

Education
Law ~~(Part)~~ (1925) Department.

His SERIES.

G.O. No. 2155.

DATED 16.12.25.

[Despatch Abstract.]

Children Act. Detention of a girl
offender. Convicted of murder.
Extension of act to girls - Note
Recorded.

BACK PAPERS.

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

FURTHER PAPERS.

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Subject.

the High Court in
Forwarding a copy of the Judgment of Criminal Appeal
No. 408 of 1925.



Dated the 10th November 1925

Madras,



From

Mir Amir-uddin, Esquire, M.A., L.L.B., (Bar-at-Law)

Deputy Registrar, Appellate Side, High Court of
Judicature, Madras.



To

The Chief Secretary to the Government of Madras.

Sir,

I am directed to forward herewith a copy of the printed
records and a copy of the Judgment of the High Court in
Criminal Appeal No. 408 of 1925.

I have the honour to be,

Sir,

Your most obedient servant.

To,

Public

Law Dept. no.

(Please see p 8 info)

For
21/11/25

21/11/25

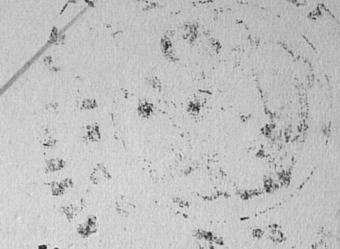
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AP

Deputy Registrar,
Appellate Side.

In the Court of



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Masulipatam.

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3. A boy of 14 named Sriramulu (P. W. 12) says that at about midday he saw the two girls near the well, as he was on his way to his thrashing-floor. The accused was sitting down extracting a thorn from her foot, and the deceased girl was looking on. He heard her say, 'Let us go: it is a long time since we came', but this appears to be an addition since he gave his evidence before the Committing Magistrate. The chief witness in the case is Venkataratnam (P. W. 4), who is a son of Sitamahalakshamma's uncle and lives in a separate part of the same house. He states that he went to ease himself between 10 and 11 A. M., and sat at the point marked T-1 in the plan, about 150 yards from the well. As he got up he saw accused pulling deceased by the arm towards the well. Then he saw her either push or throw her in. He modifies this a little in cross-examination by saying that when they came near the well the tobacco plants intercepted his view of deceased though not of accused; but there is doubt that his statements mean that he virtually saw accused throw the child in. After doing this, accused ran along the path which follows the southern margin of the tobacco field. The witness went towards her and intercepted her at the point marked A. He seized her by the arm and asked her why she had thrown the girl into the well. Accused said that she had fallen in. He cried out that accused had thrown Sitamahalakshamma into the well, and while he was still holding her a number of persons came from the village. A party went on to the well, and one of them, P. W. 8, descended and got the child out. She was just alive, and died a few minutes later. The *post mortem* examination shows that death was due to drowning. By this time the mother had arrived, and noticed that the three valuable gold ornaments which her daughter had been wearing were missing from the body. The Triune Officer, who was amongst those who had come, questioned accused, but she made no reply. A search was then made and two of the ornaments, a *mangala-sutram* and a *kante*, (M. Os. I and II) were found under the tobacco plants 4 or 5 yards from where P. W. 4 had caught the accused, or, as some of the witnesses say and what amounts to the same thing, where accused was sitting when they first saw her.

4. The accused herself, in a statement before this Court, admits that as she was returning from the easing-ground P. W. 4 came and caught her, saying that she had thrown the child into the well; and that he cried out and several persons came. This admission, the truth of which is fully borne out by the prosecution evidence, shows not only that she was so caught by P. W. 4 but that he knew that the child was in the well; and it is difficult to see how he could have known this if he had not seen the accused's act. The Triune Officer (P. W. 7) has done his best to weaken the prosecution case by alleging that he was among the first to arrive and found P. W. 4 holding accused, whereas before the Committing Magistrate he said that he was in a certain carpenter's house when P. W. 4 came and told him. Neither statement appears to be true, and I can only conclude that he has been trying to make out that he came to the spot earlier than he really did. That he came promptly seems clear, as all the evidence proves his presence when the child was taken out still alive. There is moreover the evidence of another witness,—the man who got the child out of the well, P. W. 8—that he came and found P. W. 4 holding accused, and was told by him that she had thrown Sitamahalakshamma into the well; and in view of the accused's admission on this point, no further proof appears to be necessary.

5. Nor do I see any reason to doubt the evidence that two of the deceased girl's ornaments were found within a few yards of where she was caught by P. W. 4. The fact is mentioned in the Triune Officer's report, Exhibit B, and is spoken to by a number of witnesses—P. Ws. 4, 7, 8, 10. Their evidence is indirectly supported by that of the mother and brother that the girl was wearing these ornaments that morning, and by the fact that they were missing when the body was taken from the well. The accused says that she was beaten by the villagers in an attempt to make her confess, and this is borne out by the Sub Inspector's statement that when he searched her before putting her in the lock-up he found two or three stripes upon her back. Probably they tried to make her reveal what she had done with the jewels; and the effort failing, they were searched for and found as described by the witnesses.

6. There is some further evidence relating to the recovery of the third ornament, M. O. III, which is a necklace of gold francs. Rather inadvisedly the accused was kept in custody throughout the night at the well,—in the charge of village servants and others until midnight, and thereafter in charge also of a constable, whom the Sub Inspector stationed there on arrival. P. W. 9, an ex-Madiga Christian, was told off by the Triune Officer to help watch, and his evidence is that in the course of the night, he persuaded the accused to tell him where she had thrown the missing necklace. From her description of the place it was recovered from the ditch which borders the tobacco field only a few yards from where the other two articles were found. For all that appears, it might easily have been found there on a search, without the help of such information, and although another witness (P. W. 8) supports the story, I am not satisfied that the information was really obtained.

7. Although the case depends upon acceptance of the single eye-witness's statements, I consider that it is proved beyond all reasonable doubt. The fact that he is related to the deceased girl is no reason why he should falsely incriminate the accused; and that he made his accusation within a very short time after the act was committed is shown by the fact that the child was still alive when taken out of the well. His evidence is supported by that which shows that the two girls went out of the village together that morning, and were seen together later on near the well; it is also supported by the circumstances in which the two ornaments, M. Os. I and II, were found. It is impossible to avoid the conclusion that it is true.

8. Two of the assessors would find the accused guilty, and two not guilty. Agreeing with the former, I convict her of murder, under Sec. 302 I. P. C. She is little more than a child, and the case is therefore obviously one for the infliction of the minor penalty. I sentence her to transportation for life.

20th July 1925.

(Sd). A. J. CURGENVEN,
Sessions Judge.

APPENDIX OF EVIDENCE.

WITNESSES EXAMINED.

For Prosecution :—

1. Mr. P. Narasimharao Naidu.
2. Mr. M. Narayanamurthi.
3. Anne Sasilekamma.
4. Anne Venkataratnam *alias* Rattayya.
5. Anne Viraraghavayya.
6. Arza Gangayya.
7. Prattipati Kamayya.
8. Potru Ramanujulu.
9. Pulipaka Venkadu.
10. Koneru Viraraghavayya.
11. Ghanta Venkataratnam.
12. Mukku Sriramulu.

For Defence :—

None.

DOCUMENTS FILED.

For Prosecution :—

- A/31-3-1925. Postmortem certificate.
- B/29-3-1925. Report from P. W. 7 to the Police at Viravalli.
- B-1/29-3-1925. „ „ to the S. S. Magistrate, Nuzvid.
- C/30-3-1925. Inquest report.
- D/- Plan of the scene of offence.
- E/7-4-25 & 8-5-25. Statement of the accused in the Lower Court.

For Defence :—

- I/6-5-1925. Portion of the deposition of Prattipati Kamayya (P. W. 7) in the Lower Court.
- II/24-4-25. Deposition of Potru Ramanujulu (P. W. 8) in the Lower Court.
- III/24-4-25. Deposition of Pulipaka Venkadu (P. W. 9) in the Lower Court.
- IV/6-5-1925. Deposition of Ghanta Venkataratnam (P. W. 11) in the Lower Court.
- V/24-4-25 Deposition of Mukku Sriramulu (P. W. 12) in the Lower Court.

MATERIAL OBJECTS.

- I. Mangalasutram with nanupetalu.
- II. Kante.
- III. Necklace of francs.
- IV. Gold nagaram.
- V. Gold ear-rings set with red stones.
- VI. Pair of gold nose-screws.
- VII. Pair of gold bangles.
- VIII. Pair of gold gazulu.

- IX. Pair of silver mattelu.
- X. Three gold kuppelu.
- XI. Pair of silver anklets.
- XII. Pair of silver golusulu.
- XIII. Gold mangalasutram.
- XIV. Kutikantu of black beads with a half-sovereign set with a red stone.
- XV. Broken pieces of glass bangles.

*Note :—*The accused is committed to the Central Jail, Rajahmundry.

(True copy).

Sessions Court, Masulipatam.

JUDGMENT

IN

S. C. No. 17 of 1925.

Ca 408/15-

No. of words— 1994

Printing charges— Rs. 2-12-0.

Ramjee Press, Masulipatam.

IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Thursday, the fifth day of November,

One thousand nine hundred and twenty five.

Present:—

The Honourable Mr. Justice Devadoss, contending that

there was a need for her being retained. The

The Honourable Mr. Justice Waller. In our attention to a

notification by the Government and from that we see that

Criminal Appeal No. 408 of 1925.

the Children's Act has not been extended to the Kistna

Madamanchi Ramamma, Appellant. (Prisoner). Girl

of this age should not be kept up in jail for 14 years

Appeal against the Judgment of the Court of Session of
the Kistna Division in Case No. 17 of the Calendar for 1925.

contaminated and become contaminated. 1925. 1925.

This Appeal coming on for hearing on Tuesday the 3rd
day of November 1925 and to-day and Counsel not appearing on
behalf of the Appellant, upon perusing the Petition of Appeal
and the record of the evidence and proceedings before the
Court of Session and upon hearing the arguments of the Public
Prosecutor on behalf of the Crown, the Court delivered the
following: District Magistrate of Kistna through the Sessions

following: District Magistrate of Kistna through the Sessions
J u d g m e n t:— The Appellant has been convicted of
murder and sentenced to transportation for life by the
Sessions Judge of Kistna. The Appellant, a girl who has
given her age as 14, took another girl of eleven and robbed
her of her jewels and pushed her into a well. This was
witnessed by P.W. 4 who was about the place at the time and
she was caught and charged with having pushed the girl into the
well and some of the jewels were traced to her possession.

There is no doubt that the appellant pushed the girl into
the well and thereby committed murder. The learned Sessions
Judge has carefully considered the evidence and we see no
reason to differ from his finding. We therefore confirm
the conviction and sentence.

The Appellant gave her age as 14 but the Sessions Judge seems to think that she is 16. Whether she is 14 or 16, we think that a girl of this age should not be made to herd with confirmed felons and she should be kept from moral as well as physical contamination, so that there may be a chance of her being re-claimed. The learned Public Prosecutor has drawn our attention to a notification by the Government and from that we see that the Children's Act has not been extended to the Kistna District. We would suggest to the Government that a girl of this age should not be shut in jail for 14 years and we hope that steps will be taken to keep such youthful offenders away from jail, where they are likely to become contaminated and become confirmed felons.

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To
The Sessions Judge of Kistna Division at Masulipatam in duplicate for communication to the prisoner (with records)
The District Magistrate of Kistna through the Sessions Judge.
The Inspector General of Police,
The Chief Secretary to Government of Madras with a covering letter.

Continuing the conviction and sentence passed on the accused in Sessions Case No. 17 of 1935 on the file of the Court of Sessions at Kistna Division at Masulipatam.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS.
Thursday, the fifth day of November, 1935.
One thousand nine hundred and twenty five.
Present:-

The Honourable Mr. Justice Devadas,

The Honourable Mr. Justice Waller.

Original Appeal No. 408 of 1935.

Madamoni Rammanna (Appellant). (Prisoner).

Appeal against the judgment of the Court of Session of the Kistna Division in Case No. 17 of the Calendar for 1935.

This appeal came on for hearing on Tuesday the 5th day of November 1935 and to-day and counsel not appearing on behalf of the Appellant, upon hearing the Revision of Appeal and the record of the evidence and proceedings before the Court of Session and upon hearing the arguments of the Public Prosecutor on behalf of the Crown the Court delivered the following judgment.

I find that the Appellant has been convicted of murder and sentenced to transportation for life by the Sessions Judge of Kistna. The Appellant is a girl who has given her age as 14, took another girl of eleven and robbed her of her jewels and pushed her into a well. This was witnessed by P.W. 4 who was about the place at the time and she was caught and charged with having pushed the girl into the well and some of the jewels were traced to her possession. There is no doubt that the Appellant pushed the girl into the well and thereby committed murder. The learned Sessions Judge has carefully considered the evidence and we see no reason to differ from his finding. We therefore confirm the conviction and sentence.

Dated 5th November 1925

The Appellant gave her age as 14 but the Session Judge seems to think that she is 16. Whether she is 14 or 16, we think that a girl of this age should not be made to herd with confirmed felons and she should be kept from moral as well as physical contamination, so that there may be a chance of her better re-education. The learned Public Prosecutor has drawn our attention to a notification by the Government and from that we see that the Children's Act has not been extended to the Kistna District. We would suggest the Government that a girl of this age should not be shut up in jail for 14 years and we hope that steps will be taken to keep such youthful offenders away from jail, where they are likely to become contaminated and become confirmed felons.

Cril. Appeal No. 408 of 1925 to 804. On last day

Confirming the conviction and sentence passed on the accused in Sessions Case No. 17 of 1925 on the file of the Court of Session of the Kistna Division at Masulipatam.

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Charge.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

I, A. J. Curgenvven Esq., B. Sc., I.C.S., Sessions Judge, Kistna Division, Masulipatam, hereby charge you Madamanchi Ramamma, as follows :—

That you, on or about the 29th day of March 1925 at Krishna-varam committed murder by intentionally causing the death of
10 Sitamahalakshbmamma, by throwing her into a well, and thereby committed an offence punishable under Section 302 of the Indian Penal Code and within my cognizance.

And I hereby direct that you be tried before me on the said charge.

Dated this 17th day of July 1925.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True copy)

Plea of the accused.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Register Case No. 1 of 1925, on the file of the Stationary

Sub-Magistrate of Nuzvid.

