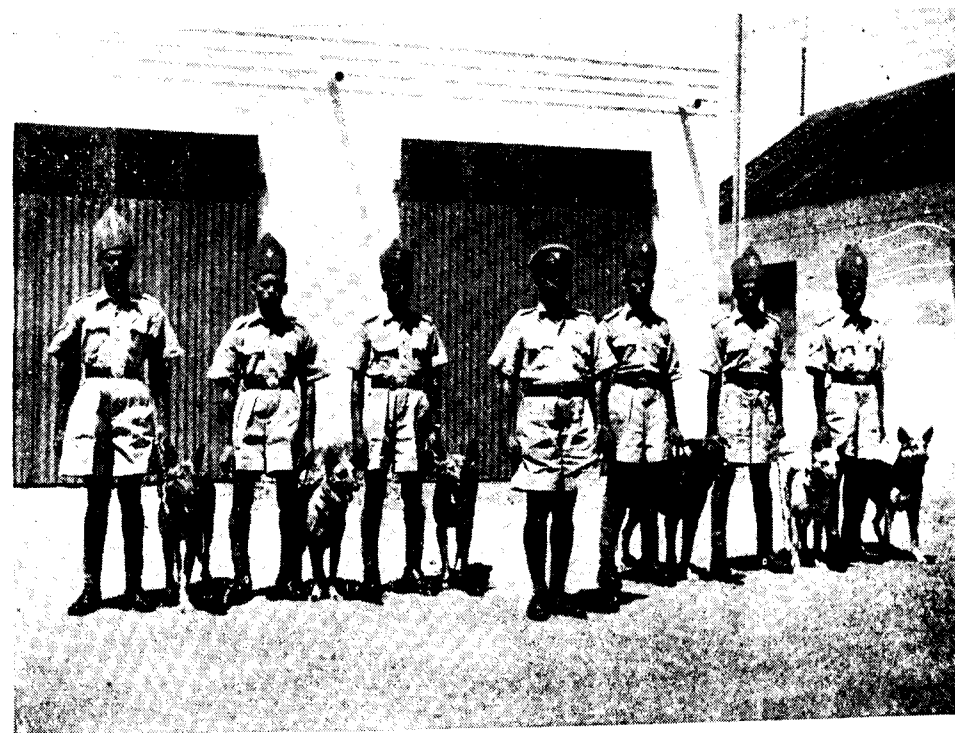
We regret to announce the death of Sri A. Sundaram Pillai, Deputy Commissioner of Police, Law and Order, Madras City, at the General Hospital, Madras, on September 23rd, 1956, after a sudden paralytic attack. He was 52 years of age.

Mr. Sundaram Pillai joined the Police Department as a Subinspector and his career right through was marked by a high degree of efficiency and uprightness. He acted as Assistant Commissioner in the City for a term. During the 'POLICE ACTION' he was on deputation in Hyderabad, where he was subsequently appointed Commissioner of Police for a short time. He was, on return to Madras, posted as Special Officer in connection with the Avadi Session of the Congress.

He was appointed Deputy Commissioner of Police, Law and Order, Madras City, about a year ago in which capacity he won commendations from Superior Officers.

He is survived by his wife.

