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Education and P.H. (1946.) Department.

EDUCATION.

No. SERIES.

G.O. No. Ms. 1665.

1660

Dated 28th August 1946.

order on pp 63-64 CF

[Despatch Abstract.]

Scholarships - Children of the late Sri. K.S.Ramakrishnan - Examine Charge Officer, Sidambaram - orders passed.

Back Papers.

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Further Papers.

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Memo	6151/45-5 Edn		10-3-50.			

COLLECTOR'S OFFICE
1 8 SEP 1945
ANANTAPUR

(V)

In the Court of Session of the Anantapur Division.

Wednesday, the 22nd day of August, 1945.

Present:—Sri C. BHAKTAVATSALU NAIDU, B. A., B. L.,
Sessions Judge.

SESSIONS CASE NO. 16 OF 1945.

(Preliminary Register No. 3 of 1944 on the file of the Sub Divisional Magistrate, Anantapur – C. C. No. 4 of 1944 on the file of the Dt. Magistrate, Anantapur taken up *suo moto*.)

Names of the accused :

1. Nanji Reddi
2. Papi Reddi
3. Lakshmi Reddi
4. Rami Reddi
5. Suryanarayana Reddi
6. Venkata Reddi, son of Nanji Reddi
7. Venkata Reddi, son of Papi Reddi
8. Ramakrishna Reddi
9. Bayapa Reddi
10. Balija Rangappa
11. C. Obula Reddi
12. N. Lakshminarayana
13. N. Venkataramanna

(Accused 1 and 6 are defended by Mr. O. I. Souri Reddi, pleader; accused 2, 7, 8, 9 and 10 are defended by Mr. R. Krishna Sastri, Advocate A-3 is defended by Mr. K. Srinivasa Reddi Advocate; A-4 and A-5 are defended by Mr. N Somasundaram, Counsel; A-11 is defended by Mr. S. Obula Reddi, Counsel and A-12 and A-13 are defended by Messrs. M. Malli Reddi and B. Ranganatham, Pleaders.)

Offences :

1. Section 120-B read with S. 302, I. P. C. (Criminal Conspiracy to commit murder) against A-1 to A-10, 12 and 13.
2. Section 302, I. P. C. (Murder) against A-6 to A-10.
3. Section 120-B read with S. 201, I. P. C. (Criminal conspiracy to cause disappearance of evidence of murder) against A-1 to A-13; and
4. Section 201, I. P. C. (Causing disappearance of evidence of murder) against A-6 to A-12.

Plea of the accused : Not guilty.

Names and castes of Assessors :

1. Sri Pothi Reddi, Kapa
2. Sri Srirama Adinarayana Sreshti, Vysya
3. Sri Naga Busappa, Lingayat
4. Sri K. Vyasa Rao, Brahman

Opinion of Assessors : All the assessors say that none of the accused is guilty of any of the offences.

Finding of the Judge: None of the accused is guilty of the offences mentioned in charges Nos. 1, 2, and 4. A-11 and A-12 are guilty of the offence under the 3rd charge, viz., having been parties to a criminal conspiracy for the causing of disappearance of evidence relating to murder and giving false information respecting the offence with the intention of screening the offenders from legal punishment. A-1 to A-10 and A-13 are not guilty of the said charge.

Order and Sentence: A-11 and A-12 are convicted under Section 120-B read with Section 201, I. P. C., and sentenced to undergo rigorous imprisonment for 3 years. A-1 to A-10 and A-13 are acquitted in respect of all the charges and they are set at liberty.

The approver is discharged from custody.

JUDGMENT.

There are 13 accused in this case. Accused 1 to 10, 12 and 13 are charged with having been parties to a criminal conspiracy, and having agreed between the 7th and 18th November 1943 at Pamdurthi, Dharmavaram, Siddarampuram and other places to commit the murder of M. S. Ramakrishna, the Charge Officer of the Famine Camp at Siddarampuram, and thereby committed an offence punishable under Section 120-B read with Section 302, Indian Penal Code. The accused 6, 7, 8, 9 and 10 are charged with having on the night of 17th November 1943 committed at Siddarampuram murder by causing the death of the said Charge Officer and thereby committed an offence punishable under Section 302, Indian Penal Code. All the accused 1 to 13 are further charged with having been parties to a criminal conspiracy and agreed between the 17th and 22nd November 1943 or thereabouts to cause disappearance of evidence relating to the murder of the said Charge Officer or to give false information respecting the offence with the intention of screening the offenders from legal punishment, and to have thereby committed an offence punishable under Section 120-B read with Section 201, Indian Penal Code. The accused 6 to 12 are also charged with having at about the same time caused evidence of the commission of the offence to disappear and also with having given false information respecting the offence with the intention of screening the offenders from legal punishment, and to have thereby committed an offence under Section 201, Indian Penal Code.