Plea of the accused.—Not guilty.

Note.—The accused is defended by Mr. T. V. Krishna Rao, B.A., B.L., pleader, appointed by Court.

(Signed) A. J. CURGENVEN,
Sessions Judge.

30 17--7--25.

(True copy)

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P.W. 1.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 1st witness for prosecution.

Name—P. Narasimharao Naidu. Father's name—Krishna Rao.
Village—Gannavaram. Taluk—Gannavaram. Caste—Adi Velama.
Calling—Sub-Assistant Surgeon. Religion—Hindu. Age—30 years.

Solemnly affirmed in accordance with the provisions of Act X of
1873 on the day of 17—7—1925.

The body of a female child aged about 11 years was sent to me
by the S. H. O. of Viravalli in charge of P. C. No. 484 and received
at 6-30 p.m. on 30—3—1925. I held the post-mortem examina-
tion at 7-30 a.m. on 31—3—1925. Exhibit A is the post-mortem
certificate. I found the right 5th rib and left 3rd, 4th and 5th ribs
separated from their costal cartilages at their junction and ecchymosis
in the surrounding soft tissues. Death was due to asphyxia which
might have been caused by drowning. The child was otherwise
healthy. The condition of the ribs might have been produced by a
fall on the surface of the water from a height

Cross-examination.—Identification marks could not be made out
owing to decomposition. The body was not in an advanced state of
decomposition. The body might have fallen into the water about 2
days before my examination. A dead body would float for anything
up to six hours after death. The body was kept in the post-mortem
shed until examination. The keys were handed to the constable

Re-examination.—Nil.

Court.—I think the asphyxia must have been due to drowning
owing to the presence of water in the lungs and stomach. Water in
the stomach may have been taken with food, but water in the lungs
can only be explained by drowning.

(Signed) P. Narasimharao Naidu,
17—7—25. Sub-Assistant Surgeon.

Taken down by me, in open Court and read over to the witness
and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True copy)

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P.W. 2.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 2nd witness for prosecution.

Name—M. Narayanamurthi. Father's name—Venkataratnam.
Village—Viravalli. Taluk—Gannavaram. Caste—Vysya. Calling—
Sub-Inspector. Religion—Hindu. Age—39 years.

Solemnly affirmed in accordance with the provisions of Act X of
1873 on the day of 17—7—1925.

In March last I was in charge of Viravalli station. Krishna-
varam is within its limits. I received the report Exhibit B from the
Triune Officer of Krishnavaram at 6-30 p.m. on 29—3—25. It bears
my initials and the hour and date. I reached the village at mid-
night. It is 6 miles from the station. I met the Triune Officer and
he showed two ornaments recovered, a mangalasutram and a kante
(M.Os. I and II). I went to the place where the body was, near the
well. Accused was also therein custody of village servants. I left a
constable there. I returned to the village, which is a furlong distant
for the night. At 6 a.m., I got inquest panchayatdars. As soon as
I reached the scene, Pulipaka Venkadu village servant gave me some
broken pieces of kasulu (necklace of fringes) (M.O. III). He told me
he had recovered it from a ditch bounding the tobacco garden. I
took possession of it. Then I held the inquest. There were still some
jewels on the body, and they were noted in the inquest report. Ex-
hibit C is the inquest report. I signed it. I finished the inquest by
2 p.m. I sent the body then to the S.A.S., Gannavaram in charge
of P.C. No. 484. Gannavaram is about 10 or 12 miles from Krishna-
varam. I arrested accused after the inquest. I prepared the plan
Exhibit D. P.W. 1 referred to in the plan is Anne Venkataratnam
alias Rattayya. I took accused to Viravalli station, arriving there at
8 p.m. I searched her before putting her in the lock-up and found
two or three stripes on her back. When sending her for remand on
31st, I requested the Sub-Magistrate, Nuzvid, to send her for medical
examination.

Cross-examination.—The well lies to the N. W. of the village.
The nearest house is about 200 yards from it. Besides the Constable,
P. Venkadu, and Ramanjulu kept watch that night, as well as an
uncle of deceased. Anne Venkataratnam was not there that night. I
did not see one G. Chinnavenkadu there. The well belongs to a
Velama gentleman there. I do not remember his name. He did not

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come to the inquest. I do not know if he was in the village. Half of the circumference of the well is level with the ground. The other half has a masonry erection about 4 feet high supporting a picottah. The well is 13 to 20 feet in diameter. The surface of the water is about 20 feet below the ground. The water was about 10 feet deep. I did not see any branches of trees in the well. I did not observe when deceased's mother came to the place when the inquest was held. She was present when her name was called for examination. She must have been there earlier. None of accused's relations came before I finished the inquest. I saw the father and mother before I left the village. I saw them at 5 or 6 p. m. just before I left the village. I did not ask them for any information. I do not remember if I saw G. Chinnavenkadu at the scene before I held the inquest. Anne Venkataratnam was not there then. He came with me and the panchayatdars. I sent for him not by my constable. I stayed that night with the Triune Officer. I cannot say if I sent for K. Sudarsanam or if he came of his own accord. I did not examine Anna Krishnayya, elder brother of deceased at the inquest. I did not examine Anna Chinnaviraghavayya either. Accused did not tell me when I arrested her that Surapaneni Venkatasubbayya and Kancharla Sudarsanam and Anne Venkataratnam had beaten her. She did not say anything about her injuries until I searched her in the station. Then she said that Surapaneni Venkatasubbayya had beaten her. I examined Venkatasubbayya at the inquest. I examined deceased's two brothers Chinnaveeraraghavayya and Krishnayya in the evening after the inquest. I examined Kancharla Sudarsanam and Anne Nagabhushnam at the inquest. Anna Krishnayya was given up in the lower Court as a prosecution witness. The well adjoins a tobacco field. On part of the field the crop was still standing. There were no other fields adjoining this field bearing crops. The picottah of the well appeared to have been recently used. The leather bales was in order. I examined the ditch, where the neck-lace M. O. III was found. I did not say definitely in my statement to the lower Court, that I visited the scene on 29th night. All the panchayatdars were present when M. O. III was handed over to me. I cannot say if any of the P.Ws. were present, except the one who was a panchayatdar. I do not think that deceased's mother was present. She and the brothers afterwards identified M. O. III. That was after the inquest was over. M. O. III had reached me before I started the inquest.

Re-examined.—Deceased's mother was examined at the inquest. I do not remember if she was shown M. O. III then. It is not entered in the inquest report that she (?) was shown it. She said at the inquest that she had already seen M. Os. I and II, the previous day.

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As she was weeping bitterly and there was a hubbub, I forgot to ask her then about M. O. III.

(Signed) M. Narayanamurthi,
Sub-Inspector of Police.

17—7—25.

Taken down by me in open Court and read over to the witness and acknowledged by him to be correct

(Signed) A. J. CURGENVEN,
Sessions Judge.

P.W. 3.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM

Sessions Case No. 17 of 1925.

Deposition of 3rd witness for prosecution.

Name—Anne Sasilekhamma. Husband's name—Subbayya. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Kamma. Calling—Son's protection. Religion—Hindu. Age—30 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 17—7—1925.

Deceased Sitamahalakshmi was my daughter. She was 10 years old. My husband has two sons by another wife, Krishnayya and Raghavayya. My husband is dead. We others were living together. Anne Venkataratnam is my husband's brother's son. He lives in a separate part of our house, my husband and he having divided. Accused was living in a house opposite ours, with her parents. She went to live with her husband over a year ago, and stayed with him for a month, after which she returned to her parents. Deceased was married 22 days before the occurrence. At her wedding, we gave her some jewels and her husband's people gave her some. We gave her the kante M. O. II. The mangalasutram, Exhibit I was given her by her husband's people. We gave her the necklace M. O. III. We gave her some other jewels in addition to these. She had worn these jewels always since her marriage. She wore M. O. I every day, and M. Os. II and III, she first put on, on New Year's day, and wore them until her death. We gave her these and some other jewels on New Year's day, and from that day she wore them. Deceased used to be friendly with accused. They used to visit each other. On the day of occurrence, I gave deceased food at 8 a. m. After she had taken it accused came to our house and took away deceased with her to the

easing ground Deceased was then wearing M.Os. I to III and other ornaments. Deceased did not return. I heard some people crying in the street that accused had thrown her into a well. On hearing this, I went to the well. I found deceased in the water. After I came there she was taken out. She was first alive there and died a short time later. When she was taken out M.Os I to III were not upon her person. She died about an hour after she left home. The body was left near the well, The Triune Officer showed me M.Os. I and III later in that day and I recognised them as deceased's. I did not stay at the well that night, but went home. Next morning the Triune Officer showed me M.O. III, and I identified it as deceased's.

Cross-examination. - Accused came back to her parents' house about 10 months before the occurrence. She did not come for the marriage of her younger sister Nagaratnam. Nagaratnam was married 10 or 12 days before the occurrence. After the marriage was over, accused's husband's people sent a cart for her, but she was not sent back. Four or 5 days before the occurrence the cart came. My step-son Krishnayya is married. His wife has joined him and lives in our house. Raghavayya also is married but his wife has not joined him. There is no other girl in our house but Krishnayya's wife. Anne Venkataratnam has no daughter. Before that occasion accused and deceased used to go to the easing ground together. Krishnayya's wife used to go there at night and never during day time. Ordinarily women do not go so far to ease themselves. Some go to the north of the village and some to the east. I saw accused and deceased go along the street they usually took and then did not see them further. I cannot say when I heard say that my daughter was dead. On the 5th day of the marriage the turanams and kankanams tied to the hands are removed. The New Year's day was 3 or 4 days before the occurrence. Turanams are not tied on that day. New Year's day was the only festival between the marriage and the occurrence. The ornaments which deceased was wearing besides M.Os I to III, are those now shown me (M. Os. IV to XV) and no others. Of these M.Os. I and XIV (Necklace of black beads, with sovereign pendant) were given her by her husband's people. Since her marriage she had worn M.Os. I, II and III. After New Year's day, she continued to wear them. She wore all the ornaments M. Os. I to XV even when she went to bed. After deceased took her food that morning at 8 a.m. I told her, I would give her a bath, and she took off her upper cloth and put it on the ground and then went away with accused carrying a chembu. Even before the day of occurrence, she wore these ornaments when she went to the easing ground. She only used to take them off to have a bath. When I went to the scene, here were many persons there, 10 or 20. I did not notice if they

all belonged to my village. I cannot give the names of those present. None at the well told me anything about the occurrence. The Triune Officer was there before I arrived there. There was no cot there. I cannot say who sent for the cot. When I tried to see my daughter in the well, I was pushed back and not allowed to see. I saw Ramajayya take the girl out of the well. The Triune Officer asked him to enter the well, and take her out. I do not remember if anyone said that the girl was floating on the water and that she should be taken out. I did not see the chembu which deceased took with her. I did not see it either that night or next day. I saw a chembu some day later, which belonged to us. When I was shown M.Os. I and II by the Triune officer the police were not present. I cannot say how long after I was there(?) then the Police arrived. I was shown M.O. III at the inquest I identified it. When I first went to the well, I saw Anne Venkataratnam there. I cannot say if he was there when I left for home. The Police sent for me to come to the inquest. I cannot say if the inquest began before or after my arrival. Two or 3 days before the occurrence a boy named Appayya died in accused's house. He did not die on the morning of the occurrence.

Re-examined. - Turanams tied at marriage are removed on 5th day and a fresh pair will be tied on 7th or 8th day, in pursuance of a vow. These are kept on until they are worn out. These turanams were found on the wrists after deceased was taken out of the well. Krishnayya's wife is 20-22 years. Appayya who died in accused's house was only 2 years old.

(Mark of) Anne Sasilekhamma.

Taken down by me in open Court and interpreted to the witness and acknowledged by her to be correct.

(Signed) A. J. COURGENVEN,
Sessions Judge.

(True copy)

P.W. 4

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 4th witness for prosecution.

Name—Anne Venkataratnam alias Rattayya. Father's name—Kotayya. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Kamma. Calling—Cultivation. Religion—Hindu. Age—27 years

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 17--7--1925.

Deceased was my paternal uncle's daughter. She and I lived in separate portions of the same house. Over 3 months ago, at 10 or 11 a.m. I went to the easing ground to the south of the village, near the well belonging to Chint Venkataramayya, a mokhasadar. I was easing myself at 100-125 yards from the well. As I got up and looked westwards, I saw accused pulling deceased by the arm towards the well. They were then 6 or 7 yards from the well. I cried out "Why are you pulling her like that?" There was no response. Then accused pushed or threw deceased into the well. Accused then ran from the well towards the village, cutting across the tobacco field. I walked slowly towards her, as I was feeling weak owing to diarrhoea. Accused was going eastwards and I westwards. Between us was a tamarind tree. When I reached this tree, I asked accused why she had thrown the girl into the well, and seized her by the arm. Accused said that she had fallen into the well. I cried out that accused had thrown Sitamahalakshmi into the well. I was then holding her by her arm. Surapaneni Venkatasubbayya, K. Sudarsanam, Ramanujulu and the Triune Officer, and many others came. I told the Triune officer that accused had thrown the girl into the well and I had caught her as she was running away. I let go the accused and ran towards the well with the others, to see if she was still alive. The Triune Officer told one Ramanujulu to descend the well. He did so and took the girl out. After she was taken out she died. A cot was sent for from the village and the body laid on it. Accused was sitting on the bund of the ditch bordering the tobacco field. After the girl was taken out her mother came to the scene, and said that a mangalasutram, a kante and a necklace of francs were missing from the body. The Triune Officer questioned accused before us, but she gave no reply. Then I searched and found a kante and a mangalasutram (M.Os. II and I) under a tobacco plant, 4 or 5 yards from the place where I first caught accused. It was not I, who found them. The Triune Officer found them and picked them up. I was 5 or 6 yards from him. He showed them to deceased's mother and other relatives and they identified them as deceased's. He asked accused what had become of the necklace of francs, but she gave no reply. The Triune Officer set 2 or 3 men to watch the body and the accused there, and we all went away. The Triune Officer wrote his report at deceased's house when I was present. I did not go to the scene again that night. The police sent for me next morning. I went to them at the scene at 6 a.m. Then I saw the necklace of francs, M.O. III in the Sub-Inspector's hand. I was examined at the inquest.