OUR CANINE HELPERS IN THE WAR AGAINST CRIME

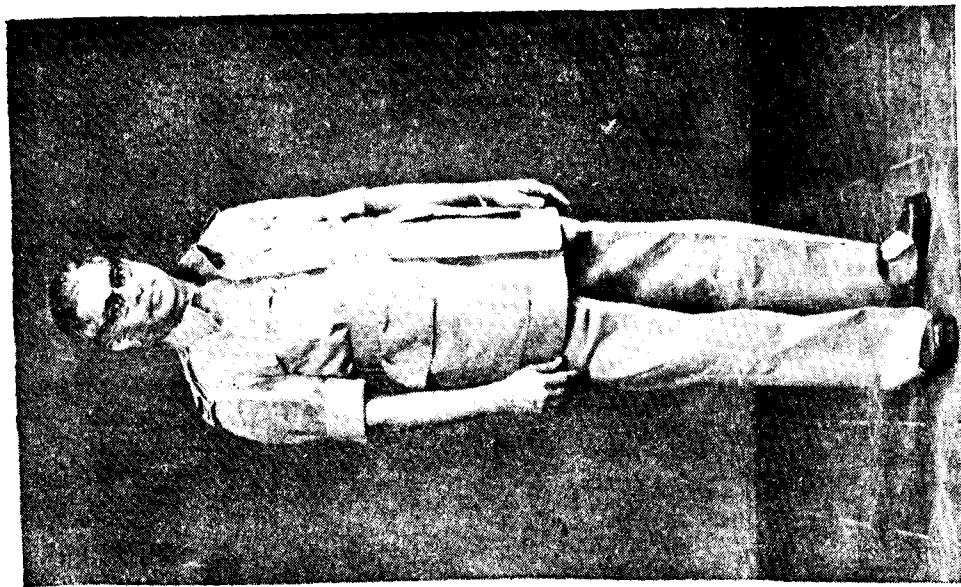


Police Dogs Parade with their Handlers. The Dogs are Stationed in Madras



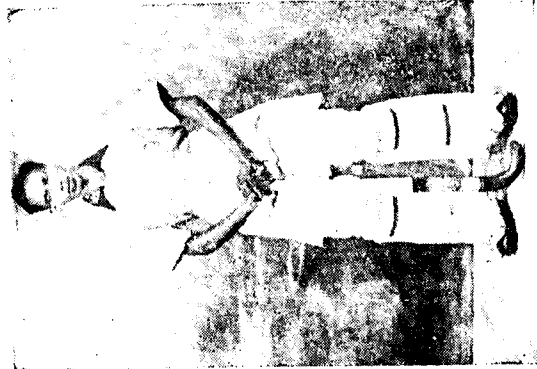
Deva, whose death occurred recently, had a distinguished record of Service in the Force

RETIREMENT



Inspector Nilakanta Ayyar retired from the Police Training College on 16-10-56 where he served as Law Instructor for nearly eight years. He was a regular contributor of the 'Legal Notes' feature of this Journal and one of its Assistant Editors. He took a great interest in various other activities of the College, both in and outside the Lecture Hall, and will be long remembered by successive batches of cadets and the Staff. We wish him all the best in his retirement.

OLYMPIC VETERAN



Jemadar Francis of the Madras City Police who has had the unique honour of representing his Country at Hockey in 3 successive Olympiads

LEGAL NOTES

I

1956 Cri. L. J. 299 (Vol. 57 C. N. 90).

A.I.R. 1956 MB 65 (V. 43 C. 27 Feb.)

GWALIOR BENCH

Abdul Hakim Khan J. (5-10-55)

The State v. Keshavrao Ingle, Accused.

Criminal Revn. No. 78 of 1955.

(a) Criminal P. C. (1898), S. 213—Power of Committing Magistrate to Discharge Accused

It is not always easy to describe the limits within which a Committing Magistrate can pass an order of discharge under S. 213.

In a case which provides debatable grounds, where the evidence is conflicting and lays itself open to suspicion, but where it may be true and may commend itself to certain tribunals, even though the Magistrate may have reason to doubt, whether if he were trying the case, he would convict, he has no right to substitute his judgment for the final judgment of the Court indicated by law for the trial of the case. Case law discussed.

(b) Penal Code (1860), S. 108 Expln. 3—Scope

According to Explanation 3 of S. 108 it is not necessary that the person abetted should have committed the offence and been punished.

(c) Criminal P. C. (1898), S. 439—Power to Direct Commitment.

Under S. 439 the High Court has power to set aside the order of discharge and direct the committal of the accused for trial.

ORDER :—The facts leading to this revision are that the accused Keshvrao Ingle, Sub-Inspector of Police in charge of Kalapipal Police Station, after collecting a few Constables from his as well as other stations, made a raid upon village Amarsingh at about midnight of 17-6-1954 in search of Jairam Bhopa, who was suspected of having stolen some property.

On reaching the spot, he surrounded the huts and then enquired of the inmates about the whereabouts of Jairam Bhopa. One person from the hut

began to move away, whereupon the Sub-Inspector challenged him and thinking that he was Jairam said "Jairam, do not run away". It is said that Prabha Shankar constable was handed over the revolver by the Sub-Inspector and was asked to shoot.

Prabha Shankar, in obedience to the orders of his superior fired at the man, who was injured and he died eventually. It was later on discovered that the man, who was killed was not the person wanted by the Police. The Police charged the Constable Prabha Shankar and Sub-Inspector Keshvrao Ingle under S. 302 I.P.C.