2. The Story of the prosecution is to the following effect:— M. S. Ramakrishna who was a Graduate and employed as a clerk in the Collector's office, Cuddapah, was appointed as Famine Charge Officer, Siddarampuram Famine Camp from 30—6—43. The 1st accused was village munsif of Siddarampuram village. Accused 2 to 9 are near relations of the 1st accused. The 10th accused is a servant of the 2nd accused. The 11th accused was Sub Assistant Surgeon in charge of the Local Fund Dispensary, Bukkapatnam. The 12th accused was the Sub Inspector of Police of Pamdurthi Police-station in Dharmavaram circle. Accused 13 is the elder brother of A-12. On 28—10—1943 the Famine Charge Officer got information of theft of grain from the Government Stores in Siddarampuram. He sent a report to the Pamdurthi Police-station implicating 1st accused and other ryots of Siddarampuram village. Accused No. 12 who was the Police Sub Inspector did not take immediate action, and was found fault with by the Deputy Superintendent of police Penukonda. Thereupon 12th accused reluctantly proceeded to investigate the grain theft case and arrested some persons, but failed to arrest 1st accused who absconded from 7—11—1943. The accused 1 to 9 having thought that by killing the Charge Officer, 1st accused might escape punishment in the grain theft case are said to have entered into a conspiracy among themselves and with accused 10 to 13 to murder

the said Ramakrishna and to screen the offenders from legal punishment by causing the disppearance of the evidence relating to the murder and by giving false information regarding the offence. There was a conspiracy on 8—11—1943 at Pamdurthi in which accused 3 and 5 appear to have taken part in securing the services of accused 13 for influencing the Sub Inpector, 12th accused. It is alleged that on 12—11—1943 accused 1 to 5 met accused 12 and 13 in Nama Lakshminarayana's factory, Dharmavaram, and that accused 1 to 5 having bribed accused 12 and 13, entered into a conspiracy to put an end to the life of the Charge Officer. On or about 13—11—1943 the second and fourth accused are said to have gone to the house of 1st accused in Siddarampuram and to have entered into a conspiracy with accused 6 to 10 to cause the death of the said Ramakrishna. At about that time the accused 1, 2 and 4 are said to have previously consulted the 5th accused in concerting ways and means to bring about the death of the Charge Officer. The 6th accused is said to have gone to the village of Marthad which is at a distance of about 18 miles from Siddarampuram where the 2nd accused lives with his son the 7th accused. Accused 8 and 9 are younger brothers of the 2nd accused and live in the same house with the 2nd accused though in separate portions of the house. In furtherance of the conspiracy the accused 7 to 10 are said to have proceeded in a double bullock cart along with Mala Kullayigadu from Marthad at about 3 or 4 p. m. on 17—11—43 and to have reached Siddarampuram at about 10 p. m. on the same night. It is stated that accused 6 to 10 accompanied by Kullayigadu and another Boya proceeded to the Famine Camp and to have waited under a tamarind tree nearby. At about midnight all of them are said to have gone to the Famine camp where M. S. Ramakrishna was sleeping. They went into his hut, and it is stated that accused 6 and 7 pressed the throat of the sleeping Ramakrishna while accused 9 and 10 took hold of the legs, accused 8 took hold of the right hand and M. Kullayigadu took hold of the left hand. The boya is then said to have taken an aloe fibre string and having fastened it round the neck of Ramakrishna strangled him. Finding that life was still lingering the boya is said to have squeezed the testicles of Ramakrishna and twisted them till life became extinct. Thereupon accused 8 to 9 with the help of the Boya are said to have carried the dead body of Ramakrishna followed by accused 10 and Kullayigadu and to have thrown the dead body into the kitchen well known as Pullaparthi Kalakunta Obi Redd's well after having tied the hands of the deap body crosswise with a towel and having also tied a stone weighing about 3 viss in a cloth round the waist of the said Ramakrishna. Accused 7 to 10 and Mala Kullayigadu are then said to have proceeded to Marthad and reached the place at about day-break.