Cross-examination.—Kancherla Sudarsanam is my paternal aunt's son. Koneru Viraraghavayya is also my paternal aunt's son. Sur. Venkatasubbayya is Anne Krishnayya's brother-in-law. Krishnayya is deceased's brother. My mother-in-law lives at Sagguru. Ganta Venkataratnam is not related to me. My mother-in-law is Sitamma. I don't know how she is related to G. Venkataratnam. Venkataratnam's father is Venkatasubbayya. Sitamma's father is Ganta Bhushayya. I do not know if Bhushayya and Venkatasubbayya are brothers. Anne Krishnayya owns jointly with an uncle and me 50 acres land in Nizam's Dominions. It is 60 acres land, P. Ramanujulu, a witness in this case cultivates 6 of those 60 acres. On the day of occurrence, I went to the easing ground before day-break. I did not see anyone about the tobacco field. The way through (?) that ground leads to Sagguru. I did not see anyone upon it. I did not see anyone going that way when I went at 10 or 11 a.m. to ease myself. I went to ease myself twice, early in the morning, and again at 10 or 11. While I was easing myself the 2nd time, I was facing north. The well is west of where I was easing. When I first saw accused she was south of the well. I did not see if she was pulling deceased with both hands or one. I did not see if deceased resisted the pulling. I saw accused and deceased go 4 or 5 steps towards the well, and beyond that I did not see deceased, but only accused, as there was the tobacco field in between. I cannot say, if I could not see deceased because she was dragged on the ground and because she was short. For the 4 or 5 steps, I saw them both. Deceased was talking and being pulled by accused. I did not hear deceased crying out. I did not then run towards them as I thought they were pulling each other for fun. I ran after deceased was thrown into the well and accused came towards the village. Accused was then coming running. The Triune Officer did not ask me if accused came running, and I did not tell him. I caught accused about 40 yards from where they were when I first saw them together. When accused was pulling deceased, deceased was behind her and accused front. Deceased was from 3 to 4 feet high. A little of the tobacco crop on the northern part of the field was cut. The crop which prevented me from seeing deceased was $\frac{3}{4}$ to 1 yard high. I did not hear any sound when deceased was thrown into the well. As the tobacco garden obstructed my view I did not see how accused threw deceased into the well. As soon as I cried out deceased's mother and others arrived. I first cried, "Ramamma has thrown Sithamahalakshmi into the well" and then "She has been thrown into the well". I simply said in the lower Court that I raised wild cries. Until deceased's mother came to the well, the girl was not taken out. I alone caught accused. A. Venkatasubbayya did not help to catch her. I do not know him. The Triune Officer sent for the cot, Krishnayya's

farm servant brought it from deceased's house. I caught accused in the tobacco garden. There were plants at and around the place I caught her. They had not been cut. The ornaments were under a tobacco plant, but they could be seen by anyone visiting the spot. Both ornaments were at the same place. Carpenter Venkatasubbayya's house is within a furlong of the well. My cries could have been heard by any one in his house. Chintapatla Venkataramayya's house is over 2 furlongs from the well. Venkatasubbayya was in the village that day. I did not see Ch. Venkataramayya in the village that day. Venkatasubbayya came with the crowd to the well. Sur. Venkatasubbayya, K. Sudarsanam, Ramanujulu and the Triune Officer came to where I was holding accused together. Koneru Viraraghavalu and others came when the girl was taken out of the well. I never pulled accused to go with me when she was going to the easing ground. She is by courtesy my daughter. My paternal aunt's daughter is wife of accused's paternal uncle deceased's mother and 2 others identified M.O. III at the inquest. I did not watch during the night at the well.

Re-examination.—Nil.

(Signed in Telugu) Anne Venkataratnam alias Rattayya.

Taken down by me in open Court and interpreted to the witness and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,

Sessions Judge.

(True copy)

P.W. 5.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 5th witness for prosecution.

Name—Anne Viraraghavayya. Father's name—Subbayya. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Kamma. Calling—Cultivation. Religion—Hindu. Age—19 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 17—7—1925.

Deceased was my half-sister. I was at home on the day of occurrence deceased took her food at 8 a. m., and then accused came to our house and asked deceased to go with her to the easing ground. I saw them both go together from my house. Deceased was then wearing a

mangalasutram, tali and necklace of francs (M.Os. I to III) and some other jewels. M.Os. I and II were the most valuable jewels she was wearing. M.O. II is worth 9 sovereigns. I do not know the price of M.O. I. Deceased after leaving my house did not return home. Half an hour after she left home, I heard a cry that Ramamma had thrown Sithamahalakshmi into a well. I went towards the mokhasadar's well. I found P.W. 4 holding accused at a spot 10 yards from the well (shows a distance of 15 yards). When I reached the well, a man descended it and took deceased out. She was first alive. M.Os. I to III were missing from her person. That day the Triune Officer showed me M.Os. I and II. That was half an hour after the deceased was taken out of the well. I identified them as hers. Next day the Sub-Inspector and the Triune Officer showed me M.O. III, and I identified it as deceased's.

Cross-examination.—Krishnayya and I are leaving together. His wife and deceased used sometimes to go to the easing ground together. They did not often go together. Deceased and accused used more frequently to go together. Deceased did not have a bath that day. Deceased was wearing the smaller jewels M.Os. IV to XV before her marriage and the more valuable ones (M.Os. I to III) since her marriage. She wore them all after her marriage. She did not take them off when she went to bed. Krishnayya got the kante M.O. II made for her. M.O. III contained 15 franc pieces and 2 rupees and a blue stone ornamented in gold. Krishnayya gave her M.O. III. Krishnayya used to keep these ornaments for her when she took them off. Women do not usually go to the easing ground to which accused and deceased went. When deceased was going off with accused, I saw what jewels she had on. I was putting my caste-mark and she got me some water, and then I looked at her and saw the jewels. Krishnayya was not in the village that day. When I went to the well, I found Sur. Venkatasubbayya, K. Sudarsanam, P. Ramanujulu, the Triune Officer and others there. My mother and I went to the scene together. I was present when M.Os. I and II were found. They were found at a place 25 yards east of the well. The Triune Officer found them. Accused's father owes money to my brother Krishnayya. I do not know if Krishnayya took a garden in lieu of payment of this debt.

Re-examination.—Nil.

(Signed in Telugu) Anne Viraraghavayya

Taken down by me in open Court and interpreted to the witness and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,

Sessions Judge.

(True copy)

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 6th witness for prosecution.

Name—Arza Gangayya. Father's name—Venkanna. Village—
Viravalli. Taluk—Gannavaram. Caste—Telaga. Calling—Police
Constable No. 484. Religion—Hindu. Age—44 years.

Solemnly affirmed in accordance with the provisions of Act X of
1873 on the day of 17—7—1925.

I went with P.W. 2 to Krishnavaram and watched over the
body from 12 midnight until after the inquest, when I took the
body to the S. A. S., Gannavaram, who conducted the post-mortem
examination.

Cross-examination.—P.W. 2 and I went to the scene at night.
Anne Virayya was keeping watch over the body. P. Ramanujulu and
Pulipaka Venkadu were in charge of the accused. Virayya is
deceased's junior paternal uncle. Accused was 6 or 7 yards from the
body. Accused did not tell me anything that night. Anne Venkata-
ratnam was not there that night.

Re-examination.—Nil.

(Signed in Telugu) Arza Gangayya.

Taken down by me in open Court and interpreted to the witness
and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,

Sessions Judge.

(True copy)

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 7th witness for prosecution.

Name—Prattipati Kamayya. Father's name—Venkatakrishna-
ayya. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—
Brahmin. Calling—Triune Officer. Religion—Hindu. Age—44
years.

Solemnly affirmed in accordance with the provisions of Act X of
1873 on the day of 18—7—1925.

I have been acting Triune Officer of Krishnavaram for the last
8 years. At the time of occurrence, I was at the house of goldsmith
Velagapudi Subbayya. It was then 12 noon. I heard cries that some
one had fallen into a well. I left the house and went a little distance
towards the tobacco field of Chintapatla Venkataramayya. In the
field I saw P.W. 4 holding accused. I was about 100 yards from
him when I first saw him. I went further on towards them and
I heard P.W. 4 cry out that accused had thrown Sithamahalakshmanamma
into the well. Then I was 10 to 15 yards from them. I went to
them and some others came too. Then hoping that the girl was still
alive, we ran to the well. We got a man Uppara Potru Ramanujulu
to descend the well, and he took deceased out and placed her on the
leather bag. She was still just alive then. She was placed on a
cot, and died 4 or 5 minutes later. When she was taken out of the
well, the mother and some other relatives asked what had become of
some of the jewels. They said that the mangalasutram with nanu-
patalu kante and kasulu were missing. There were some other jewels
on her person. I set some men to watch the body. Then we returned
to where the accused was. There is a foot-path running through the
south part of the tobacco field. She was sitting on this path-way
with her mother. We asked accused what had become of the jewels.
She did not reply. Then I and some others searched round about that
place. Four or 5 yards from accused, under a tobacco plant I found
two ornaments, M. Os. I and II (identified). I took possession of
them. I questioned accused about the possession of Kasulu, but
she gave no reply. I left accused in the custody of a Vettian and
went home and wrote my reports to the police and Magistrate. Exhi-
bits B and B-1 are these reports. I sent of these reports at 2 p.m.
The Sub-Inspector and a constable arrived at 12 mid-night. They
told me to go with them to the well, and I did so. The constable was
kept there, the Sub-Inspector and I returned to my house. At 6 a.m.,
next morning the Sub-Inspector, myself, Ganta Rattayya and others
went to the scene. The Vettian Venkadu brought the neck-lace
M.O. III to the Sub-Inspector, saying he had found it, on information
given by the accused, in a ditch to the south of the path-way running
through the tobacco field. I was present when M.O. III was handed
over. Then the inquest was held. I signed the report as a panchayat-
dar. Before the inquest the mother and others identified M.O. III as
having belonged to deceased. The mother and brother had identified
M.Os I and II on the previous day.

Cross-examination.—My native place is Sudanaram. I have land
and houses there. I have neither at Krishnavaram, but I was living

in Anne Buchayya's house there. My wife and children were also living at Krishnavaram. I go to Suravaram which is 2 miles away, when I have business. At the time of occurrence, I was living at Krishnavaram and not at Suravaram. The path-way running across the tobacco field goes to Sagguru, Narasingapalem and Akiripalle. South of the path is a bund, and beyond that the ditch. This path is constantly used. There is a small hill less than a furlong to the south of the tobacco field. Cattle usually graze on the sides of the hill. On the north part of the field some of the crop had been cut. The cut crop was being stitched into bundles. It took till 5 or 6 days after the occurrence to cut the whole crop. There was a pandal in the field for drying the leaves. I cannot even approximately give its dimensions. I cannot say if farm servants were kept there to watch the tobacco. I cannot say who was there during the 5 or 6 ensuing days. I did not see either Venkataramayya or his servants either on 29th or 30th. I did not see whether the tobacco leaves were being strong or not, as the place was far off. The field is 5 acres in area. The pandal is at the north end of the field, distant from the scene. It is about a furlong distant. P.W. 4 did not call me, but I went hearing his cries. I did not say in the lower Court that P.W. 4 came to me while I was at Subbayya's house and told me that deceased had been thrown into the well. (See extract of deposition, Exhibit 1). As I was approaching P.W. 4, and accused P.W. 4 left accused and came towards me and told me that accused had pushed deceased into the well. At the place where accused was, were there Anne Virayya, Kancherla Sudarsanam and some others. Anne Virayya is deceased's paternal uncle. We all went to the well together. Adusumalli Venkatasubbayya took hold of accused when P.W. 4 let go of her. Anne Virayya did not hold her. I do not remember saying in the lower Court that Anne Virayya also held her. Accused's mother was already there. Sheik Hussain is the talaiari of my village. I paid annas 4 to Venkadu for watching the body. The others who watched the body were Pulipaka Venkadu, Godavanthi Chinnavenkadu, Potru Ramanujulu, Anne Virayya and the constable, also some others. They were watching both the body and the accused. I did not pay to anything the Potru Ramanujulu, but he watched as he was interested in deceased's brother. I did not ask Anne Virayya or Ramanujulu, to keep watch. On 31st I got one Dasu to search the well for deceased's chembu, owing to information her mother gave me. Potru Ramanujulu could not dive into the well. The body was visible in the well, near the surface. There were some tamarind branches a little below the surface of the water. P.W. 4 did not tell me that accused pushed or dragged deceased towards the well, before throwing her in. He told me that accused came towards him running.

I did not say "running" in my report. When I went home to write the report, P.W. 4 did not accompany me. I embodied in it what he told me when I first saw him. When I came out of the house, I heard P.W. 4 cry that deceased had fallen into the well. When I came nearer to him he told me that accused had thrown deceased into the well. On the day of occurrence, an infant child died in accused's house. I heard of it on the evening of 29th. I cannot say how long it had been ill.

Re-examination.—The infant was accused's maternal aunt's daughter. It was a year old.

Court.—Accused did not make any complaint to me that she had been beaten or ill-used. I asked the vettian, how he got information from accused leading to the recovery of M.O. III. He said when he merely asked her about it she told him, where it was. He said she told him where the place was. He said she gave him the information in the night. I did not tell the vetti to find out from accused where the missing jewel was. I gave instructions that accused should be kept at the well, as there were persons there to guard her and the Sub-Inspector gave similar instructions after her arrival.

Heard, read, correct.

(Signed in Telugu) Prattipati Kamayya.

Taken down by me in open Court, and interpreted to the witness, and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True copy)

P.W. 8.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 8th witness for prosecution.

Name—Potru Ramanujulu. Father's name—Seshadri. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Vuppara. Calling—Cultivation. Religion—Hindu. Age—50 years

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 18—7—25.

At about 11 a.m. on the day of occurrence, I was at the house of carpenter Subbayya. I heard P.W. 4 crying out that Sitamabalakshamma had been thrown into the well. P.W. 7 was in that house then.

