

Law Education (1926) Department.

Min SERIES.

G.O. No. 340.

DATED 5-3-26.

[Despatch Abstract.]

Schools:-

Reformatory - Chingleput - Venkatesubbiah - Defec-
tive intelligence - Released.

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DEPARTMENT.

2.8 496B

Received



Registered

252 1926

Subject.

Reformatory School - Chingleput - Pupil No. 816, Venkatasubbiah - reported to be of defective intelligence Release recommended.

ENCLOSURES.

No.

No. G/144

Spare copies

Station Ootacamund Dated the 23rd February 1926

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

To The Secretary to the Government of Madras

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

Sir,

I have the honour to submit for orders under Section 14 (a) of the Reformatory Schools Act and Section 35 (i) of the Madras Children Act, the case of pupil No. 816 Venkatasubbiah, detained in the Reformatory and Senior Certified School, Chingleput, who is reported to be of defective intelligence. The boy was admitted into the school on 23rd May 1925. He was sent to the District Medical Officer for examination and reported not to be insane. This boy has been in the school for 9 months and is making absolutely no progress in class work or industrial education nor is he susceptible to training of any kind. It is of no material benefit to the boy himself

The boy was sent to the school under the Reformatory Schools Act - p. 8 info. the case was comes under S. 14(a) of the Reformatory Schools Act.

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to retain him in the school, while on the other hand his presence there upsets discipline to a considerable extent. His release from the school is therefore recommended.

The Boy's father is willing to take charge of the boy - after his discharge from the school.

2. A descriptive roll of the boy and copy of Judgment, are enclosed. H. 3-8 info

I have the honour to be,

Sir,

Your most obedient servant,

J. M. G.
Lt-Col, I.M.S.,
Inspector-General of Ref. Schools.

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REFORMATORY SCHOOL, CHINGLEPUT.

Number. ... 816
Name of pupil. ... *Penugooce, Subbiah*
Caste. ... *Komatti Chetty (Hindu)*
District belonging to. ... *Sharmavaram*
Convicting Court. ... *Sub. Divl. ^{1st class} Magistrates Court Sharmavaram*
Offence. ... *Theft.*
Judicial Sentence.
(a) Nature. ... *6 months R. I.*
(b) Date. ... *21-5-25*
Authority ordering detention ... *Sub. Divl. ^{1st class} Magistrate, Sharmavaram*
Age. ... *13 years and 6 months*
Period of detention ordered. ... *4 1/2 years.*
Date of commencement. ... *27.5.25*
Date of termination. ... *20-11-'29*
Sent as habitual offender, or on first conviction. ... *a habitual offender on first conviction*
Number of parents living or whether deserted. ... *Both living*

W. B. Donceca
SUPERINTENDENT.

In the Court of the Sub Divisional Magistrate, Dharmavaram.

JUDGMENT IN CALENDAR CASE No. 39 of 1925 of 191, ON THE FILE
OF THE Sub Divisional MAGISTRATE OF Dharmavaram.

Present: M.R.Ry. G. Subba Reddi Garu, B.A.,
Sub Divisional Magistrate.

Complainant Ex. Sub Inspector of
Police, Dharmavaram.

Accused Penujur Venkata Subbayya
of Kunuthur.

Offence Theft under section 379
I.P.C.

Finding Guilty of the offence of
theft.

Sentence The accused is sentenced to
undergo R.I. for six months
But he is aged 13½ years
and is accustomed to thieving

Prosecution witnesses:-

1. Mitaigar Masood Saheb
2. A. Ramayya.
3. Thimmayya P.C.202.
4. Mr. Ahmad Ali Khan.
5. Madar Saheb.
6. Kuppam Obayya

Court witness:-

1. Mr.B.Satyanarayana.

Defence witnesses :-

- Nil. M.Os.
5. Black small coats I.
1. Big blackcoat II.

for some years past, he is directed to be detained
in the Reformatory school at Chingleput for a
period of 4½ years under section 8 of Act VIII
of 1897 instead of undergoing the sentence of
imprisonment.