3. On 17—11—43 the Charge Officer was found talking to the Senior Works Agent and the office clerk till about 9-30 or 10 p. m. On the following day the bed on which the Charge Officer slept was found vacant and he was found missing. Thereupon a yadast was sent to the Karnam of the village who was then doing the duty of the village munsif, the 1st accused having been suspended by that time. The karnam then sent a report to the Police-station, Pamdurthi and also to the Sub Magistrate, Penukonda. On 18—11—1943, accused 5 was found coming out of the house of accused 11 and boarding the Kadiri-Penukonda bus at Bukkapatnam. Police Constable Venkatasubbayya who was in Siddarampuram in connection with the grain theft case went to Penukonda at about 1 p. m. and met the Sub Inspector 12th accused and informed him of the disappearance of the Charge Officer. 12th accused is said to have asked the police-constable as to why he should tremble when imparting the news and said that the Charge Officer might have drowned himself in a well and died. On 20—11—43 at about 9 or 10 a. m. the dead body of the Charge Officer floated in the kitchen well, and the cook of the Charge Officer having informed the Senior Works agent, the latter came to the place and a crowd collected. A report was sent to the police-station, Pamdurthi. Head Constable Isaack came to Siddarampuram at about 3 p. m. and having removed the dead body and placed it on the ground by the side of the well held an inquest with the help of four panchayatdars including the Karnam and one Yeddula Narasappa. While the inquest was being held, the bus proceeding from Penukonda to Kadiri arrived. The

Tahsildar of Kadiri who travelled by the bus came to the place where the dead body was kept and asked the Police Head Constable to do his work carefully as there were reasons to suspect that it was a case of murder. 5th accused is said to have alighted from the same bus and Yeddula Narasappa is then said to have joined him. 5th accused informed him that though the police were trying to make it out to be a case of murder, it was open to the panchayatdars to come to the conclusion that it was a case of suicide and if such a conclusion was arrived at, the police can do nothing, but that otherwise the 1st accused and others as well as the panchayatdars would come into trouble. Thereupon the panchayatdars who were previously inclined towards giving an opinion in favour of murder changed their mind and gave their opinion that it was a case of suicide. The police Head Constable, though he was obliged to agree with the opinions of the panchayatdars felt a suspicion and sent the dead body for post-mortem examination to Bukkapatnam. On the following day accused 11 conducted the post-mortem examination and gave a certificate to the effect that owing to the highly decomposed condition of the body it was not possible to give any definite opinion. The dead body was then handed over to Nagasubrahmaniam, the younger brother of the deceased for cremation, accused 11 having assured him that it was a case of suicide and having offered to cremate the body himself in case the younger brother failed to do so.

4. On 21—11—1943, 12th accused went to the place and having perused the proceedings of the Head Constable opined that it was a case of suicide and sent a report accordingly. On 22—11—1943 the Deputy Superintendent of Police, Penukonda, went to Siddarampuram, at the instance of the District Magistrate, and having perused the records and investigation so far conducted sent a report to the effect that it was only a case of suicide and the District Superintendent of Police having concurred with this information, no further action was taken in the matter.

5. More than two months later, the District Magistrate of Anantapur, who on enquiries suspected foul play initiated proceedings *suo moto* and directed the District Superintendent of Police to hold further investigation. Rao Sahib D. N. Gopala Aiyar, Deputy Superintendent of Police, Anantapur, was specially deputed to conduct the investigation with the help of Mr. M. Ramappa, first Class Magistrate and Ramakrishna Rao, Special Magistrate. After making further enquiries Mala Kullayigadu was arrested under a warrant in a rioting case by the Sub Inspector of Kodavandlapalli, and produced before Rao Sahib D. N. Gopala Aiyar at Mudigubba. Statements of Kullayigadu and other persons examined by Mr. Ramakrishna Rao were taken. Kullayigadu was then taken to Siddarampuram where he pointed out to the Deputy Superintendent of Police the scene of offence and the several places connected with the scene of offence. Subsequently Kullayigadu was taken to Anantapur, and his confessional statement was recorded. He was taken before the District Magistrate who tendered him a pardon which was accepted by him. The accused 1, 5, and 11 were arrested and subsequently the other accused were also apprehended and charge-sheet was finally laid against all the accused.