On hearing the cry, I ran out. After going 50 yards, I saw P.W. 4 holding accused in the tobacco garden, 4 yards from the ditch. P.W. 7 and I went to the spot. From there we went on to the well. Those present asked me to descend into it and I did so. The girl was rising and sinking. I got the girl out. She died shortly afterwards. After she was taken out, her mother and brother said that the mangalasutram, kante and neck-lace of francs were missing. Then P.W. 7 and I and others went to search for these jewels in the tobacco field. P.W. 7 found M.Os. 1 and 2 under a tobacco plant 4 or 5 yards from the ditch, a yard or two from where P.W. 4 had been holding accused. I was among those who kept watch over accused and the body. I stayed there all night. The Sub-Inspector and constable came in the night and the Sub-Inspector left the constable to watch and went away. Sometime after midnight P. Venkadu asked accused something. I heard him speaking to her. He told her they had recovered the mangalasutram and kante; and the neck-lace of francs was missing. He advised her to tell the truth otherwise her parents would also be arrested and get into trouble. I also told her to speak the truth without bringing others into trouble. Accused said that she had thrown(?) the neck-lace in the ditch near where she was caught hold of, and that we would find it there. It was dark then. After day-break we told the constable to keep watch over accused and what accused had told us during the night, and I and P. Venkadu went and found the neck-lace in the ditch. It is M.O. III. The neck-lace was broken and some franc pieces were scattered about. While we were collecting the pieces the Sub-Inspector P.W. 7 etc., arrived. P. Venkadu handed over the neck-lace to the Sub-Inspector. I was examined at the inquest.

Cross examination.—When I heard P.W. 4's cry, P.W. 7 and I were at the carpenter's house. When I saw P.W. 4 holding accused, 100 yards away, no one was with them. P.W. 7 and I went there together. Sudarsanam and Venkatasubbayya came running after us and over-took us. We all went on to where P.W. 4 and accused were. I did not see Adusumalli Venkatasubbayya that day. Anne Virayya came after us. I cannot say when. P.W. 7 was living with his family at Krishnavaram and not at Suravaram. The constable was lying 3 yards from me that night. Godavari Chinnavenkadu was also 2-3 yards from me. The constable did not ask accused what she had done with the jewel. I cannot say if he heard accused give us the information. Chinnavenkadu was then asleep. Anne Virayya was sleeping 5 or 6 yards distant. He could not have known that took place. After day-break the constable woke up, and we then told him what accused had said. He told us to go and look for the jewel. Accused did not give the information at once, but gave it when told that her parents could suffer otherwise. M.O. 3 was found at a spot 4

or 5 yards from where M.Os. 1 and 2 were found. I did not tell Anne Virayya what accused had told us. I said in the lower Court that accused gave the information when told that her parents would get into trouble (Deposition Exhibit II). After I had got the girl out of the well, I was told that her chembu was missing. No one said it had been thrown into the well. I was cultivating about 4 acres of Anne Krishnayya's field in the Nizam's Dominions. P.Ws. 5 and 7 asked me to keep watch over the body.

Re examined.—My land in the Nizam Dominions is 3 miles from my village. I cultivate the land of others also.

Further cross-examination.—Chintapatla Venkataramayya owns about 50 acres. He is a Mokhasadar of my village.

(Mark of) Potru Ramanujulu.

Taken down by me in open Court, and interpreted to the witness, and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True copy)

P.W. 9.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 9th witness for prosecution.

Name—Pulipaka Venkadu. Father's name—Pulligadu. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Indian Christian. Calling—Caste profession. Religion—Christianity. Age—30 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 18-7-25.

I returned home from the fields a little before sunset on the day of occurrence. P.W. 7 sent for me to the scene, and told me to keep watch over the body, and the accused for wages. I watched during the whole night. P.W. 8 also watched, also Anne Virayya and others. At mid-night the Sub-Inspector came and left a constable with us and went away. P.W. 8 and I were told to watch the accused. After the Sub-Inspector went away, I told accused that some jewels had been recovered and some not and that her parents would be arrested if she

did not tell me the truth so she should tell it. She told me that the neck-lace of francs was lying on some prickly pear in the ditch. P.W. 8 and the constable heard her say this. We did not go then to look for the jewel, but after day-break we left the constable with accused and P.W. 8 and I went to look for the jewel. We found some franc pieces in the prickly pear and some down below in the ditch. We collected the pieces. As we were doing so the Sub-Inspector and P.W. 7 and others came. I gave all the pieces to the Sub-Inspector. P.W. 2 M.O. III is the neck-lace. I was examined at the inquest

Cross-examination.—The constable did not question the accused. 10
G. Chinnavenkadu did not hear as he was asleep. Anne Virayya did not hear as he was also asleep. I was paid annas 4 for watching. I cannot say if P.W. 8 was paid anything. The ditch is about a yard wide and 50 yards or so long. The loose francs were scattered about in the ditch, in a space about a yard wide. P.W. 7 also set P.W. 8 to watch the body. Taliari Sheik Hussain was in the village on date of occurrence. It was not the Sub-Inspector who paid me the annas 4, but P.W. 7. I said in the lower Court, that accused was told that her parents would get into trouble if she did not tell the truth (not in Exhibit III). P.W. 7 makes me do work for him now and then. 20
He lives at Suravaram with his family and comes to Krishnavaram now and then. No one beat accused to make her give information. There was a lantern burning at the place where we were.

Re-examined.—Sheik Hussain was away from the village, so I was told to keep watch.

(Mark of) Pulipaka Venkadu.

Taken down by me in open Court and interpreted to the witness and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,

Sessions Judge.

30

(True copy)

P.W. 10.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 10th witness for prosecution

Name—Koneru Viraraghavayya. Father's name—Janardanadu.
Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Kamma.
Calling—Cultivation. Religion—Hindu. Age—25 years.

Solemnly affirmed in accordance with the provisions of Act X of
10 1873 on the day of 18—7--25.

I heard a disturbance when I was in my house from the direction of the well. I went there. I saw accused sitting on the path-way with her mother, father and some others with her. I went to the well. I saw the body being taken out. There was a little life in it. She died just afterwards. Deceased's mother then said that the mangala-sutram, kante and neck-lace of francs were missing. Then I, P.W. 7, P.W. 8 and others went to where accused was sitting. P.W. 7 asked accused where the jewels were, and she did not reply. We searched for them and found M.Os. 1 and 2. P.W. 7 found them under the tobacco plants, 2 yards from where accused was. We took possession of them and showed them to P.W. 3, who identified them as her daughter's. I know the houses where accused and deceased were living. I know deceased's brothers and accused's parents. They are neither friendly nor unfriendly.

Cross-examination.—My house is a furlong from the well. It is north of the carpenter's house and adjoins it. I found P.Ws. 3 and 7 already arrived when I went to the scene, i.e., where accused was. Many others came at the same time. Kanoharla Sudarsanam went there before me. I saw Surapaneni Venkatasubbayya at the well. I do not know if he, Anne Virayya, and Ratayya beat accused. I was present till the jewels were recovered. I did not see Adusumalli Venkatasubbayya in the crowd. I saw him at home. M.Os. 1 and 2 were recovered about 20 yards south-east of the well. They were both at the same place, under the same plant. There was a pandal in the field more than 70 yards from where M.Os. 1 and 2 were found. I did not see if Venkatramayya's farm-servants were at the pandal. He has 12 farm-servants. I cannot say if he was in the village on the date of occurrence. Accused's father Venkayya is a poor man, i.e. he is among the poorer Kammas. There are about 20 Kamma houses in the village. There are 7 to 8 houses of Anne people. There are some bigger ryots than these Anne people. I met some Saggaru people on the date of occurrence. I cannot name them

They were many. There are two houses between mine and P.W. 4's. I do not know anything about a quarrel between P.W. 4 and accused's father or about P.W. 4 pulling accused by the hand. I am paternal aunt's son of P.W. 4.

Re-examination.—Nil.

(Signed in Telugu) Koneru Viraraghavayya.

Taken down by me in open Court, and interpreted to the witness and acknowledged by him to be correct

(Signed) A. J. CURGENVEN,

Sessions Judge 10

(True copy)

P.W. 11.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925

Deposition of 11th witness for prosecution.

Name—Ghanta Venkataratnam. Father's name—Venkatasubbayya. Village—Saggaru. Taluk—Nuzvid. Caste—Kamma. All—ing—Cultivation. Religion—Hindu. Age—56 years. 20

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the 18th day of July 1925.

I am a native of Saggaru, which is $1\frac{1}{2}$ miles from Krishnavaram. I went to Krishnavaram village early in the morning after the occurrence I first went to my field at 5 or 5-30 a.m., and thence I went to the well, having heard of the occurrence. I saw there the body the accused, P.Ws. 6 8 and 9. I did not see anyone else. I did not speak to any of them. Then I went to the village to find out how it had happened. As I was going there, I met P.Ws. 2 and 7 and panchayatdars coming towards the well. P.Ws. 2 and 7 asked me to 30 accompany them to the well and I did so. On our way, P.W. 9, who had some franc pieces in one hand and some in another handed them all to P.W. 2. He said that he had found them on information given him by accused, the previous night. M.O. III is the neck-lace of francs. They were not strung together, then P.W. 2 took possession of them and we went on to the well. It was about 6 a.m. when we got there. I attended the inquest and signed the report.

Cross-examination—I did not meet P.Ws. 8 and 9 on my way from Saggaru to Krishnavaram. I do not remember if I said in the lower Court that I was going about 40 yards from the well when I met P.Ws. 8 and 9 at the ditch. If I said that, it is not true (Deposition—Exhibit IV). I was present when P.W. 9 took out the pieces of neck-lace from the ditch. This was after I joined P.Ws. 2, 7 and others. He took the pieces out of the ditch in the presence of all these persons.

Re-examination.—Nil.

(Signed in Telugu) Ghanta Venkataratnam.

10 Taken down by me in open Court and interpreted to the witness and acknowledged by him to be correct.

(Signed) A. J. GURGENVEN,

Sessions Judge.

(True copy)

P.W. 12.

IN THE COURT OF SESSIONS, KISTNA DIVISION
AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Deposition of 12th witness for prosecution.

Name—Mukku Sreeramulu. Father's name—Sobhanadri. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Kalali. Calling—Caste profession. Religion—Hindu. Age—About 14 years. 20

Solemnly affirmed in accordance with the provisions of Act X of 1873 on the day of 18-7-25.

I know deceased. On the day of occurrence, I took my meal at midday and was going to my thrashing floor. I saw accused sitting about 6 yards to the south of the well. She was taking a thorn out of her leg. Deceased had her hands on her knees and was stooping looking on. No one else was there. I passed by them on my way and I heard deceased say to accused, "Let us go, ; it is a long time since we came". I went on. At the thrashing floor, I was driving(?) my bullocks when I heard a disturbance from the direction of the well. I came there and saw P.W. 4 holding accused. Deceased was then being taken out of the well. My field is over a furlong from the well. I was examined at the inquest. 3

Cross-examination.—Ganapa Subbayya's cholam thrashing floor is near my field. Dhobi Chelamayya's threshing floor is also near my field. Neither of these persons was there. When I passed the two girls, I saw they had two chembus. Accused was wearing a bodice and sari. She was wearing the same sari as now. I said in the lower Court that deceased asked accused to go saying that it was late. (Deposition Exhibit V). I went to drive cattle from the threshing floor. I expected some might be there. I found some cattle there. I found some cattle in Chelamayya's threshing-floor also. I did not see any one but deceased and accused on my way to the field. Soon after I reached the field I heard the disturbance. I did not hear cries but a hubbub of voices. I went to the field alone. They were cutting the tobacco crop in Venkataramayya's field but I can't say if any of his farm-servants were there. I did not see anyone actually cutting it then. I saw accused standing in the tobacco garden when I came to the well. I did not clearly see if anyone was holding her. People were standing near her. Accused's father, Venkayya, did not file any suit against us. I don't know if he did. My father is alive.

Re-examination.— Nil.

(Mark of) Mukku Sreeramulu.

Taken down by me in open Court and interpreted to the witness and acknowledged by him to be correct.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True copy)

Statement of sole accused.

IN THE COURT OF THE SESSIONS JUDGE, KISTNA
DIVISION AT MASULIPATAM.

Sessions Case No. 17 of 1925.

Statement of sole accused.

Name--Madamanchi Ramamma. Husband's name--Madamanchi Nagayya. Village--Krishnavaram. Taluk--Nuzvid Division. Caste--Kamma. Calling--Cultivation. Religion--Hindu Age--14 years.

Q.—You have heard the statement, You gave in the lower Court, Exhibit E read out. was it made by you?

A.—It was made by me in the lower Court.

Q.—Is it correct?

A.—It is correct, but some things I said were not recorded.

Q.—Have you anything more to add here.

A.—Early in the morning of the day of occurrence an infant child died in our house, I went to ease myself in the direction of the tobacco garden. When I was returning from the easing ground, Anne Rattayya (P.W. 4) came and caught hold of me saying I had thrown Sita Mahalakshamma into the well. He cried out and Adusumilli Venkata Subbayya, Koneru Viraraghavayya and Surapaneni Venkata Subbayya came and beat me and asked me to tell them how the girl fell into the well. Though beaten I did not give them any reply except that I did not know anything. I told them that I did not see her fall into the well. Though I could not tell them, they beat me and tied my hands together (with a rope) behind my back (meaning pinioned me). They put a small piece of potshreds in each ear and screwed them in, so as to make the ears bleed. Even then I said I did not know anything about it, after I was so tied up, they all beat me. Those who first beat me were Anne Rattayya, Surapaneni Venkata Subbayya, Adusumilli Venkata Subbayya and Karicherla Sudarsanam afterwards many others beat me and I became unconscious. I regained my consciousness three hours later. I don't know who untied the ropes. We are poor people and my father is a witness man. We have no property, all the villagers have joined and brought this case against me, out of enmity. This case is the outcome of enmity between me and Rattayya (P.W. 4).

(Mark of) Madamanchi Ramamma.

I hereby certify, etc.

(Signed) A. J. CURGENVEN,
Sessions Judge.

(True translation)

B. Bhaskara Rao,
Translator.

Exhibit A.

Post-mortem certificate.

No. 3, dated 31--3--25.

Regarding the body of a female child, named Sunkara Seetha-mahalakshamma, aged 11 years, received on 30--3--25 at 6-30 p.m., from the S.H.O., of Viravalli, with his letter No. nil, dated 30--3--25 and in charge of Police Constable No. 484, Gangayya.

