

Home (1918) Department.
Education
Ordinary SERIES.

G.O. No. 1041

DATED 12 8 18

INDEXED

[Despatch Abstract.]

Reformatory School, Chingleput.

Recording communication from the Director of Public
Instruction intimating the release of the juvenile offender Raman
from the ----- whose conviction was set aside by the High Court

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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HOME (EDUCATION) DEPARTMENT.

C.F.—29.



Received 191 . Registered 5-8-1918

Subject.

Submitting a copy of the order of the High Court in C.R.C. No 292/18 dated 8th July 1918 regarding the release of the boy Raman pupil No. 368.

ENCLOSURES
No.
Spare copies

No. 5902/18

Station, Dated the 1st August 1918.

From (Name) The Hon'ble Mr. J.H. Stone, M.A., F.R.H.S., C.I.E.,
(Designation) Director of Public Instruction.

To The Secretary to the Government of Madras,
HOME (EDUCATION) Department.

Sir,

(W) With reference to G.O. No. 554, HOME (EDUCATION) dated - 27th April 1918, ordering that the juvenile offender Raman, should be detained and tried once more in the Reformatory School, I have the honour to submit herewith a copy of the High Court's Order - directing the accused to be at once set at liberty and to state - that the boy has accordingly been sent by the Superintendent of the School to the District Magistrate, Trichinopoly for discharge.

I have the honour to be,

Sir,

Your most obedient servant,

G. Krishnamoorti

For Director of Public Instruction.

T.T.C. 31/7/18.

P.T.O.

Copy of the High Court's Order.

IN THE HIGH COURT OF JUDICATURE MADRAS.
Monday, the 8th day of July 1918.

Present:—

THE HONOURABLE MR. JUSTICE SADASIVA IYER.

and—

THE HONOURABLE MR. JUSTICE N A P I E R.

Criminal Revision Case No. 292/18.

(Case Referred No. 42 of 1918).

1. Lakshmi alias Arayee.
2. Ramen alias Vadevelu.
3. Marimuthammal.
4. Ammani alias Muthuammal.
5. Lakshmi alias Muniammal.

Accused in Calender Case No. 12/'18
on the 4th of the Court of the
sub divisional 1st class Magis-
trate of Trichinopoly.

Case referred for the order of the High Court under section 438 of the Criminal Procedure Code by the Sessions Judge of Trichinopoly in his letter, dated 25th April 1918.

This case coming on for hearing: Upon perusing the letter of reference and the records submitted therewith, and upon hearing the arguments of the Public Prosecutor on behalf of the Crown and the accused not appearing in person or by pleader, the court made the following:—

ORDER:— The trial is wholly bad for misjoinder and the convictions are set aside.

On the merits also, there is no proof that the accused's names appear in the register prepared by the District Magistrate in accordance with sections 4 and 5 of the Criminal Tribes Act, such register or a certificate— certified copy of the entries therein not having been produced. It is not even definitely stated that the accused who are styled of the Mudali caste in their statement belong to the subsection of the Padayachi caste to which subsection the Government notification applies.

It is again, a matter for surprise, that a girl of ten and a boy of ten should not only have been deemed by the Magistrate to be capable of committing the technical offence under section 22 of the Criminal Tribes Act but that they should have been awarded the severe punishment for six months' and years' imprisonment respectively.

It is to be regretted that all the five accused have been already in jail for six months, the sentences on three of them having almost expired.

We direct the accused to be at once set at liberty.

(sd). C. S. White,
DY. Registrar, App. Side.

Reformatory School, Loughborough.

Receiving communication from the D.P.S.
intimating the release of the juvenile offender, Ramen
from the — whose conviction was set aside by the High
Court.

READ AGAIN G.O. No. 826 dated 20-6-1918

" " " " 554 " 27-4-1918

READ ALSO:—

G. No. 1640/B From the D.P.S., R. No. 5902/18 dated 1-8-1918

" " " " " " " " " " " " 191

" " " " " " " " " " " " 191

ORDER.

No. 1041, dated 12-8-1918

Mos.

Recorded.

7-8-18.

7-8-18

To the D.P.S. (9th)

Copy to the Home (Judge) Dept.
(Ltr with encl.)

Note:— Please see the

notes to order with G.O. No.

554 Ed. No. 4/ 27th April 1918.

The boy's conviction has

since been quashed by
the High Court on grounds
technical and otherwise.

The boy has also been

discharged from the
Reformatory in pursuance

of the contents of the High Court documents

No action seems called for in the

Director's letter which may be

referred. If approved the draft may

may go to Judicial for acceptance

7.8.18

28/8

CURRENT NO.
1959

Reg 29/2/29

Home (Jud) Report
9.8.18

ul

The draft may be accepted and the file
returned to Esch & Co.

Kon
21/8/18

Issue
10/8

When given for copying
When copied
When examined
When signed

READ AGAIN G.O. No.
191

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL

N.E.-

A = Copy in full.
B = Not to be copied.
F = Copy abstract only.
Q = Copy heading only.