6. In order to substantiate the prosecution story, 27 witnesses have been examined on behalf of the Crown. Two witnesses were also examined as Court-witnesses. The two principal witnesses who connect the several accused with the conspiracy to commit murder are P. W. 5 and P. W. 20. P. W. 5 is P. N. Chithambara Reddi, a resident of Penukonda. He calls himself a contractor and a cultivator. He is a member of the Penukonda Vigilance Committee and also the Panchayat Board, Penukonda. His evidence is important in that he speaks to no less than 7 incidents relating to the alleged conspiracy. P. Ws. 8, 9, 11, 17 and 21 have been examined to corroborate one or other of the several incidents spoken to by P. W. 5. P. W. 6, P. W. 8, P. W. 13, P. W. 14, P. W. 23 and P. W. 24 have been examined to connect accused 2, 4, and 5 with the conspiracy to cause disappearance of evidence and screening the offenders. P. W. 20 is Mala Kullayigadu who is the approver to whom pardon was tendered and accepted. He is the principal witness in regard to the actual committing of the murder on the night of

17—11—43. The evidence of P. Ws. 10 and 12 has been adduced to corroborate the evidence of P. W. 20, in respect of some particulars. The evidence of P. W. 2, has been adduced merely to establish the relationship between accused 1 to 9. P. W. 21 also speaks about the relationship between accused 1 to 5. The evidence of P. W. 3 has been adduced merely to prove that accused 3 and 13 were two of the six accused concerned in the Postal Dacoity Case, Hindupur, P. R. 6/36 on the file of the Joint Magistrate, Penukonda. The evidence of P. W. 22 is only to prove that a search was made in the house of 13th accused at Chittoor and that subsequent to 7—5—44, 13th accused was absconding and could not be arrested in spite of a proclamation issued against him. P. W. 25 was the office clerk of the Charge Officer in the Famine Camp at about the time of the disappearance of the Charge Officer. P. W. 27 was the Senior Works Agent in the Famine Camp who took charge on 16—10—43 about a month prior to the disappearance of the Charge Officer. The evidence of P. W. 4, P. W. 18, P. W. 19 and P. W. 24 has been adduced to connect the 11th accused with the conspiracy. The evidence of P. W. 15 is adduced for supporting the complicity of 12th accused with the conspiracy. P. W. 26 is Rao Sahib Sri D. N. Gopala Aiyar, Deputy Superintendent of Police who investigated the case at the instance of the District Magistrate.

7. I shall at first deal with the evidence relating to events which led up to the disappearance and death of the Charge Officer M. S. Ramakrishna, and to other events leading up to the further investigation and arrest of the accused. I shall then deal with the evidence of P. W. 5 along with the evidence of persons who corroborate him. I shall then deal with the evidence of other witnesses in support of the case of conspiracy to cause disappearance of evidence and to give false information. Lastly I shall deal with the evidence of P. W. 20 and the witnesses who corroborate him.

8. P. W. 25 was the office clerk at the Famine Camp from the opening of the Camp till its closure on 10-12-1943. He was messing with the Charge Officer and during the period of four or five days before the latter's disappearance the Charge Officer was himself preparing food as the cook was absent and giving food to P. W. 25. The Charge Officer was having one shed for his residence and another shed for holding his office at a distance of half a furlong from the residential hut. P. W. 25 was occupying a room in a shed in front of the kitchen. According to P. W. 25 the 1st accused was going to the Famine Camp till about 20 days prior to the disappearance of Ramakrishna. The 6th accused was however frequenting the Famine Camp even during those 20 days. P. W. 25 speaks to his officer having himself cooked food on the night of 17-11-43 and having served him food at about 8-30 p. m. P. W. 25 deposes that after taking food the officer went to the shed of the Senior Works Agent P. W. 27 and was talking to him till about 10 p. m., that at that time the Charge Officer was in his usual mood, that subsequently he went and slept in the Doctor's shed while he went and slept in the Charge Officer's shed. P. W. 25 also deposes that on the next morning he found the bed of the Charge Officer empty and the Charge Officer was missing. He made a search till about 10 a. m. and sent a report to the Police-station, Pamdurthi to the Executive Engineer and to the Village Munsif. Exhibit A is the report sent to the village munsif. P. W. 25 states that on 19—11—1943 the Executive Engineer came to the Camp and checked cash after taking out the keys which were found in the Charge Officer's coat pocket, that a sum of Rs. 78/- was found in excess when the cash balance was checked and this was due according to the witness to the Charge Officer having disbursed pay to three persons in the staff from his own funds and having failed to reimburse himself from the office funds later. P. W. 25 also speaks to his having taken the cash on hand on 20—11—1943 and to have remitted the same into the Treasury. While he was returning in the evening he came to know at Bukkapatnam that the body of the Charge Officer had floated in the kitchen well. Thereupon he sent telegrams to the Charge Officer's brothers at Anantapur and Cuddapah. He came to the Famine Camp and found that the dead body was lying on the ground having been removed from the well. Exhibit GG is the statement recorded from him by the Special Magistrate, under Section 164, Criminal Procedure Code.