Identification and marks :—Cannot be made out.
The body when first seen by the undersigned was decomposed.
Post-mortem commenced at 7-30 a.m. on 31-3-1925.

Appearances found :—Body stout, well nourished; features congested, swollen, bloated—Eyes open, protruded. Lids swollen, pupils dilated; frothy fluid from nose and mouth; tongue swollen, protruded between teeth, white in palms and lobes. Eye-balls flaccid, rigor-mortis passed off. Blebs on back of legs, neck and chest; peeling of cuticle. Hair loose, cloured, sagittal and lambroid-sutures of skull are slightly loose, no ecchymosis. Right 5th rib. and left 3rd, 4th and 5th ribs are separate from their costal cartilages at their junction. There is light ecchymosis in the soft tissues 3 gunces of serous bloody fluid in each of the pleural cavities Heart weighs 2½ ounces. Right side contains, dark red blood, left empty. Heart substance is soft. General character of blood is dark red and fluid. Lungs :—right 4½ ounces, left 4 ounces, soft sadders(?) Joedematous swollen, dark, but engorged with frothy serum of blood. Section exudes much frothy serum, congested, no injuries. Trachea :—Normal appearance. Stomach contains 8 ounces of undigested rice mixed with a little water and gas. No wound, no rupture Liver :—Weight 14 ounces, no injury, smooth, dull brown, congested, soft diffuents slightly. Section hyparomic; Gall-bladder empty. Spleen, weight 1½ ounces, no injury, red, congested, soft, out surface moist, Kidneys right 1¼ ounces, left 1¼ ounces yellowish-red, soft, congested, no injury. Intestines contain gas and a little foecal matter. Bladder empty. No violence to vagina or uterus. The soft parts of head present no injury. No fracture of skull bones. Brain weight 20 ounces, soft, completely diffuent, no injury, no blood, no clot no basal fracture

Opinion as to cause of death :—Might have died of asphyxia due to drowning.

(Signed) P. Narasimmarao Naidu,
31-3-25. Medical Officer.

Station—Gannavaram,
Date—31-3-1925.

Exhibit B.

(Initialed) _____
30-3-25.

Received on.

Date.

Hour.

Received on,

29-3-25.

at 6-30 p.m.

Initials of the Police officer receiving this report.—

M. N. Marti,

S. H. O. 954.

10 R.C. No 1 of 1925.
Exhibit A

(Initialed) _____
24-4-25.

Report from the Village Magistrate of the village of Krishnavaram.

To

The Officer in charge of the Police station,

Viravalli.

Reports as follows :—

20 When Anne Rattayya came and informed me, that, to-day at about 12 noon, Ramamma, daughter of Adusumilli Venkayya, threw the (padaveti) girl Sita Mahalakshamma, aged 10 years, younger sister of Anne Krishnayya, a resident of the village of Krishnavaram, into a mota well (i.e., a well with a water wheel) and that she (=Sita Mahalakshamma) fell into it and that she (=Ramamma) came towards him, I proceeded to the well and found the said girl laid on a cot near the well, as she was found lifeless, when she (lit. The said girl) was taken out of the well. There were gold jewels on the person of that girl and among them.

30 1 Kante (worth) about 10 sovereigns,

1 Necklace containing 16 molten francs,

3 Rupus and nanukollu.

1 Nannu (worth) 10 sovereigns with a pusti and

1 Rosary of black beads with a clasp piece and a half sovereign strung together by means of a gold string were on the neck of the said girl; and

1 Nagaram.

3 Satalakuppelu.

2 Ear-rings set with red stones.

2 Nose-screws set with red stones.
Gold bangles and *Fazulu* for the hands.

Silver anklets, *golusulu* and silver toe-rings for both legs and a small *mangalasutram* only were on her person. The said gold *kante*, *nanu-peta* and necklace of francs were not found on the person of the girl. Thereupon, when Ramamma was being questioned, the *kante* and *nanu-petalu* were found behind a plant in the tobacco garden, situate at a distance of 3 yards from where Ramamma was sitting. The necklace of francs was not found. Ramamma's mother took the *chembu*, which was with Ramamma and went home.

10

Signature of the village magistrate, or other village officer sending this report.—Prattipati Kamayya, Triune Officer.

Date and hour of despatch and through whom sent.—29—3—25, 2 p.m., Sheik Hussain Saheb.

(True translation).

B. Bhaskara Rao,
Translator.

Exhibit B-1.

Received at 10 a.m., this day through Godavarti Venkadu at Nuzvid.

20

(Initialed) M. V. (?) R.

30—3—25.

To

The Sub-Magistrate of Nuzvid.

Report as follows :—

Same as in the report addressed to the Police—Exhibit B

R.C. No. 1 of 1925

Exhibit A-1.

(Initialed) M. V. R.,

6—5—25.

30

Signature of the village magistrate, etc.,—Prattipati Kamayya, Triune Officer.

Date and hour of despatch and through whom sent.—On 29—3—25, at 2 p.m.

(True translation.)

B. Bhaskara Rao,
Translator.

Exhibit C.

Translation of Inquest Report in S.C. No. 17 of 1925.

MADRAS POLICE.

Viravalli Crime No. 24 of 1925.

Preliminary Case No. 1 of 1925.

Exhibit B.

(Initialed) (illegible).

24—4—25.

H Circle.

Kistna District.

Viravalli Station.

Inquest Report.

40

On the body of a person found dead at Krishnavaram on the 30th of March 1925.

Q.—1. Names, caste, calling and residence of persons composing the panchayat ?

A.—i. Prattipati Kamayya Garu, Brahmin, village munsif, Krishnavaram.

ii. Ghanta Venkataratnam Saggurru, Kamma, cultivation.

iii. Viramachaneni Sita Ramabrahmam Garu, Kamma, cultivation, Ponukumadu.

iv. Kancherla Sudarsanam, Kamma, cultivation, Krishnavaram.

v. Vellaturu Venkatasubbayya, Viswa Brahmin, carpentry, Krishnavaram.

Q.—2. Deceased's name, sex, age, caste, calling ; father's name and residence ?

A.—Sunkara Sita Mahalakshmi, female, 10 years of age, Kamma, cultivation, father Anne Subbayya, Krishnavaram, father dead.

Q.—3. By whom first found dead and when and where ?

A.—Found dead by Anne Venkataratnam alias Rattayya, immediately on removal from out of the well, of the tobacco garden of Chintapatla Venkataramayya Garu, on 29—3—1925 at 12 noon.

Q.—4. By whom last seen alive, where and when, and in whose company ?

A.—The deceased Sita Mahalakshmi was seen by Mukku Srimalu in the company of Ramamma, daughter of Adusumilli Venkayya, by the side of the well of the above tobacco garden of Chintapatla Venkataramayya Garu, at about 11 o'clock on 29—3—25. (She) was seen alive.

Q.—5. Height, color and descriptive marks?

A.—Height 4 feet, a (little) fair (in brown complexion), a small mole at the outer end of the left eye.

Q.—6. Married or single; if female, was she the only wife?

A.—Married; female and only wife.

Q.—7. State of corpse; if any wounds, particulars thereof and list of all property found on the corpse?

A.—Body stiffened—white frothy matter coming out of the mouth and nostrils—eyes closed—lips and mouth a little open—arms bent—arms and legs stiffened—belly a little bloated—a red *chili parikina* found tied. A black mull jacket worn. The said jacket is found forcibly torn—a gold *nagaram* with *gajalu* is worn on the head. There are two ear-rings set with 7 red stones on both ears. There are nose-screws set with red stones on the 2 nostrils. There are gold bangles in laid with copper bars on both hands. There are hollow gold *gajulu* with facets on both hands. There is *thoranum* string on the right arm. There are 3 gold *jadakuppelu*. There are silver anklets and silver *golusulu* on both legs. There are 2 silver toe rings—twists—on the toes of two legs. There is gold *mangalasutram* with turmeric coloured string round the neck. There is a *kuttigantu* of black beads strung together by means of a gold wire with also a half sovereign set with a red stone, and a clasp piece. There are 10 silk (glass) bangles on the left arm and 3 on the right.

Q.—8. Minute description of exact spot where corpse was found, if water, depth thereof?

A.—(Found) in water about 10 feet deep—of the well, of the tobacco garden of Chintapatla Venkatramayya Garu, in the village of Krishnavaram.

If in a well—

Q.—(a) Is the well public or private, etc.?

A.—Well of Chintapatla Venkatramayya Garu.

Q.—(b) Is it near a public road or pathway?

A.—Near the pathway leading to Saggurru.

Q.—(c) Has it a parapet wall and float?

A.—There is neither a parapet wall nor a float to the said well. There are 2 picotahs on the northern side.

Q.—9. By what relatives body is recognized, and their statements shortly given;—blood relatives always to be examined, if there are any?

A.—The corpse is recognized by the mother Anne Sasirekhamma, as that of the deceased Sita Mahalakshmi

Q.—10. Abstract of evidence of other persons examined?

1. On examining Anne Venkataratnam alias Rattayya:—
The deceased Sita Mahalakshmi was my junior paternal uncle's daughter. She was married 23 days ago. Yesterday at about 12 noon, I had my food and was easing myself near a fallen tamarind tree. In the proximity of the well mentioned above, the accused Ramamma seized the deceased Sita Mahalakshmi by the arm and was pulling her from near the thicket fencing, towards the well. I thought she was taking her to show the well and that she was getting afraid; and raising the cry "Stop! Stop! I went up 20 yards, when the accused threw Sita Mahalakshmi into the well. The well was about 125 yards from the place wherefrom I saw. As the intervening space was quite open, I noticed it clearly. When I was within about 40 yards of the well, raising wild cries, the accused cut a cross the tobacco garden and met me (lit. came towards me). I seized the accused Ramamma by the hair. Ramamma had a *chembu* in her hand. I asked her why she had thrown the girl into the well. She was silent for sometime. Then, in (my) anxiety, I raised wild cries, many people had collected. Kancherla Sudarsanam, Surapaneni Venkatasubbayya, Potru Ramanujulu and many more people arrived. I told them the above facts. Potru Ramanujulu descended into the well and caught Sita Mahalakshmi, by throwing his arms round (her), and sat on the *mola* pot (lit. *bana*) and took her out. When she was taken out, she was at the last gasp. As soon as she was laid down, she expired. She did not speak. The gold *mangalasutram*, *nanupeta*, *kante* and *kasulu* (meaning francs), (which) used to be on her person, were missing. When Ramamma was questioned about the missing jewels, she did not speak. Meanwhile, the *mangalasutram*, *nanupeta* and the gold twisted, hollow *kante* were recovered by the village munsif from behind a tobacco plant, situate within about 40 yards of the place, where the village munsif, Anne Nagabhushanam, Koneru Viraraghavayya and others had seized the said Ramamma. The francs (or *kasulu*) were not found then. I handed over the accused to the munsif and told him the above facts. Ramamma removed the jewels from the girl's neck and forcibly threw her into the well.

2. The facts stated by Anne Sasirekhamma on examination:—
The deceased Sita Mahalakshmi was my daughter. Yesterday, at 11 a.m. after (we) had our food, (she) went with a *chembu* to the easing ground along with the accused Ramamma, when the latter came and took her. She had then on her person a *nagaram*, *jada kuppelu*, a pair of ear-rings set with red stones, *mangalasutram*, *nanupeta*, nose-screws

set with red stones; and on the legs, silver anklets, *golusulu* and *mattealu* (=toe rings); a gold *kante*, *kasulu* (or francs), bangles, gold *garulu*, etc., noted in the report. Within an hour after my daughter and the accused Ramamma left for the easing ground, (I) heard a disturbance and cries near the well. Thereupon I went. The first witness stated the above facts. Potru Ramanujulu took out the girl from the well. *Kante*, *nanupeta* and francs were missing from the person. When the munsif searched, *kante* and *nanupeta* were recovered. They were recovered from the tobacco garden adjacent to the place where Ramamma was seized. I saw the said jewels. The said *kante* and *nanupeta* belonged to my daughter only. Ramamma took my daughter to near the well after the tobacco garden and removed the *kante*, *kasulu* (=francs) and *nanupeta* and threw her into the well and violently murdered her.

3. The facts stated by Mukku Sriramulu on examination:— Yesterday, at about 2 jhams after sunrise, I was going to (my) field along the pathway, by the side of the abovementioned well. Ramamma, daughter of Adusumalli Venkayya, was sitting by the side of the thicket fencing, near the well there and was extracting a thorn. Sita Mahalakshmi was in a bending posture near Ramamma, with her hand on her knee. Sita Mahalakshmi said to Ramamma "Come, we shall go?" Ramamma replied "We shall go." Then I went away. After I went into my thrashing floor, I heard a disturbance, cries and wailing from near the well. Thereupon I came. Potru Ramanujulu was taking Sita Mahalakshmi out of the well. The first witness Anne Rattayya Garu was saying that he had caught Ramamma, when she was cutting across the tobacco garden after throwing Sita Mahalakshmi into the well. As soon as the girl was taken out, it was being said that the jewels were missing.

4. The facts stated by Potru Ramanujulu on examination:— Yesterday, at 2 jhams after sunrise, I heard a disturbance and cries near the well of the abovementioned tobacco garden. Kancherla Sudarsanam, Surapaneni Venkatasubbayya and I and many more persons went. Anne Rattayya was holding the accused Ramamma. Anne Rattayya said that he had seized Ramamma when she was cutting across the tobacco garden after throwing Sita Mahalakshmi into the well. In the meanwhile, the village munsif also arrived. When asked to take the girl out of the well, I descended and caught the girl by throwing my arms round (her) and leaning against the *mota* pot took out the girl. She was at the last gasp. When she was laid down, she expired. I searched for the *chembu* in the water of the well. It was not found. I could not search (for it), as there was lot of water. As soon as the girl was taken out, witnesses Nos. 1 and 2 said that the

mangalasutram, *nanupeta*, *kante* and *kasulu* were missing from the girl's neck. The village munsif, Anne Nagabhushanam, Koneru Viraraghavayya and I searched. The village munsif recovered the gold *nanupeta*, *mangalasutram* and *kante* in the tobacco garden, adjacent to the place where Rattayya had seized Ramamma.

