

Law (Education) (1925) Department.

Ordinary. SERIES.

G.O. No. 1997

DATED

19.11.25.

[Despatch Abstract.]

Children Act.

Release under section 35 (1) —  
Pupil Arumathi Valayan — Reformatory  
and Senior Certified School, Chingleput  
sanctioned.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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# FURTHER PAPERS.

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CF. 30

DEPARTMENT.

Received ..... 192 Registered ..... 192



Reformatory and Senior Certified School,  
Chingleput - Pupil No. 837 Avanashi Valayan - Release on  
medical grounds.

## ENCLOSURES.

No. ....

Spare copies .....

No. G/ 860

Station Ootacamund Dated the 16th November 1925

From (Name) Lieut-Col. J.P.Cameron, C.I.E., I.M.S.,  
(Designation) Inspector-General of Prisons,  
Reformatory Schools.

To The Secretary to the Government of Madras

Law ( Education) Department.  
Fort St. George, Madras.

Sir,

I have the honour to forward herewith a copy of  
letter No.837/P, dated the 14th November 1925 from the  
Superintendent, Reformatory and Senior Certified School,  
Chingleput, together with its enclosures and in the cir-  
cumstances stated therein, to recommend that the boy  
referred to may be ordered to be released unconditionally  
and sent home.

I have the honour to be,  
Sir,  
Your most obedient servant,

*J.P. Cameron*

Lieut-Col. I.M.S.  
Inspector-Genl. of Reformatory Schools.

Wp. 2-3 in pa

2

Copy of letter No.837P dated the 14th November 1925 from  
the Superintendent, Reformatory and Senior Cer-  
tified School, Chingleput.

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p.7 infra  
p.8 infra

I have the honour to submit for the orders of Government the case of pupil No.837, Avanashi Valayan of this school. The pupil who was admitted on 12-8-1925, having been committed by the Sub-Divisional Magistrate, Coimbatore in C.O.No.207 of 1925 on the file of his Court, exhibited symptoms of Tuberculosis. He was kept under observation by the District Medical Officer and he is of opinion that the boy is suffering from the disease and that it is undesirable to keep him in the school along with other boys. The matter was placed before the Committee of Visitors of this school at a meeting held on the 12th instant and it was resolved that the transfer of the boy to Madanapalle should be applied for. There is no legal provision for the transfer of a pupil from this school to a jail and consequently I do not think he can be transferred to - Madanapalle under legal restraint - please see G.O.No.2818 Home (Ju-  
(over put up) nicial) dated the 10th November 1920.

2. In the case under reference two courses of action seem to be open under section 35(1) of the Madras Children Act:--

- (i) To release him unconditionally and allow him to return to his parents.
- (ii) To release him conditionally and require him to reside in Madanapalle.

3. In the latter case the question as to the period during which he can be compelled to reside in Madanapalle arises. The pupil was convicted by the Magistrate to six months' rigorous imprisonment for the offence of theft and in lieu thereof was ordered to be detained in a Senior Certified School for a period of five years. I am doubtful if the period of release on condition can legally extend beyond 5-2-1926 the date on which the sentence of six months expires. This point may be referred to the Advocate General for opinion.

3. The Sub Assistant Surgeon of this school states that the disease has reached an advanced stage and that the boy's health is rapidly declining. It is absolutely necessary that the boy should

be removed from this school as early as possible in the interests of other boys and as it will not be of much use sending him to Madanapalle for six months or even for a longer period, I recommend that he may be released unconditionally and sent home. His conduct during the short time he has been here had been good.

4. The following papers relating to the case are enclosed.

- (1) The detention order.
- (2) Judgment.
- (3) District Medical Officer's opinion.
- (4) Resolution of the Committee of visitors.