9. P. W. 1 who is the Karnam in office and who was acting for the Village Munsif speaks to his having received Exhibit A yadast, and to his having sent a report Exhibit B to the Sub Magistrate, Penukonda. He also speaks to the dead body of the Charge Officer floating in the well on 20—11—43 and to his sending reports Exhibits C and C-1 to the Sub Inspector, Pamdurthi and also to the Stationary Sub Magistrate, Penukonda. He states that at 4 p. m. on 20—11—43, P. W. 9 a police constable and P. W. 21 Police Head Constable arrived and an inquest was held over the dead body which was removed from the well. P. W. 1 was one of the panchayatdars and Exhibit D is the inquest report.

10. P. W. 27 who is the Senior Works Agent speaks to the incidents from 23—10—43 to the 20th November 1943. He deposes that on 23—10—43 the Executive Engineer visited the Famine Camp, that the Engineer vertified the cash and was getting into his car when the Junior Works Agent brought to the notice of the Engineer certain irregularities said to have been committed by the Charge Officer. One of such irregularities was relating to the entries in D-4 Register which is an abstract of payments made regarding coolies whose names did not find a place in D-3, the muster roll. The allegations made by the Junior Works Agent were that the excess amount was being misappropriated by the Charge Officer and that the Famine grain was also being mishandled by the grain clerk and maisthris, with the connivance of the Charge Officer. The Engineer is said to have then inspected D-3 and D-4 Registers and to have taken them with him. He also sent for the Grain clerk who began to complain against the Junior Works Agent even before he was questioned whereupon the Executive Engineer suspended the clerk and passed an order directing the Charge Officer, the Junior Works Agent and P. W. 27 to proceed to the Grain stores and seal them and verify the balance of grain and to make a report. P. W. 27 speaks to his going along with the Charge Officer and Junior Works Agent to the village, where Grain stores were and to have sealed the stores in three houses. He started verification of grain on 24—10—43 and completed the same by 12—11—43. He states that in the early hours of 28—10—43 one of the kitchen watchers came running to the camp and informed the charge officer that the villagers of Siddarampuram were distributing the famine grain among themselves and that they could be caught red-handed if the charge officer proceeded to the place immediately. P.W. 27 states that on hearing this report, they went to the village and found grain in several houses. Only three houses in which grain was stored were sealed. The Junior Works Agent raised the question about the fourth house on which the Charge Officer made a reference to the grain clerk who stated that the fourth house was vacated a few days previously and hence only three houses came to be sealed. After finding the grains in several houses, the Charge Officer sent a report Exhibit LL to the Pamdurthi police. A report Exhibit MM was sent to the Collector, Sub Collector and Executive Engineer. The Police Sub Inspector who is 12th accused turned up at Siddarampuram only on 31—10—43. After investigation a case was laid against several persons including 1st accused. P. W. 27 speaks to his going along with the Charge Officer on the evening of 17—11—43 to the Anjaneyaswami temple, which is at a distance of 6 furlongs from the Famine Camp, to their having retuned from there about an hour later and to their meeting in the room of P. W. 27 at about 9 or 9-30 p. m. and to the discussion they had about the winding up of the camp and proposal to leave Siddarampuram on 19—11—43. They dispersed at about 10 p. m. when the Charge Officer gave two night-pills to P. W. 27 and then went and took his bed in the Doctor's camp which was vacant as there was nuisance from bugs in Charge Officer's shed. P. W. 27 also speaks to the disappearance of the Charge Officer next morning, to the search made about him, to the report sent to the village officer, to the checking of cash by the Executive Engineer on 19—11—43, to the remitting of cash through P. W. 25 into the Penukonda treasury and to the floating of the dead body of the Charge Officer on the morning of 20—11—1943. He states that the cook of the charge officer who had gone on leave on or about 10th November and who returned on the 19th came to him about 10 a. m. and informed him that the body of the Charge Officer was floating in the well, that when P. W. 27 came out of his shed, he found 6th accused along with him, that thereupon they all went to the

well where the body was found floating just then. P. W. 27 also speaks to the arrival of the police at about 3 p. m. and to the inquest that was held thereafter. He states that the hands of the dead body were tied with a towel crosswise and there was also a stone tied with a cloth round the waist. There was a red mark ½" wide round the neck and the testicles were found swollen abnormally. He did not go very near the dead body as it was emitting a bad smell. He states that when the inquest was being held the bus from Penukonda arrived and the Tahsildar of Kadiri saw the dead body and left the place. He also states that he was examined by the Head Constable at the inquest, but that he was not examined by the Sub Inspector 12th accused. He speaks to his sworn statement recorded by the Special Magistrate. Exhibit NN is the statement.