(2) The Sub-Divisional Magistrate, Shujalpur, Mr. Deshmukh framed a charge against both the accused but later on under S. 213 Criminal P. Code cancelled the charge against Keshvrao Ingle and discharged him. The Constable Prabha Shankar was however, committed to Sessions and the trial court convicting him under S. 304 para 2, Penal Code, sentenced him to four years rigorous imprisonment.

Against his conviction and sentence by the Sessions Judge, Prabha Shankar filed an appeal, which was allowed by me and the accused was given the benefit of exception under S. 79 Penal Code. In the course of the appeal, from the record I learnt that the Sub-Divisional Magistrate, has discharged the accused Keshavrao Ingle and that a revision against that order was disallowed by the Sessions Judge.

To me it appeared that prima facie there was a case against the Sub-Inspector, Keshavrao Ingle, and that the Committing Magistrate had erred in cancelling the charge. I, therefore issued a notice to the Sub-Inspector to show cause why the order of discharge should not be set aside and he be directed to be committed to the Court of Session to stand his trial.

(3) Without discussing the evidence, it is enough to say that there are two sets of evidence in this case against the accused. First the evidence of those who accompanied the Sub-Inspector, namely, the Police Constables and secondly the evidence of the villagers, who saw the tragedy being enacted. The witnesses who belonged to the Police Force have given a version of their own and the statements of the villagers are to the effect that the Sub-Inspector ordered the Constable to shoot.

Thus there exists some conflict. The question before me, however, is how far the Magistrate was competent to assume the jurisdiction of the Sessions Judge and whether in the presence of conflicting evidence, he was

competent to believe one set of evidence and discard the other? Now let me say at the very outset that it is not always easy to describe the limits within which a Committing Magistrate can pass an order of discharge under S. 213 Criminal P.C.

But a long line of judicial decisions has broadly indicated the extent of the Committing Magistrate's jurisdiction. I refer to the observation of Sulaiman J. in—'Akbar Ali v. Rajah Bahadur', A.I.R. 1925 All 670 (A), which appear to me to furnish guidance on the point. The learned Judge observed:

Section 213 uses the expression "not sufficient grounds for committing the accused". The expression is quite different from such expression as "the case not proved or the accused is innocent". This, however, does not mean that the Magistrate is to arrogate to himself the functions of the Sessions Court and try the case as if he were that Court himself.

The policy of the legislature seems to be that serious offences should be tried by the Sessions Judges who are ordinarily more experienced. The Magistrate has to see whether there are sufficient grounds for commitment or not. If he is satisfied that the evidence is altogether untrustworthy and not fit to be acted upon, he may discharge the accused. He should not, however, try to weigh the probabilities of the case and then after balancing the evidence on both sides decide whether the guilt of the accused has or has not been conclusively proved.

(4) In 'Emperor v. Allah Mahr' A.I.R. 1927 All 279 (B) Walsh J. divided such cases into three categories. I regard his judgment to be a lucid exposition of the law on the point under consideration. The three categories are the following:

(5) First, a case where the evidence is prima facie so clear that nobody can entertain any doubt that the matter ought to be tried.

(6) Second, a class of cases where the evidence is palpably tainted and so absurd and incredible that nobody could doubt it and it would be a hardship to allow the matter to go on any further.

(7) The third category of case is one which provides debatable grounds, where the evidence is conflicting and lays itself open to suspicion, but where it may be true and may commend itself to certain tribunals. In this class of cases, even though the Magistrate may have reason to doubt whether if he were trying the case, he would convict, he has no right to

substitute his judgment for the final judgment of the Court indicated by law for the trial of the case.

(8) This present case obviously falls in the third category, because the evidence is conflicting. Without expressing any opinion as to what weight should be given to the evidence on record, I am quite clear in my mind, that the Committing Magistrate in this case travelled beyond his province in assessing debatable evidence and discharging the accused.

It is precisely in cases like the one before me, where the limitations of the Committing Magistrate are so clear. He should not have played the role of the Sessions Judge and he should have left the case to the Sessions Judge to determine which of the conflicting set of evidence is to be believed or not believed.

(9) The learned counsel for the accused, Keshvrao Ingle has referred me to - 'Balwant Singh Ghasiram v. Baldeo Singh Thobansingh' AIR 1954 Madh.B 86 (C), and - 'Kalipada Dalal v. the State' AIR 1955 Cal. 470(D). But both the above cases are not to the point. In AIR 1954 Madh-B 86 (C), my Lord the Chief Justice considered 209 Criminal P.C. But the question in this revision relates to S.213 of the Code. As for the Calcutta case, it is wide of the mark, because what was considered in the case was extent of revisional jurisdiction under S.439 when the accused was actually tried by a competent court and sentenced by the trial court.