(True Copy)

*S. Thambuswami*  
16/11

For Inspector-General of Prisons.

|                                                    |                                            |
|----------------------------------------------------|--------------------------------------------|
| NUMBER.                                            | 837.                                       |
| NAME.                                              | Avanashi Valayan.                          |
| CASTE.                                             | Valayan (Criminal class)                   |
| District belonging to.                             | Coimbatore.                                |
| convicting court.                                  | Sub Divisional Magistrate, Coimbatore.     |
| offence.                                           | Theft of sheep under secs. 379 & 75 I.P.C. |
| (a) nature.                                        | R. I. for 9 months.                        |
| (b) date.                                          | 6-8-1925.                                  |
| authority, ordering detention.                     | Sub Divisional Magistrate, Coimbatore.     |
| AGE.                                               | 13 years.                                  |
| period of previous sentence.                       | 5 years.                                   |
| date of commencement.                              | 6-8-1925                                   |
| date of termination.                               | 5-8-1930.                                  |
| sent as habitual offender, or on first conviction. | Habitual.                                  |
| number of persons living, or within jurisdiction.  | Both alive.                                |

(Sd) W. O. Fonseca.

Form of order of detention of youthful offenders  
in the Senior certified school, Chingleput.

In the Court of the Sub  
Divisional I class Magistrate, Court at  
Chingleput calendar case no. 207 of 1925

It is hereby found that  
Aravachari valayan son of Pachai valayan  
of Rambhampalayam, a youthful offender  
convicted according to law, is about  
13 years of age & he is hereby directed to  
be sent to the Senior certified school,  
Chingleput & to be there detained for a  
period of five years.

Given under my hand &

seal of this Court this 6<sup>th</sup> day of August, 25.

W. B. 684

Sub-Divisional Magistrate.

RK  
6.8.1925.

A. no 101

Admit.

Sub-jail Suph

26

6/8

Cat 7-4  
9-8-25  
836

Judgment Copy.

(b)

b

Sub Divisional III Class, Magis-  
trate, Coimbatore.

Accused 1. Karuppa Valayan  
2. Karuppa Valatan  
3. Avanas Valatan.

C. C. No. 207/25.

The 3 accused who are valayans, were found guilty of an offence under sec.379 I.P.C. by the Taluk Magistrate, Avanas, for having, on 5-7-25 committed the theft of five sheep. As accused 2 and 3 are boys aged about 13 years, the records are sent up to this Court under section 349 I.P.C. Accused 3 is further charged under sec.75 I.P.C.

2. The accused denied the offence in the Lower Court and do the same before me. The evidence they adduced did not however, in any way - rebut the prosecution evidence which proved that the 3 accused - committed the theft of the sheep. They were seized with the sheep while on their way to the Karavalur shandy. I consider the charge has been satisfactorily established and as I convict the 3 accused of an offence under section 379.

3. Accused pleaded guilty to a previous conviction. The calendar extract Ex. B. shows he was convicted by this Court on 22-7-22 for theft under section 379 I.P.C. and was sentenced to receive 6 stripes. I convict him under sec.75 I.P.C.

4. Accused 1 is sentenced to suffer rigorous imprisonment for six months. Accused 2 and 3 are lads about 13 years of age. I ~~sent~~ sentence accused 2 to suffer rigorous imprisonment for 6 months and accused to 3 to 9 months. In lieu of undergoing such imprisonment, I direct that they should be detained in the Senior Certified School for a period of 5 years. The sheep to be returned to the owner.

(Sd) E.W.K Green  
6-8-25  
Sub Divisional Magistrate.  
Coimbatore.

1610  
C.F. 32 (a)

In reply, please quote  
number, date and short  
title.

Went Muling

7  
MEDICAL DEPARTMENT.

Received

Registered

1710

From (Name) M.R.Ry.V. Chintan Menon Avl., L.M.&.S.,

(Designation) District Medical Officer,

Post Box, (STATION) Chingleput.

Telegraphic Address Disurgeon.

To The The Superitendent,

Reformatory and Senior Certified School,

Chingleput.

Bis No. 590 L.D., dated 7th November 1925.  
Sir, of 25

ENCLOSURES Reference:- Your No. 837 P. dated 4-11-25 regarding  
pupil No, 837 Avanashi.

Pupil No, 837 Avanashi is suffering from Tuber-  
SPARE COPIES culosis of lungs. I am of opinion that it is undesirable to keep  
him in the school along with other boys.

W. Menon  
District Medical Officer.





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When copied \_\_\_\_\_ } 192  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_

READ AGAIN G.O. No. \_\_\_\_\_  
192 .

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. ..

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED OF, BRING MEANT FOR DESPATCH  
IN ORIGINAL.

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