11. P. W. 24 is the younger brother of the deceased, and he was employed as a clerk in the Superintending Engineer's office, Anantapur. On the night of 18—11—43 he got information of the disappearance of his elder brother. He went to Siddarampuram at 2 p. m. on 19—11—43 and made enquiries of the works agents and the clerks. He states that search was made for his brother when his bed was found vacant that he learnt that there was a hue and cry in the Famine Camp that his brother had committed suicide, that he went to his brother's hut and saw the bed rolled up and kept over his trunk, that his brother's shirt and coat were hanging on the coat-stand, that there were also his chappals and torch light near the bed. He further deposes that he left for Anantapur and returned again to Siddarampuram at 2 p. m. on 20—11—43 along with another brother of his, that he learnt about the floating of the brother's dead body in the well even on the way and that when they reached Siddarampuram the body was floating in the well with its back upwards. He also speaks to the police arriving there at about 3-30 p.m., to the removal of the body, and to the inquest that was held subsequently. He states that there was a matty banian on the body, that the upper cloth was tied round the waist with a big black stone of the size of a pumpkin, that there was a mark all round the neck just like a strangulation mark of the width of an index finger, that there were also marks of contusion on either side of the chest and also marks of contusion on the back and the thigh, and that there was a cut from the anus upwards to about 2" in length. He also states that the testicles were swollen to the size of a cocoanut and the hands were tied crosswise with a towel very tightly. He states that the right wrist was placed over the left wrist and the knot was below the left wrist. He also states that there were two knots and that when he informed the persons present that it was not possible for anyone to tie his hands by himself in that manner, 6th accused came forward and stated that anybody can tie up his hands in that manner. He also states that the panchayatdars tried to tie their hands but failed in their attempt and that at about 5 p. m. when the Penukonda-Kadiri bus arrived, the Tahsildar of Kadiri P. W. 23 got down from the bus and saw the dead body. He states that P. W. 23 expressed his opinion that it was a case of murder and that at that time he saw a man from the same bus getting down and proceeding away to a distance of 30 yards, that one of the panchayatdars went and met him and that after both of them talked for a while the panchayatdar returned and after he returned the other panchayatdars who were till then saying that it was a case of murder turned round and said that it was a case of suicide. He speaks to the dead body being sent to Bukkapatnam for post-mortem examination, to his proceeding to Bukkapatnam on the next day, and meeting 11th accused when the post-mortem examination was almost over and to his questioning 11th accused as to the several doubts felt by him. He deposes that 11th accused told him definitely that it was a case of suicide, that the doctor explained the strangulation mark as a result of violence received while falling into the well, that the doctor explained the absence of the water in the stomach as due to the flowing out of the water when the body was removed from the well and that the doctor refused to cut open the skull or the swollen testicles. P. W. 24 also says that 11th accused became enraged when these questions were put to him and stated that he knew better as a doctor, that he also asked him whether any arrangements had been made for the disposal of the dead body, and that on his being assured that it was a case of suicide he himself arranged to cremate the body as otherwise the doctor said he would himself arrange to dispose of the dead

body. After the dead body was cremated, P. W. 24 returned to Siddarampuram and left the place on the evening of 21—11—43 after receiving the ring which was on his brother's finger from the Head Constable. P. W. 24 also speaks to his going along with his brother Venkataraman to the District Superintendent of Police, who directed them to the Deputy Superintendent of Police, Penukonda and also to their seeing the District Magistrate who promised to cause an enquiry to be made in the matter. He further speaks to his having removed from the camp a hurricane lantern belonging to his deceased brother. Exhibit FF is the statement recorded by the Special Magistrate.

12. P. W. 21 is Isaack, Head Constable, Pamdurthi Police Station, who held the inquest over the dead body of Ramakrishna. P. W. 9 Venkatasubbayya is a police constable of Pamdurthi Police station who was present at the inquest, and wrote Exhibit D to the dictation of P. W. 21. P. W. 21 states that though he felt that the case before him was one of murder, he was obliged to record that it was one of suicide as the panchayatdars came to that opinion, but that as he felt a doubt he sent the dead body to Bukkapatnam for post-mortem examination, through the constable Fakruddin who has been examined as P. W. 18. The evidence of P. W. 18 is to the effect that he left Siddarampuram with the dead body at 6-30 p. m. on 20—11—43 and reached Bukkapatnam at 12 midnight and that the post-mortem was conducted by 11th accused on the morning of 21—11—43 between 8 to 11 a. m. According to him only the stomach was cut open and though he was present throughout no other portion of the body was cut. He received the post-mortem certificate and the ring of the deceased from the Doctor but he did not receive the clothes which were on the dead body and which were lying under the post-mortem table.