On appeal the conviction was maintained, but the sentence was reduced. Against this a revision was preferred before the Calcutta High Court, and it refused to interfere in revision. This Calcutta case has not the remotest bearing on the one before me; the two are poles asunder.

(10) The learned counsel for the accused has, last of all, argued that where the principal accused (Prabha Shankar) has been acquitted of murder, Keshavarao Ingle cannot be charged with abetment. But this argument has no force, because according to Expln. 3 of Sec. 108 I.P.C. it is not necessary that the person abetted should have committed the offence and been punished, and illst. (d) to the Explanation is quite clear on the point.

(11) In the course of arguments some doubt appear to have been expressed as to the Powers of the High Court to set aside the order of discharge and direct the committal of the accused for trial. But there is no lack of authorities, which support the order which I propose to pass in this case. I shall first refer to - 'Public Prosecutor v. Ponnusamy Nayak' AIR

1928 Mad. 1267 (FB) (E), in which a Full Bench of the Madras High Court laid down that :

"Section 439 Criminal P.C. confers on the High Court power granted to a Court of Appeal by S. 423 and one of the powers so granted is that of directing an accused to be committed for trial."

In - 'Emperor v. Varjivandas', 27 Bom. 84 (F) it was observed that

"Under Secs 439 and 423, Criminal P.C. the High Court has jurisdiction to set aside an order of discharge passed by a Presidency Magistrate if such preliminary be necessary, and to direct that a person improperly discharged of an offence be arrested and forthwith committed for trial."

In - 'Emperor v. Ramal Singh', 6 All 40(G) Straight J. held that

"The High Court has power under S. 439 Criminal P.C. 1882, if it considers that an accused person has been improperly discharged, to order him to be committed for trial."

(12) For reasons stated above, I set aside the order of discharge dated 2-7-54 passed in file No. 99 of 1954, and also the order of the Additional Sessions Judge, refusing to interfere. I direct the Sub-Divisional Magistrate, Shujalpur to commit the accused to stand his trial before the Additional Sessions Judge, Shajapur, under S. 302 read with S. 109 I.P.C. or in the alternative under S. 304 read with S. 109 I.P.C.

II

1956 Cri. L. J. 664 (Vol. 57, C. N. 256)

(S) A.I.R. 1956 Allahabad 341 (V. 43 C. 126 June)

Desai and Shahai JJ.

Banwarilal and another	...	Applicants
The State	...	Opposite Party

- Criminal Appeal No. 938 of 1952 D/25-11-1955, against the order of Addl. S. J. Agra, D/23-8-1952.

(a) Constitution of India, Art. 20(3) - Accused not to be compelled to be a witness against himself - Criminal P.C. (1898) S. 342 - Constitutionality whether Infringes Guarantee under Art. 20(3) - Evidence Act. (1872), S. 3.

Section 342 Criminal P.C. does not convert the accused into a witness and certainly does not compel him to be a witness against himself in infringement of the constitutional guarantee under Art. 20(3) of the Constitution and as such no provision of S. 342 is unconstitutional.

It may be conceded that the right given to the Court to draw an adverse inference against the accused imposes some compulsion upon him, but it is a far cry from saying that it compels him to be a witness against himself. His position is not at all altered from that of the accused to a witness. Since no oath can be administered to him, he can never be said to be in the position of a witness.

The essential requisite of a witness is that he makes a statement on oath; every person who makes a statement is not a witness. All that the right given to the Court to draw an adverse inference compels the accused to do is to make a statement or to make a true statement, but merely because he makes a statement, or makes a true statement, it cannot be said that he is converted into a witness. Further it cannot be said that he converted into a witness against himself.

Since he is at liberty to make a false statement, he is free to make a statement in favour of himself and therefore, it cannot be said that he is compelled to be a witness against himself. If he falsely makes a statement in favour of himself and the falsehood is exposed to the Court, the Court may draw an adverse inference, but the inference cannot place him in a worse position than he would find himself in, if he had made the correct statement.

In other words, it is impossible for him, in order to avert the threat of an adverse inference, to make a statement which would place him in a worse position than in which he would be if he had made the true statement.