5. On examining Kancherla Sudarsanam, he stated just the facts mentioned by the 4th witness.

6. On examining Surapaneni Venkatasubbayya, he stated just the facts mentioned by the 4th witness.

7. On examining Prattipati Kamayya, he stated just the facts mentioned by the 4th witness and added that, when it was searched at the place, where Rattayya had seized Ramamma, a gold twisted, hollow *kante*, *nanupeta* and *mangalasutram* were found in the tobacco garden and that Koneru Viraraghavayya and Anne Nagabhushanam were present then.

8. On examining Koneru Viraraghavayya, he stated that, when the village munsif recovered (or found) the gold *kante* and *nanupeta* in the tobacco garden, Anne Nagabhushanam and himself were present.

9. On examining Anne Nagabhushanam, he stated just the facts mentioned by the 8th witness.

10. On examining Pulipaka Venkadu, he stated (as follows):— Last night Potru Ramanujulu and I kept watch at the accused. We persuaded and questioned Ramamma about the missing francs (or *kasulu*). She told me, at midnight, in the presence of Ramanujulu, that she had thrown (them) into the ditch, by the side of the place, where Rattayya had seized her. At daybreak, we searched in the said ditch. On making a search, 16 molten *kasulu*, 20 *nanukollu*, 2 rupees, a *billa* set with a blue stone and a gold talisman—whose silk string was snapped—were recovered. Ramanujulu and I handed over this morning the said jewels to the Sub-Inspector of Police, Viravalli when Ramanujulu was questioned again with reference to this, he said that the facts mentioned by the 10th witness were true.

On examining the accused Ramamma, she stated that she did not know about this offence. That it was true that Sita Mahalakshmi and herself came to the well side to ease themselves and so saying added that she did not commit this offence. She did not give any proper (or satisfactory) explanation about this death. She said that when they both were near the well Mukku Sriramulu went along that way.

1. (Signed) Prattipati Kamayya.
2. („) Ghanta Venkataratnam.
3. („) Viramachaneni Sita Ramabrahmam.

4 Signed) Kancherla Sudarsanam.

5. („) Vellaturi Venkatasubbayya.

(Signed) M. Narayanamurti,

S. H. O. No. 964.

30—3—25.

Q.—11. Apparent cause of death ?

A.—For having been thrown into the well.

Q.—12. If by violence, apparently by what weapon ?

A.—No.

Q.—13. (a) If any persons are suspected, who and why ? 10

A.—From the evidence of the first (witness) it is certain that Ramamma, daughter of Adusumilli Venkayya, has committed this offence.

Q.—(b) Was the deceased insured in any company ?

A.—No.

Q.—14. If corpse is not sent for medical examination, why ?

A.—Sent.

Q.—15. If corpse is sent, for what purpose and by whose order and No. of constable who went with it ?

A.—Under the orders of the S. H. O. Viravalli, the corpse is sent 20 through Constable No. 484 to the hospital at Gannavaram, along with the articles and cloths noted in col 7, for medical examination, so that the cause of death might become evident.

Q.—16. By whose orders corpse was buried or burnt ?

A.—No.

Q.—17. Opinion of the panchayatdars as to cause and manner of death

A.—From the evidence of the 1st witness, we are of opinion that the deceased Sita Mahalakshamma died of drowning in water, on account of the accused Ramamma forcibly (or violently) throwing her 30 into the well, after removing the jewels

18. Signatures of such of the panchayatdars as concur in the above opinion —

1. (Signed) Prattipati Kamayya.

2. („) Ghanta Venkataratnam.

3. („) Viramachaneni Sita Ramabrahman

4. („) Kancherla Sudarsanam.

5. („) Vellaturi Venkatasubbayya.

19. Station-House Officer's signature. —

(Signed) M. Narayanamurti.

S. H. O. No 964.

3 —3—25

Q.—20. (a) If name and residence of deceased be unknown, state what steps have been taken to ascertain the same and secure identification. To what stations have proclamations been sent ?

A.—Known.

Q.—(b) Have finger prints of deceased been taken and sent to 10 Finger Print Bureau, Madras ?

A.—No.

Q.—21. Was body warm or cold when first found ?

A.—It was cold.

Q.—22. If appearance shows that body has been dragged, was it by an up or down train ?

A.—No.

Q.—23. Were suspected engines and carriages examined ; if so, by whom and with what result ?

A.—No.

20 Q.—24. Circumstances under which deceased met with the accident ?

A.—No.

Q.—25. Reasons for supposing that body was run over by any particular train.

A.—No.

Q.—26. Statements of driver and fireman of suspected train.

A.—No.

Q.—27. Any reason to suspect foul play ?

A.—Reason is plain.

30 Q.—28. Duration of investigation :—

A.—8 hours.

Investigation commenced at—

Dated 30—3—1925, 6 a.m.

Investigation closed at.—

Dated 30—3—1925, 2 p.m.

(True translation)

Exhibit E.

Statement of sole accused.

IN THE COURT OF THE SUB-MAGISTRATE, NIZVID.

*Preliminary Register Case No. 1 of 1925.**Statement of sole accused*

Name—Madamanchi Ramamma. Husband's name—Madamanchi Nagayya. Village—Krishnavaram. Taluk—Nuzvid division. Caste—Kamma. Calling—Cultivation. Religion—Hindu. Age—14 years (appears 16 years)

Date 7—4—1925.

10

Q.—You have heard the evidence adduced on behalf of the prosecution that you on 29—3—25 committed theft of gold jewels, to wit, a kante, a nanu and a necklace of 16 francs,—from the neck of the girl (named) Sunkara Sita Mahalakshmi, aged 10 years, taking her to the easing ground at noon and that you have thrown the said Sita Mahalakshmi into a *mota* well (i.e., a well with a water-wheel) situate to a side in the tobacco garden of Chintapatla Venkataramayya and murdered her there. What do you say?

A.—I did not commit theft of the jewels on the neck of Sita Mahalakshmi. I did not throw her into the well. I did not tell Potru Ramanujulu (P.W. 5) and Pulipaka Venkadu (P.W. 6) that I had thrown the necklace of francs into the ditch. I did not accompany Sita Mahalakshmi to the easing ground. I do not know how Sita Mahalakshmi had fallen into the well or who had thrown her into it. This case has been concocted against me on account of the enmity existing between Anne Venkataratnam (P.W. 4) and me.

Heard read and found correct.

(Mark of) Madamanchi Ramamma
(Thumb impression).

Taken down by me, etc.

(Signed) M. V. RAMARAO,

8—5—25

Second Class Magistrate

Q.—You have heard the charge framed against you under Sections 379 and 302, I.P.C. That you, on 29—3—25, in the village of Krishnavaram, committed theft of 3 gold jewels, namely, a nanu, a kante and a necklace of 16 gold francs with 20 *nanukoilu* from the person of Sunkara Sita Mahalakshmi and murdered (the said) Sunkara Sita Mahalakshmi by throwing her into a well, lest the theft should become known. Have you understood (it)?

A—I have understood (it).

Q.—Have you witnesses?

A.—I have no witness. The whole village is one (meaning leagued).

Heard read and found correct.

(Mark of) Madamanchi Ramamma
(Thumb impression).

Taken down by me, etc.

(Signed) M. V. RAMARAO,
Second Class Magistrate.

8—5—25.

(True translation)

B. Bhaskara Rau,
Translator.

Exhibit I.

P.W. 8.

IN THE COURT OF THE SECOND CLASS MAGISTRATE,
NUZVID.

*Preliminary Register Case No. 1 of 1925.**Deposition of 8th witness for prosecution.*

20 Name—Prattipati Kamayya. Father's name—Prattipati Venkatakrishnayya. Village—Krishnavaram. Taluk—Nuzvid. Caste—Brahmin. Calling—Triune officer. Religion—Hindu. Age—44 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873.

On that day, at about 12 noon, when I was at the house of carpenter Subbayya, P.W. 4 came and told me that, on the accused throwing into the well the girl named Sita Mahalakshamma, younger sister of Anne Krishnayya, (she) fell into it.

Heard read and found correct.

(Signed) Prattipati Kamayya.

Taken down by me, etc.

(Signed) M. V. RAMARAO,
Second Class Magistrate.

6—5—25.

(True translation)

B. Bhaskara Rau,
Translator.

Exhibit II.

P.W. 5.

IN THE COURT OF THE SECOND CLASS MAGISTRATE,
NUZVID.

Preliminary Register Case No. 1 of 1925.

Deposition of 5th witness for prosecution.

Name—Potru Ramanujulu. Father's name—Potru Seshadri.
Village—Krishnavaram. Taluk—Nuzvid. Caste—Uppari. Calling—
Cultivation. Religion—Hindu. Age—50 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873. 10

I reside in Krishnavaram. I know P.W. 4. I knew the deceased Sita Mahalakshamma. About a month ago, (one day) when the sun was so high, i.e., before the sun got over head (about 11 a.m.) when I was at the house of carpenter Subbayya I heard Rattayya's (P.W. 4's) cries that the accused had thrown Sita Mahalakshamma into a well and ran up. I proceeded in the direction I heard the cries. Kancherla Sudarsanam, a Kamma teacher and the Triune officer came along with me. At about 40 yards from the well, P.W. 4, was holding the accused. P.W. 4 said that he had caught the accused, while she was running away, after throwing Sita Mahalakshamma into the well. When the persons who came after said "the girl is alive; descend into the well?" I descended into it and got the girl out. I descended into the well by the rope arranged for the well. The water in the well was of a man and a half in depth (about 7½ feet). Before descending into the well, I could see the girl from outside. She was struggling, I descended into the well and seized the hair of the girl and pulled her up to the water-level and sat there on the *mota*, i.e., picottah with the girl. I came out when the persons outside pulled the *mota* with the rope. When the girl was laid outside, she was at her last gasp. Afterwards, in a minute she died. Pulipaka Venkadu and I watched the accused and the corpse near the well, till the next morning. A constable came at midnight. He is the constable who has given evidence in Court to-day—P.W. 3. P.W. 3 also kept watch with us at the well from midnight. Until night, the deceased Sita Mahalakshamma's necklace of franes was not recovered. During the night Pulipaka Venkadu was questioning the accused as to what became of the necklace of franes and where she had kept it. I also questioned her. The accused said that she had thrown it into the ditch adjacent to the place, where P.W. 4 had seized her. The ditch was within 4 or 5 yards of the place of seizure. There was no water 20 30 40

in the ditch. In the morning when after entrusting the accused to the constable, Pulipaka Venkadu and I went to the ditch and looked (or searched), the necklace of franes was found. It is the one now shown—M.O. 3. In the meanwhile, when P.W. 1 and the Triune officer were coming, we delivered the necklace of franes to P.W. 1. After I got Sita Mahalakshamma out (of the well) and we searched in the tobacco garden, M.Os. 1 and 2 were found at a distance of 4 yards from the place, when P.W. 4 had seized the accused. This place of recovery is about 6 yards from where M.O. 3 was recovered. There were a bush, prickly-pear (or thorns) etc., in the ditch. By the time we went to the ditch, M.O. 3 was hanging on the bush in the ditch. Some (franes) were hanging by the string. Some had fallen down to the bottom of the ditch, the string having snapped. The police examined me at the time of the inquest. 10

Cross-examination—We happened to search for the necklace of franes in the ditch, as the accused gave information about it (M.O. 3).

By Court.—M.Os. 1 and 2 were recovered in the tobacco garden, after (the crowd of) 50 or 60 persons had gathered. All these people proceeded to the place of recovery and saw. Sita Mahalakshamma's mother arrived after she (Sita Mahalakshamma) was taken out of the well. She said that M.Os. 1, 2 and 3 were missing from the person of Sita Mahalakshammal. That was the occasion for the search. When, after M.Os. 1 and 2 were recovered, the accused was questioned as to where M.O. 3 was, she (accused) did not reply. The accused did not tell any one that she had thrown M.Os. 1 and 2 into the tobacco garden. 20

Cross-examination.—Nil

Heard read and found correct.

(Mark of) Potru Ramanujulu

(Thumb impression). 30

Taken down by me, etc.

(Signed) M. V. RAMARAO,

24—4—25.

2nd Class Magistrate.

(True translation)

B. Bhaskara Rau,

Translator.

Exhibit III.

P.W. 6.

IN THE COURT OF THE SECOND CLASS MAGISTRATE,
NUZVID.*Preliminary Register Case No. 1 of 1925.**Deposition of 6th witness for prosecution.*

Name—Pulipaka Venkadu alias Michael. Father's name—Pulipaka Pulligadu. Village—Krishnavaram. Taluk—Nuzvid Division. Caste—Madiga. Calling—Caste calling. Religion—Indian Christian. Age—30 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873.

I am a Madiga. I live by caste calling. I am not a village vettian. I was in Krishnavaram on the day on which Sita Mahalakshamma died. On that day, when it was a jham to sunset, I went to keep watch at the corpse, when the (village) munsif sent word (to me). By the time I went, the corpse was kept 4 yards off the well Godavarti China Venkadu came with me to keep watch. By the time I went to the well P.W. 5 was not at the well. He came at night to keep watch. Anne Virayya was keeping watch at the corpse along with us during the night. Anne Virayya was the junior paternal uncle of the deceased, Sita Mahalakshamma. P.W. 5, Godavarti China Venkadu and I watched the accused all through the night. Till then, they thought that the necklace of francs was not found. I asked the accused during the night to tell (me) where the necklace of francs was. When the accused told me that she had thrown the necklace of francs into the ditch, at (about 50 yards) from the well—the distance now shown, P.W. 5, Ramanujayya heard it (I did not go to the ditch at once. In the morning, when P.W. 5 and I went to the ditch and saw, a portion of the necklace of francs was lying on a thorny bush in the ditch, a portion lower down and a portion had fallen off. That necklace of francs is the one now shown—M.O. 3. We brought this necklace of francs to the corpse. After bringing the necklace of francs to the corpse, we handed it—M.O. 3—over to P.W. 1, when he came there (meaning to the corpse). The munsif was present then. Many more people were present. Keeping a constable to watch the accused, P.W. 5 and I went to search for the necklace of francs and took it to the corpse, on recovering it from the ditch. The police examined me at the time of the inquest.

By Court.—It was only after the day had well dawned, that we went to the ditch and looked for the necklace of francs. The accused

had not told the constable about the throwing of the necklace of francs. We told the constable that the accused had said that he had thrown the necklace of francs into the ditch. We did not tell others about this till (it) was recovered. It was known even in the morning that the village munsif and the Sub-Inspector would come to the corpse. P.W. 5 and I went to the ditch first, being anxious that the necklace of francs might be recovered.