13. P. W. 19 Venkata Reddi is the compounder in the L. F. Dispensary, Bukkapatnam, who was present at the post-mortem examination and took notes to the dictation of 11th accused. Exhibit S is the rough notes prepared at the time of the post-mortem examination. It contains entries in ink made by 11th accused and P. W. 19 has also underlined several printed words and made some entries in pencil at the direction of 11th accused. Exhibit S-1 is the post-mortem notes sent to the District Medical Officer, Anantapur, along with the post-mortem certificate Exhibit BB. Exhibit AA is the requisition to the Medical Officer and Exhibit U is the post-mortem register which is maintained in the dispensary. Exhibit S is found written on a post-mortem book which was already used for one Kuruba Lingamma. The name of Madiga Kadireppa is also found written below the name M. S. Ramakrishna. Exhibits W and W-1 are rough notes with regard to post-mortem examination held in May 1943 and December 1943. Exhibit U-1 is entry in the post-mortem register relating to Kuruba Lingamma and Exhibit U-2 is entry in post-mortem register relating to Ramakrishna. Exhibit Z is the First Information Report regarding the death of Ramakrishna.

14. I shall at this stage also refer to the evidence of P. W. 4 Chakala Narasimhulu of Bukkapatnam as the same relates to the cremation of the dead body. He states that his services were requisitioned for disposal of the dead body, that he saw only a small portion of the stomach cut open and that the testicles which were as big as a ball 6" in diameter were not cut open.

15. On the evening of 21—11—43, 12th accused came to Siddarampuram and having perused the investigation notes made by P. W. 21 sent up a report that the death of Ramakrishna was clearly due to suicide. Exhibit J is the case diary of 12th accused for the period 20—11—43 to 23—11—43. Exhibit J shows that after verifying the investigation made by P. W. 21, Accused 12 examined five witnesses, that on 22—11—43, 12th accused examined the scene of offence, that on 23—11—43, 12th accused examined 11th accused and finally closed the investigation on that date with the remark that it was a clear case of suicide. The Deputy Superintendent of Police, appears to have gone to Siddarampuram on 22—11—43 and after perusing the records available and after examining the

Senior Works Agent, the Junior Works Agent and others sent up a report that it was a case of suicide. The District Superintendent of Police of Anantapur also agreed with this opinion and nothing happened till about the beginning of February, 1944.

16. P. W. 26 is one Mr. D. N. Gopala Aiyar who was Deputy Superintendent of Police, Anantapur till 30—4—1944, on which date he retired from service. He deposes that on 9—2—44 the District Magistrate of Anantapur took cognizance of a case under Section 190(1) (c) of Criminal Proceedure Code in connection with the death of the Famine Officer treating it as a case of murder under Sections 120-B, 302, 109 and 201 I. P. C., read with Section 120-B. Exhibit HH is the complaint and P. W. 26 who was asked to further investigate the case by the District Magistrate commenced investigation from 10—2—1944 and concluded it on 20—3—44. He went to Siddarampuram on 10—2—44 and visited the Famine Camp but he was able to observe only marks of sheds that existed before as the camp sheds had been removed by that time. He examined P. W. 4, P. W. 5, P. W. 7, P. W. 9, P. W. 12 to P. W. 14, P. Ws. 18 to 21, P. W. 23, P. W. 24 and P. W. 27 between 12—2—44 and 16—3—44. P. W. 20 who is the approver in this case was produced before him by P. W. 16 the then Sub Inspector of Kodavandlapalli on 26—2—44. P. W. 26 states that he arrested P. W. 20, recorded his statement and took him in his car on 27—2—44 to Siddarampuram famine camp and that he was accompanied by P. W. 16 and Mr. Ramappa. He prepared a plan Exhibit JJ which was incomplete. With the permission of the Court he corrected the plan and also appended details showing the description of the several places. He speaks to his having searched the L. F. Dispensary on 9—3—44 in the presence of panchayatdars and to have seized Exhibit S which was locked in a wodden almirah. He states that as per his orders accused 2, 3, and 7 were arrested on 14—3—44 and that he also applied to the District Magistrate for tender of pardon to P. W. 20. Exhibit KK is the proceedings of the District Magistrate tendering the pardon. P. W. 26 also states that after investigating the case to some extent he handed over the further investigation to Mr. B. V. Chetti, Sub Inspector of Police who has been helping the Public Prosecutor in the trial before me.