The definition of 'evidence' and 'proved' in S. 3 Evidence Act show that a Court while deciding whether an offence is proved against the accused or not takes into consideration not only the evidence but also other matters. A statement made by the accused is not evidence because it is not made by a witness; but it is a matter which may be taken by the Court into consideration in order to decide whether it believes the fact to exist. Section 342 of the Code provides that it may be taken into consideration by the Court.

Therefore, the accused's statement is only a matter which can be taken into consideration and is not evidence. The guarantee provided by

Art. 20(3) is against the accused being compelled to give evidence and is not against his furnishing a matter which may be taken into consideration by the Court.

III

1956 Cri. L. J. 334 (Vol. 57, C. N. 122)

(S) A.I.R. S.C. 168 (V. 43, C. 36 Feb.)

19th October 1955

Bhagwati, Venkatarama Ayyar and Sinha JJ.

Criminal Appeal No. 74 of 1954

Abdul Sattar ... *Appellant*

State of Mysore ... *Respondent*

From Criminal Appeal No. 56 of 1950-51, D/29-8-1952, Mys.

Evidence Act. (1872), S. 32—Evidentiary Value of Statements as to Death—Dying Declaration—Admissibility in Evidence

In a murder case, in the dying declaration, even though the same was incomplete by reason of the deceased not being able to answer further questions in his then condition, the statements so far as they went to implicate the accused in the affair were quite categoric in character and they definitely indicated that it was the accused who had shot the deceased. There was also corroboration for the dying declaration.

Held that the statement in regard to the accused having shot the deceased was complete in itself and it could not be said that any further questions would have elicited any information which would run counter to the same. Under the circumstances, the dying declaration, though incomplete otherwise, was complete so far as the accused having shot the deceased was concerned and could certainly be relied upon by the prosecution. The corroboration of the dying declaration invested it with a stamp of truth which went a long way towards inculcating the accused.

IV

1956 Cri. L. J. 725 (Vol. 57, C. N. 271)

A.I.R. 1956, BOMBAY 426 (V. 43, C. 168 June)

Gajendragadkar and Gokhale JJ.

12-1-56

Jairamdas Jotsingh Menghani, Accused	...	<i>Appellant</i>
State	...	<i>Respondent</i>

Criminal Appeal No. 1246 of 1955

**(a) Evidence Act (1872), Ss. 101 to 103—Criminal Trial—Duty
of Prosecution to Prove its Case**

It is for the prosecution to prove its case in a criminal trial and it is only while considering whether the prosecution has proved its case that incidentally and where necessary, a Criminal Court would have to consider the case made for the defence. It would not be right for a Criminal Court to convict an accused person not so much because the prosecution case is established beyond a reasonable doubt by the prosecution evidence, but because the defence theory appears to the Court to be unreasonable or does not appear to the Court to have been established.

**(b) Evidence Act (1872), S. 5—Credibility of Witness—Partisan
Witness—Panch Taking Part in Laying Trap in
Bribery Cases (Penal Code (1860), S. 161)**

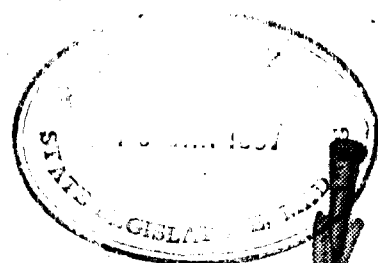
It cannot be said that the evidence of every panch witness who takes part in the laying of a trap in cases of bribery can be regarded as evidence of partisan witnesses. Whether or not panch witness in a criminal case is a partisan witness would always depend upon the circumstances of each case. If a panch witness occupying a respectable and disinterested position voluntarily helps the investigation by acting as a panch and his evidence appears to the court to be wholly satisfactory, it may not perhaps be open for the accused to contend that the said evidence must necessarily and as a matter of law be regarded as that of a partisan witness.

“The private life of a Police Officer must be that of an honest man and a good citizen.”

IBID.