Cross-examination.—The accused's father and I had not quarrelled in connection with the making of shoes. I did not get a pair of shoes made for the accused's father at any time.

Heard read and found correct.

(Mark of) Pulipaka Venkadu
(Thumb impression).

Taken down by me, etc.

(Signed) M.V. RAMARAO,
2nd Class Magistrate

(True translation)

B. Bhaskara Rau,
Translator.

Exhibit IV.

P.W. 10.

IN THE COURT OF THE SECOND CLASS MAGISTRATE,
NUZVID.*Preliminary Register Case No. 1 of 1925.**Deposition of 10th witness for prosecution.*

Name—Ghanta Venkataratnam. Father's name—Ghanta Venkata Subbayya. Village—Saggurru. Taluk—Nuzvid. Caste—Kamma. Calling—Cultivation. Religion—Hindu. Age—36 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873.

I reside in Saggurru. Krishnavaram is at a distance of about mile from Saggurru. I was present at the time of the inquest held in Krishnavaram on the 30th of March. The inquest report was written in my presence only. I signed therein. It is the one now shown (me)—Exhibit B. On the morning of the day of the inquest, I went to Krishnavaram from Saggurru. I was going along the way, at a distance of about 40 yards from the well. Then Potru Ramanujulu

(P.W. 5) and Pulipaka Venkadu (P.W. 6) were at the ditch (lit. *Kandakam*). Pulipaka Venkadu (P.W. 6) took out a necklace of francs from the ditch and was holding it in his hand. The way lay at a distance of 2 feet from the ditch. Then Anne Virayya was watching the accused at the well. The police also were present there. It was just then that P.W. 1, P.W. 8 and others came to the ditch, from the village of Krishnavaram, within a minute (after) I reached the ditch, P.Ws. 1 and 8 and others came. P.W. 6 entrusted to P.W. 1 the necklace of francs, he had taken out from the ditch. It is the one now shown (me)—M.O. 3. Some of the (francs) of the necklace were loose. Some were strung up. On questioning P.Ws. 5 and 6 why they had looked into the ditch, they said that when they had persuaded and asked the accused during the night, she told them that she had thrown the necklace of francs into the ditch, near to where she was sitting and that thereupon they had searched (for it) in the morning only. By the time I went to the ditch, it was getting day-break. It was just dawning.

Cross-examination. Nil.

Heard read and found correct.

(Signed) Ghanta Venkataratnam

Taken down by me, etc.

(Signed) M. V. RAMARAO,

6—5—25.

2nd Class Magistrate.

(True translation)

B. Bhaskara Rau,
Translator

Exhibit V.

P.W. 7.

IN THE COURT OF THE SECOND CLASS MAGISTRATE,
NUZVID.

Preliminary Register Case No. 1 of 1925.

Deposition of 7th witness for prosecution.

Name—Mukku Sriramulu. Father's name—Mukku Sobhanadri. Village—Krishnavaram. Taluk—Nuzvid. Caste—Kalali (toddy-drawer). Calling—Caste calling. Religion—Hindu. Age—About 14 years.

Solemnly affirmed in accordance with the provisions of Act X of 1873.

I reside in Krishnavaram. I am a *Kalali* by caste. I know the accused and knew Sita Mahalakshamma, about a month ago Sita Mahalakshamma fell into a *mota* well (i.e., a well with a water wheel) and died. On that day I was in Krishnavaram. When the sun was getting overhead (nearly at 12 noon), I was going to the field, after taking food at home. When I was going along the way to Saggurru, (which is) at a distance of 10 yards from the *mota* well, the accused was sitting 8 yards from the *mota* well and was extracting a thorn from her foot. With her was Sita Mahalakshamma, who was looking at the accused extracting the thorn, (herself) bending. I went on my own way. Sometime afterwards, I heard a disturbance and cries at the well. I came to the well. Then Potru Ramanujulu, P.W. 5, was taking the corpse of Sita Mahalakshamma from out of the *mota* well. The karnam had made the accused stand (at some distance) from the well. The police examined me at the inquest the next day.

Cross-examination.—Nil.

Heard read and found correct.

(Mark of) Mukku Sriramulu

(Thumb impression)

Taken down by me, etc.

(Signed) M. V. RAMA RAO,

24—4—25.

2nd Class Magistrate.

(True translation)

B. Bhaskara Rau,
Translator.

Appeal Petition.

30 IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Appeal petition submitted by No. 1577 Madamanchi Ramamma. My Lord,

I was not at all a party to this offence. This case was foisted on me unjustly and by false evidence. Those who gave false evidence against me are my enemies. The reason is this. This Anne Venkatarathnam is a person who, whenever I was going alone used to ask me now and then to have sexual intercourse with him and used to drag me by the hand and compel me. Without consenting to it I reported to my parents that he was asking me like that. My parents called

him and checked him saying that it was not proper for him to do so and asked him not to speak to me any longer. Since then he has been on inimical terms with me and the people of my house. My Lord I am a girl of 14 and owing to my youth they foisted this case on me unjustly. On that day my elder sister's son Appayya died of delirium as the result of 10 days fever. Having wept bitterly on account of that sorrow I went to ease myself and while yet weeping I came at a little distance from that well when Anne Venkatarathnam came behind, caught hold of me, raised a hue and cry and called out the people of the village. Having become terrified lest he should again compel me I also raised a hue and cry. Meanwhile his relations (1) Koneru Veeragharahiah, (2) Kancherla Sudarsanam, (3) Padisimilli Venkatasubbiah, (4) Surapaneni Venkatasubbiah and (5) Anne Venkatarathnam these people beat me. Several people of the village also came. All these persons said to me "It is you that threw that girl into the well. Are you not a friend of hers?" I said "Yes, she and I are friends. As there is a corpse this day in my house she did not come to my house owing to pollution. I did not go to her house. I did not see that girl". But they tied me with the rope folding my hands backwards and threw me in the sun saying "No it is you that threw her into the well". As I received severe blows I was lying senseless. I do not know what took place there afterwards. My Lord because I am a friend of that girl and because Anne Venkatarathnam bore a grudge to me that I did not have intercourse with him, he got his relations to give false evidence against me and foisted this case unjustly against me. Because my relations are poor persons this case was unjustly foisted on me.

I therefore pray that your Lordship may be pleased to take pity on me and enquire into the truth or otherwise with kindness and quash this sentence passed against me.

Your most obedient servant,

(Left thumb impression of) Madamanchi Ramamma,

Convict No. 1577.

(Signed) _____,

Superintendent,

Central Jail, Rajahmundry.

12-8-1925.

Grounds of Appeal.

IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Criminal Appeal No. 408 of 1925.

Madamanchi Ramamma ... Appellant

(Accused in Sessions Case No. 17 of 1925 on the file of the

Sessions Court, Kistna, Masulipatam).

versus

Rex ... Respondent.

Appeal filed on behalf of the appellant under Section 410 of the Code of Criminal Procedure (from the Central Jail, Rajahmundry).

Grounds of Appeal.

1. The conviction of the Sessions Court is contrary to law, weight of evidence and the circumstances of the case.
2. The lower Court should not have attached any weight to the evidence of P.W. 4 Anne Venkatarathnam as his evidence is highly interested, discrepant and otherwise untrustworthy.
3. The circumstances of the case also point to the conclusion that the accused could not have committed the offence.
4. In the first place it submitted that there are certain inherent improbabilities with regard to the scene of offence.

Scene of offence.—The scene of offence is alleged to be in a tobacco garden lying about a furlong from the village of Krishnavaram. The prosecution story is that the accused threw the deceased into a well which is in that tobacco garden at about 12 noon on 29-3-1925. The triune officer who figures as a prosecution witness admits that there is a path which leads to Akiripalli, Veeravalli and other places and that men always frequent that path. That path is at a distance of about 2 or 3 yards from the place where the accused is alleged to have sat after being arrested after the occurrence and about a distance of 20 or 30 yards from the well into which the deceased is alleged to have been thrown by the accused. It is highly improbable that the accused would have chosen such a public place for the commission of the offence. In addition to this, it is admitted by one of the prosecution witnesses that a portion of the tobacco garden on the northern side has been cut and that there was a palmyra pandal constructed there to hang up the tobacco leaves, that were cut. It is also admitted that the cutting of the tobacco field commenced a day or two prior to the occurrence of the 29th and that

it continued 5 or 6 days afterwards. There is evidence that the owner of the tobacco field one Chintapatla Venkatramayya is the mokhasadar of the village and is the biggest ryot also and has 12 farm servants under him. It is simply meaningless to think that not one at least of the farm servants would not have gone to the spot especially when the tobacco field was being cut from the last one or two days. The pandal in question is alleged to be at about a distance of a furlong where the accused was caught. It is curious to find that not one of the farm servants came to the scene; not even the proprietor and mokhasadar Chintapatla Venkatramayya came there either that day or on the subsequent day at or even after the inquest, though it must have been known throughout the village that the deceased's body was found floating in his well.

5. Mukku Sreeramulu, one of the witnesses for the prosecution states in his evidence that there were thrashing floors of two or three people of his village within a furlong from the scene of offence. There is also a small hill over the sides of which the shepherd boys graze their cattle and sheep; that hill also is only within a distance of a furlong. In spite of the big commotion and disturbance near the well none would appear to have come either from the hill or from the thrashing floor. If really the offence had taken place in the manner suggested by the prosecution, one would naturally expect the presence of some disinterested people running up to the scene from the hill and from the thrashing floors near the well.

One of the prosecution witnesses Prattipati Kamayya, the triune officer says that he came to the scene of offence on hearing the cries of P.W. 4 from the house of one Velagalapudi Subbayya a carpenter in the village. This house is said to be at about a furlong from the scene of offence. Though several people from the village including the mother and brother of the deceased came to the scene immediately after the occurrence (as alleged by the prosecution) yet it is curious to find that this man Velagalapudi Subbayya who live closest to the scene of offence did not happen to go there on hearing the cries of P.W. 4 and the disturbance at the well. From the foregoing statement of facts it would be clear that it is highly improbable that the accused would have chosen such a public place in broad day light at about 12 noon, for the commission of the offence. Further, the absence of people who could have rushed there on hearing any such disturbance as is alleged to have taken place at the well points to the conclusion that the evidence put forward by the prosecution cannot at all be believed.

Direct evidence.—P.W. 4 is alleged to be and put forward by the prosecution as a direct witness to the offence committed by the accused. He is the only eye-witness to the case and is closely related to the deceased being her paternal uncle and living in the same house along with the deceased's mother and brother. His evidence is to the effect that he went out to ease himself in the tobacco garden and after he rose up he found the accused dragging the deceased towards the well from about a distance of 8 yards. He states that when he first saw this, he was at about a distance of 150 yards from them. In the lower Court and in the report given to the village munsif, he mentions that he saw the dragging of the deceased by the accused over a distance of about 8 yards from the well. In the evidence in the Sessions Court, he has varied it by saying that he saw the accused by dragging the deceased to about a distance of 4 yards towards the well but that afterwards he could not see the deceased as the grown up tobacco plants obstructed his view. He also says that he could only see the accused. What she actually did and how the fall of the deceased into the well came about he is not able to say, so that this eye-witness's evidence also does not help us to know how the actual fall came about.

Further his conduct under the circumstances appears to be most unnatural. One would have expected that he would run up to the spot and try to save the deceased who was a close relation and a young girl, married about 22 or 23 days prior to the offence. He did not attempt to save the deceased nor did he try to run up to the spot. What he states is that when accused came running towards him he caught her by the hair and arrested her, and then raised alarm in and wild cries that the accused throw the deceased into the well. He states that on being questioned why she had thrown the deceased into the well the accused stated that she fell into the well. His explanation as to why he did not try to save the deceased by running up to the spot is that he thought both of them were pulling each other for sake of fun. In the report given by him to the village munsif *no reference is made either to the dragging of the deceased by the accused or to the running of the accused opposite to him.* These are the incidents developed for the first time in the evidence given before so as to suggest that the accused betrayed a guilty conscience in her actions. Further in the report sent by the village munsif Exhibit B the first sentence correctly translated runs thus "The deceased fell into the well" and is next followed up by a statement that the deceased was thrown into the well by the accused. In the evidence before the Committing Magistrate this witness stated that he raised wild cries but in the Sessions Court, he states that he bailed out in the first instance that the deceased fell into the well and later on raised another cry that she was thrown into the well by the accused. This witness is inimically disposed towards

the accused; the suggestion of the accused is that he tried to seduce her to illicit intercourse twice by pulling her by the hand when she went out to ease herself. The accused's father remonstrated with him for having done so. The witness of course does not admit this. But there is evidence in the case that the accused had joined her husband about an year before the occurrence. But for about 10 months prior to the occurrence she has been living in the village in her parent's house which is opposite to that of P.W. 4. Under the circumstances, it looks probable that the suggestion of the accused is but true.

P.W. 4 states in his evidence that when he raised an alarm that the accused threw the deceased into the well, many people came to the spot among whom were, Kancharla Sudarsanam, a Panchayatdar at the inquest, Koneru Viraghavayya, one of the prosecution witnesses and Adusumilli Venkatasubbayya and others. The Sessions Judge, has rightly held that the triune officer did not reach the scene of offence as early as he would have us believe he had gone there. So eliminating him from the list of persons who arrived at the spot immediately we have the 3 people mentioned above. The first two, i.e., Sudarsanam and Veeraraghavayya are the paternal aunt's sons of P.W. 4. And Adusumilli Venkatasubbayya is the brother-in-law of the elder brother of the deceased Krishnayya by name Sudarsanam being one of the Panchayatdars should naturally have influenced the Panchayatdars to record an opinion against the accused. Among the others who were present at the inquest as Panchayatdars and who was examined by the prosecution there is one Ghanta Venkatratnam a man belonging to Saggurru. The Sessions Judge rightly disbelieved this witness's evidence and rejected it in toto. He gave hopelessly contradictory statements before the Committing Magistrate and in the Sessions Court. His deposition is marked as an exhibit on behalf of the accused. It is therefore submitted that the evidence of P.W. 4 cannot at all be believed. On account of his ill-feeling towards the accused, and also the most unnatural way in which he acted if his evidence is to be believed, the accused submits that the whole case has been concocted against her at the instance of P.W. 4.