Exhibits:- 1. Complaint of P.W.1 A.
2. Medical certificate
given by G.W.1. B.

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for an offence under section 379 I.P.C.

3. P.W. 1 speaks to the first fact of the story and files his complaint (Exhibit A) to the Police. His evidence is corroborated by P.Ws 2 and 5. P.W. 3 is the Police constable who went with the accused and recovered M.O. 2 from P.W. 6. P.W. 4 is the Saristadar Magistrate Dhamavaram and he says that on the car festival day at 5-30 P.M. P.W. 3 brought a coat (M.O. 2) and the accused. P.W. 6 is the man with whom the accused had left the big coat (M.O. 2). It is he who handed it over to the Police constable when he went to his house with the accused. The accused when questioned admitted the offence. A charge was accordingly framed against the accused under section 379 I.P.C. and explained to him. He pleaded guilty to the charge and stated that he had no defence witnesses.

4. All the Prosecution witnesses are disinterested men and they have proved the case for prosecution, beyond all doubt. The accused himself admits the offence and pleads guilty to the charge. I therefore convict him of an offence under section 379 I.P.C. and sentence him to undergo rigorous imprisonment for six months. The Sub Assistant Surgeon at Dhamavaram was examined as a court witness and he says that the accused is between 13 and 14 years and files the certificate granted by him (Exhibit B). I take his age to be 13½ years. The accused seems to be accustomed to such sort of thieving for some years past and is given up as beyond rectification

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by his father and grand father who are respectable men. I sent word to them but they refused to go to the court to take charge of the accused on account of his bad character. I therefore consider him to be a suitable youthful offender for detention in a reformatory school. A wire was sent to the Superintendent of the Reformatory school at Chingleput and he replied that accommodation was available. Under section 8 of the Reformatory school Act (VIII of 1897) I direct that instead of undergoing the sentence of imprisonment he shall be detained in the reformatory school at Chingleput for a period of 1½ years when he will attain the age of 18 years. M.Os. 1 and 2 will be returned to P.W. 1 in due course. The Station House Officer will consider the desirability of charging P.W. 6 for an offence under section 411 I.P.C. if sufficient evidence is forthcoming.

Pronounced in open court.

d/ G. Subba Reddi,

1st Class Sub Divisional Magistrate.

21-5-25.

(True y)

For Sub Divisional Magistrate.

DSR.

The District Magistrate, Nantapur.

496 B

From the I.G. of Reformatory Schools, G. No. 144, dated
the 23rd February 1926.

Release of pupil ^{named} Venkatasubbiah ~~from~~ the
Reformatory School, Chingleput.

The I. G. of Prisons recommends the release of a pupil named Venkatasubbiah ~~from~~ the Reformatory School ~~xxx~~ under section 14A of the Reformatory Schools Act. From the judgement of the Sub Divisional Magistrate sentencing the boy to be detained in the Reformatory School it is observed that the father and grand father of the boy who are respectable men refused to go to the court and take charge of the boy ~~on~~ account of his bad character. The I.G. however states that the boy's father is willing to take charge of him after discharge from the school. In view of the statement made in the judgement it would ~~xxx~~ seem desirable to require the boy's father to execute a bond for the good behaviour of the boy for a period of at least one year (please compare G.O.No. 203 dated the 8th February 1926). Section 14 of the Reformatory School Act authorises the local Government to order the discharge of any boy from the school. It is not clear whether any condition may be imposed by Government in ordering such discharge. The corresponding section (section 35) of the Children Act states that the local Government may order the discharge of a pupil from certified school either absolutely or on such condition as ~~to~~ the local Government approves. In the absence of any such ^{provision} ~~direction~~ in the Reformatory Schools Act the boy in the present case should apparently be released absolutely. A draft order is ~~submitted~~ submitted for approval.

Stn
2.3.26.

(Similar cases in
G.O. 11238 28.9.20 &
1199 20-1-17)

V.T.
4/3

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CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT. _____

STATEMENT WITH DITTO. _____

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