Crime for the Quarter ending 30-9-1956 in Madras State

Serial No.	(1)	Name of the District	(2)	Area in Sq. miles	(3)	Population	(4)	Total number of crimes	(5)	Offences relating to coins	(6)	Offences relating to bank currency and notes	(7)	Murder	(8)	Kidnapping	(9)	Dacoity and preparation for dacoity	(10)	Robbery	(11)	House-breaking	(12)	Theft, both ordinary and cattle	(13)	Criminal assault	(14)	Total number of juveniles concerned	(15)	Police men for 10,000 of population	(16)
1		Chingleput	...	3294.03	17,84,251	2747		...	3	...	...	...	...	7	16	...	3	13	259	643	261	23	10								
2		Coimbatore	...	7100.32	93,204	916		...	...	...	...	...	47	7	...	4	10	223	512	64	24	6									
3		Madras City	...	49.4	14,00,000	2281		...	...	...	...	...	13	12	...	...	13	150	1361	59	42	21.6									
4		Madurai North	...	3099.24	16,22,989	921		...	...	...	...	...	17	5	...	...	12	98	360	24	5	6									
5		Madurai Urban	...	1769.76	12,68,828	799		...	...	...	...	...	11	1	...	...	4	68	330	35	78	12									
6		Malabar	...	5758.18	43,13,547	629		...	...	...	...	...	11	6	...	...	1	144	255	117	14	5									
7		The Nilgiris	...	1098.14	2,79,359	170		...	...	...	...	...	3	...	...	...	1	40	80	8	...	13.1									
8		North Arcot	...	4654.28	59,157	1075		...	...	...	...	...	17	7	...	4	3	215	266	12	32	8									
9		Ramanathapuram	...	5919.23	09,938	4425		...	...	...	...	...	32	10	...	5	10	154	498	22	17	5.3									
10		Salem	...	6894.8	30,97,220	827		...	1	...	...	...	...	33	7	...	2	6	166	522	...	33	6								
11		South Arcot	...	4208.27	90,651	3528		...	1	...	...	...	...	12	9	...	1	4	314	648	91	37	6								
12		South Kanara	...	4007.17	48,991	1104		...	...	...	...	...	...	4	1	...	1	1	65	107	22	7	7								
13		Tanjore	...	3742.01	28,82,670	779		...	...	...	...	...	...	8	18	...	1	5	296	496	16	16	5								
14		Tirunelveli	...	4337.24	45,967	959		...	2	...	...	...	...	43	17	...	2	15	206	437	153	65	7								
15		Tiruchirapalli	...	5571.13	26,95,071	1367		...	...	...	...	...	...	12	18	...	2	10	226	585	...	...	8								
16		Tiruchirapalli Ry. Dt.	...	2451.5	...	313		...	...	...	...	...	...	...	...	...	...	...	...	...	...	23	...								



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Second Class—cont.

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For "10491 U. Inbasekaran; I", read "10491 V. Inbaseka-

For "10537 C. P. Sugnatha; (W): I", read "10537 C. P. S-

For "11188 R. Jayaraman; I", read "11188 R. Jayaram;

MADRAS GOVERNMENT TECHNICAL OCTOBER 1961—ADDITIONAL

ADDITIONAL PASS LIST

The following candidate is also declared to
Madras Government Technical Examination in
in the subject and grade under which his name

Register number, name of candidate

TYPEWRITING (ENGLISH)—HIGHER GRADE.

Second Class.

COIMBATORE.

For "6310 Sheila Anne Wegwermer; I", read "6310 Sheila

I — Indian. (W) — Woman.

BC — Backward Class (Indian).

Office of the Commr. for Govt. Examinations,
Tras-6, 10th August 1962.

TYPEWRITING (ENGLISH)—LOWE

Second Class.

PONDICHERRY.

11976 S. Narayana Chetty.

I — Indian.

Office of the Commr. for Govt. Exams., Madras,
18th August 1962.

MADRAS PUBLIC SERVICE COMMISSION.

GOVERNMENT EXAMINATIONS—MAY 1962.

SECOND CLASS LANGUAGE TEST.

VIVA VOCE PART D ONLY

Tamil.

In continuation of the Commission's notification, dated 25th
July 1962 relating to the results of the Second Class Language
Test published in the Supplement to Part II—Section 3 of the
Fort St. George Gazette, dated 1st August 1962, it is hereby notified
that Srinivasa V. Janki (Register No. 13416) Steno-typist, Office
of the Appellate Assistant Commissioner (C.T.), Madras II, Vepery,
Madras-7, has passed the Second Class Language Test Viva-Voce
Part D only in Tamil held in August 1962.

T. D. AIYASAWMY,

Secretary.

Office of the Madras Public Service Commission,
Madras, 20th August 1962.