Other evidence in the case.—Another witness at the time of inquest and who acted as a Panchayatdar is Pratt pati Kamayya. He has completely varied and changed the evidence given by him before the Committing Magistrate and gave a totally different version in the Sessions Court. Before the Committing Magistrate he stated that he went to the scene of offence when P.W. 4 went to him and asked him to go over to the scene of offence. But in the Sessions Court he stated he himself went to the scene of offence on his own accord after hearing the disturbance. He also asserts that P.W. 4 did

not call him. The witness lives in Sooravaram about two miles from Krishnavaram, though he would have us believe that he is living with his family at Krishnavaram. One of the prosecution witnesses admits in cross-examination that he lives in Sooravaram. He has his lands and house etc., only in Sooravaram. Evidently the triune officer must have gone to the scene at a much later period than he would have us understand, he did go there. The Sessions Judge also rightly held that he must have gone there much later than what he admits. By the time he reached the place everything must have been arranged and the plot to incriminate the accused completely hatched up. Naturally he either not knowing anything personally or being induced must have fallen in with the views of P.W. 4 and others who are influential Kammas in the village. The accused's parents being poor people he stood nothing to lose by acting as he did.

He says that he dispatched the report to the Police at 2 p.m., but it was not received by the Police till 6.30 p.m., though the place, i.e., Viravalli, was only 6 miles from Krishnavaram. Especially in a case where a report of murder is sent it would take at the most say about an hour and half or two for the messenger to take the report to Viravalli. The fact that the report was received at 6.30 shows that it must have left the village munsif's hands at about 4.30 or 5 p.m., at the earliest. So even according to the prosecution there was a delay of 5 hours and hence ample time for the enemies of the accused to hatch a plot against her and incriminate her.

Two other witnesses are the deceased's mother and her brother. Their evidence is highly interested and cannot be believed. They do not speak to anything which directly incriminates the accused. They are however put forward to prove that on the date of the occurrence the deceased was wearing M.Os. 1, 2 and 3 with the object of stealing which it is suggested the accused committed the murder. The mother of the deceased deposes that the accused called her daughter at about 8 or 9 a.m., to accompany her to the easing ground and the deceased did so. She says that they did not go to the usual place of easing but they went towards the tobacco garden. The evidence of the mother with regard to the wearing of the jewels M.Os. 1, 2 and 3 and the other jewels is an absolute confusion. The mother gave contradictory statements with regard to this in the Sessions Court. Both the mother and brother stated that the deceased was wearing all the jewels even when she went out for easing. They were not removed even during her sleep and that this was so since her marriage. In one portion of her evidence in the Sessions Court, the mother says that the deceased first began to wear all the jewels especially M.Os. 1, 2 and 3 for the first time on the New Year's day which came up a few days after the marriage. But later on she stated that she was wearing them always

since her marriage. It is highly improbable that the deceased a young girl of ten just married would have been allowed by her mother and brothers to go out putting on all these valuable jewels. There is no reliable evidence that the deceased was wearing the jewels M.Os. 1, 2 and 3 when she went out as alleged by the prosecution along with the accused to the easing ground. One would naturally expect that when the deceased did not return home till about 12 noon the mother and brother would have made some enquiries about her long absence but none of the kind appears to have been made.

Another witness Mukku Sriramulu, is put forward to prove the fact that about 12 a.m., that day he saw the deceased and the accused together in the tobacco garden. The accused was removing a thorn from her leg when the deceased was leaning forward towards her. In the Sessions Court, this witness is made to say that he heard the deceased saying to the accused "let us go home". It is already long since we came from home and the accused replying there is no hurry we will go. This is clearly patch work and is a palpable lie and is put forward to probablise the fact that the accused had an evil intention in pursuance of which she threw the deceased into the well and put off taking the deceased to her home. *But this statement does not find a place in his evidence given before the Committing Magistrate by him.* It is also curious that he did not notice P.W. 4 or P.W. 4(?) notice him; though both of them say that they were in or near the tobacco garden at 12 noon. So Mukku Sriramulu's evidence cannot at all be believed.

Motive for the crime.—It is alleged by the prosecution, that the motive for the murder is stealing of the jewels M.Os. 1, 2 and 3 by the accused from body of the deceased. It may be stated at once that there is no direct evidence showing that the jewels were removed by the accused. We are not in a position to know how and by whom they were removed. None of the jewels were recovered from the possession of the accused. If really the motive of the accused was to steal the jewels it is improbable to believe that she would have allowed several other jewels to remain on the body of the deceased. It is admitted by the prosecution that about 12 jewels were found on the body of the deceased when she was taken out of the well and that only M.Os. 1, 2 and 3 were missing. The evidence of the prosecution is that within a distance of 4 yards from the place where she was caught by P.W. 4 kante and mangalasutram were recovered. On 29—3—25 and M.O. 3 i.e., the francs were found early next morning by one Pulipaka Venkadu a prosecution witness, on information given by the accused as to its place during the night of 29—3—25 Pulipaka Venkadu states in his evidence in the Sessions Court, that the accused gave out this information on being informed

by him that the police might arrest her father and mother also as it was clear that she had committed the offence. The prosecution itself admits that the accused did not tell them anything as to what became of the missing jewels M.Os. 1, 2 and 3 on being questioned after she was arrested. The statement of Pulipaka Venkadu that she gave out the information on his telling the accused that the police would arrest her father and mother, is absolutely untrue as it does not find a place in the evidence given by him in the lower Court before the Committing Magistrate. On the night of 29—3—25, one Police constable, Pulipaka Venkadu, Potru Ramanujulu and Anne Veerayya and one or two others kept watch over the accused near the scene of offence. The accused was not taken to the village though P.W. 2 the Police Sub-Inspector came to the village by about 12 p.m., that night. All the 3 jewels were found on the ground visible to any person who went near them. If the version of the prosecution is to be believed it is difficult to understand why the accused was so foolish as not to take proper care to secure the jewels she robbed, in a safe place either by burying them or otherwise secreting them. It is also incomprehensible why the accused would have run opposite to P.W. 4 if she had thrown away the jewels in that direction. If really P.W. 4's evidence is to be believed, he was seeing the accused all the time from where she dragged the deceased into the well up to the place when he caught her at about a distance of 50 yards from the well. If so, he must have seen the accused throwing away the jewels or otherwise slipping them away, but P.W. 4 does not depose to any such facts.

The fact that kante and mangalasutram were found at one place under a tobacco plant would seem to point to the conclusion that they could not have fallen there having been thrown away. If they came there having been thrown away we would expect to find them scattered one at a distance from the other. The necklace of francs was found in a ditch at about 4 yards from the place where the accused was caught. Some of the francs were hanging by a rope over the prickly pear in the ditch and the loose francs were found directly underneath in the ditch. If as the prosecution seems to suggest that the accused must have thrown them away when she found her escape was inevitable these loose francs must be found scattered, but not at one place. Further even if it can be for a moment he believed that the accused herself must have put them there it is difficult to see why she had not safely secured them either by burying them or hiding them somewhere else.

The only evidence which the prosecution puts forward as incriminating the accused is the discovery of the francs on information given by the accused. It is most unnatural to expect that the accused would give out the information if she committed the offence. And much more so when she had resisted any such weakness to yield during the

day time. The Police Sub-Inspector states in his evidence that there were stripes on the body of the accused. She was sent up for medical examination and a certificate was obtained from the doctor. But the prosecution have taken care to see that that certificate was not put in evidence for they did not get that witness summoned either before the Committing Magistrate or in the Sessions Court. The wound certificate is filed in the records of the case. As the accused was undefended before the Committing Magistrate also and as the doctor who gave her certificate happened to be a different person from the one who held post-mortem examination over the body of the deceased, the wound certificate could not be exhibited on behalf of the accused. 10

Among the people who kept watch over the accused, was one Anne Virayya, he is the paternal uncle of the deceased. And Potru Ramanujulu is a lessee from the elder brother of the deceased and as one of the prosecution witnesses admits, is interested, in Anne Krishnayya. The fact that the accused was kept there in a garden through out the whole night though the Police Inspector was in the village and the fact that the necklace of francs is alleged to be found on information given by the accused on the night of 29-3-1925, point to the conclusion and the only irrefutable conclusion that this jewel must have been introduced there by the relations of the deceased. P.W. 4 and others and then this ugly story as to the information given by the accused invented to probablise or give a colour of truth to the prosecution evidence. There is a lot of discrepancy with regard to the discovery of the francs, and the reference to the police arresting the parents of the accused as having induced the accused to give out the information is a palpable lie as it does not find place before the Committing Magistrate but is invented for the first time before the Sessions Court. Evidently the accused must have been beaten severely as evidenced by the strokes on her back, vide P.W. 2's evidence and as she did not and could not tell them anything as she was perfectly innocent the enemies of the accused prominently, P.W. 4 and others got this jewel i.e., the francs introduced there during the night and concocted this false evidence against the accused and inserted that she informed P. Venkadu during the night as to the place where the francs were to be found. That was only with that object that the accused was kept there in the tobacco garden without being taken to the village for safe custody though the Sub-Inspector, triune officer and others were present in that village. The accused states in her statement that the case has been concocted against her by P.W. 4 on account of enmity. It is admitted by the mother of the deceased as well as her brother that the accused and the deceased were friends from their childhood. It is impossible to think that the accused, a girl of 14 would have committed 20 30 40

this dastardly crime against the deceased her child friend for the sake of jewels. There are several other discrepancies in the evidence of prosecution evidence which need not be mentioned in detail. It also appears from the accused's statement and prosecution evidence also that a young child about 1 year old died in her house that morning. It is impossible to think that she would have committed such an offence especially when she was sorrow stricken from the child death in her house.

The Sessions Judge, wrongly mentions the age of the accused as 16 vide her statement and the wound certificate which show that her age is only 14. Even if the whole prosecution case is to be for a moment believed still there is ample room for doubt as to who committed the offence. Under the circumstances the accused, at the worst, must have been given the benefit of the doubt and acquitted. The Sessions Judge in a lamentably short judgment has without discussing the probabilities and circumstances of the case come to the conclusion that the accused is guilty of an offence under Section 302, I.P.C. and has sentenced her to transportation for life. 10

The accused therefore prays that the conviction of the Sessions Judge, Kistna should be set aside and that she set at liberty. 20

Further it is also submitted that if the alleged discovery of the francs as alleged by the prosecution was made on information obtained from the accused, as it is quite clear from the strokes on her back (accused's) vide P.W. 2's evidence and also from that fact that she made no disclosure during the whole of the day time on 29-3-25 that she must have been severely beaten to make some sort of confession and if as the prosecution alleges the discovery was consequent thereon, i.e., as is to be found from the evidence and circumstances of the case after the beating that the confession is obtained more or less by extortion or threats and as such is not admissible in evidence. Eliminating that piece of incriminating evidence to put forward which the prosecution invented and concocted an ugly story there is nothing in the prosecution evidence to suggest why the accused a friend of the deceased should commit this offence. 30

(Mark of) Convict No. 1577, M. Ramamma.

(Mark of Telugu) Madamanchi Ramamma.

(Signed) ———,

Superintendent,
Central Jail,
Rajahmundry.

(True copy)

Ans sent

*Co
w/o*

3236B

Printed for Court.
HIGH COURT.

CRIMINAL APPEAL
No. 408 of 1925.

Madamanchi Ramamma,
Accused.

KISTNA.

Records
in
S.C. No. 17 of 1925.

No be heard on

PRINTED AT THE GOVERNMENT PRESS, MADRAS.

Law (Education) Department.

From the High Court, No. 408, dated 10th November 1925.

Detention of a girl offender convicted of murder

The High Court forwards a copy of its judgment in a criminal appeal in which a girl of 16 years was convicted of murder. The High Court refers to the fact that the Children Act has not been extended to the Kistna District where the offence was committed and suggests to the Government that a girl of 16 years should not be shut up in jail for 14 years and that steps might be taken to keep such youthful offenders away from jail. The Madras Children Act has not yet been made applicable to youthful offenders of the female sex. Before the Act could be applied to any area, certified schools for the reception of youthful offenders should be established in that area. The question of establishing certified schools for girls has been engaging the attention of Government. It has been proposed to certify a section of the Home of the Madras Society for the Protection ^{of children} and the Adi-Dravida Girls' School, ~~at~~ Vellore for this purpose. ^{when} these institutions are certified, the Act may be made applicable to girl offenders. In the meanwhile, no action seems necessary in this file. The papers may be recorded.

*Through Law (Genl) C.
P.O.*

*8th 2
25.11.25 = When the Borstal Act comes into force & when a separate school for females from 16 to 21 years is established, girls from 16 to 21 years of age can be admitted into that school. Until this is done, the girl of 16 will have to be in jail. But under section 27 of the Prisons Act, 1894*

and chap LI of the jail manual, they
~~will~~ be kept in separate blocks, wards or
 buildings in the jail.

26/11
 5/11

It is not possible to do anything
 just at present. No 16 will no doubt
 see that the girl - Connet is kept
 separately. May be recorded.

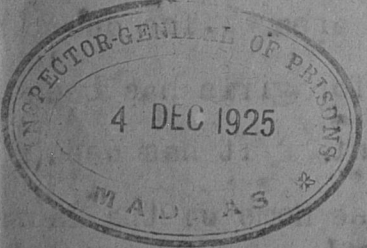
26/11

To await Secy's
 return from C. No.

Let the I.G. see this u.o. (of. inf)

VTK
 2.12

Law (C. No. 3236 B-1)
 3.12.25.



G. 919 A/12 December 1925

The new female prison proposed to be
 built at Kildore, will provide
 special accommodation for
 girls. It will then be possible
 to carry out treatment for
 such prisoners on Dondel lines. 283402B
 With Secy, in the meantime that
 this girl is looked after carefully.



J. C. [Signature]

207155 Law (C. No. 2) Sept.
 16/11/25

The papers may be

Recorded:

26/11 5 VTK 15/11

8/12
 14.12.25

Extension of a girl
 offender convicted of
 murder - Extension
 of Act to girls - notes
 recorded.

When given for copying
 When copied
 When examined
 When signed

192

READ AGAIN G.O. No. 192, DATED

CURRENT No.

RELIGIOUS to C. No.

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LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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26