17. I shall at this stage refer to the evidence of P. W. 16 who was responsible in arresting Mala Kullayigadu P. W. 20 and producing him before P. W. 26. He was Sub Inspector of Kodavandlapalli from 9—8—1943 to 30—4—1944. He speaks about a rioting in Mallepalli village within the limits of Kodavandlapalli between the faction of Vengamuni Reddi and the faction of one Basi Reddi whose daryadi is the son-in-law of the 2nd accused. This rioting is said to have taken place on 6—11—1943 and Exhibit Q is the certified copy of the charge sheet dated 7—1—1944 laid under Section 160, Indian Penal Code. P. W. 16 states that P. W. 20 was an accused in that case, that he was living in the house of Basi Reddi and belongs to his party, that there was an arrest warrant against him, that he was arrested on 25-2-44 at 9 a. m. when he was produced before him by one Golla Narayana of Eedulapalli village. He speaks to his having taken P. W. 20 to Mudigubba and to have produced him on 26—2—44 before P. W. 26. He also states that affray case was proceeded with after splitting up the case against Kullayigadu and separating him from it. He states that warrants were issued to accused 7 to 10 but that they were all absconding. Exhibits R to R-3 are the warrants.

18. I shall now proceed to refer to the evidence of P. W. 5. He states that he had known accused 12 from his childhood and financed him for his education and came to live with him at Pamdurthi when 12th accused became the Sub Inspector and continued to live with him till November 1943. He states that he helped 12th accused in the investigation of Agraharam rioting case and Eluguntla theft case. The first incident which he speaks about is in connection with the grain theft which was discovered on 28th October 1943. He states that he accompanied 12th accused when he

went to see the Deputy Superintendent of Police of Penukonda and that he heard the Deputy Superintendent of Police taking 12th accused to task for not investigating into the grain theft case with diligence. 12th accused is then said to have gone to Siddarampuram and to have arrested four or five persons on one day and four other persons on the next day. P. W. 5 speaks to an incident which took place inside a room in the village chavadi where the 1st accused is said to have paid a sum of Rs. 900/- to 12th accused for not arresting him and allowing him to abscond. He then left for Penukonda along with four persons who were arrested on the second day and were being escorted by a police constable. Having remained there for one day he again returned to Siddarampuram and proceeded to Pamdurthi. On the evening of that day 8—11—43, he went to the police-station and not finding 12th accused at that place went to the bazaar and while he was returning by the side of the house of 5th accused, he heard the voice of some persons in the upstair room and stopped at the window having heard the name of Venkataramanna 13th accused. He speaks to the conversation beween accused 3 and 5 which he could gather only from the voices of the said two persons. 5th accused is said to have asked 3rd accused as to how he came to know 13th accused and 3rd accused replied that he and 13th accused were co-accused in the Postal theft case, Hindupur. Then on being questioned by 5th accused, 3rd accused is reported to have said that he, 2nd accused and 5th accused should go to Chittoor and secure the services of 13th accused to influence 12th accused. This is the second incident. P. W. 5 then went to the police-station where he conversed with 12th accused but did not tell him about this incident. On 10—11—1943 P. W. 5 and 12th accused went to Penukonda and on 11—11—1943 one Masood came and delivered a letter to 12th accused. P. W. 5 and 12th accused left Penukonda at 7 p. m. on 12—11—1943 and reached Dharmavaram at 7-30 p. m. Accused 5 and 12 then proceeded along the railway line and having met 13th accused there all of them went to factory of Nama Lakshminarayana. Inside the factory they found accused 2, 3, 4, 5 and Venkata Reddi brother of 1st accused. They were all sitting together for half an hour and gossiping while P. W. 5 stood at a distance. Then the 1st accused came to the place when 12th accused asked P. W. 5 to go away. P. W. 5 got offended and having walked a short distance returned to the factory after 15 minutes to hear what they were talking about. P. W. 5 saw them through the crevice of a door and heard 4th accused telling 12th accused that "Rs. 3000/- had already been paid and the sovereign necklace was worth Rs. 1500/- and that would be sufficient for the present." P. W. 5 also heard 3rd accused telling 13th accused that "Rs. 1000/- had already been paid at Chittoor, that Rs. 1000/- more was being paid then and that if everything went on well something more might be done by way of inam." Then as the persons inside the room were coming out, P. W. 5 skulked away and went to the railway station and slept there even without taking his food. P. W. 5 was so much annoyed at the treatment given to him that he made up his mind not to keep company whith 12th accused but wanted to meet him at sometime or other and give him a bit of his mind. So P. W. 5 went away to villages to purchase grain and after four or five days came to Siddarampuram with a bag of ragi. When he was waiting at the bus stand at Siddarampuram on the 17th November 1943, accused 12 arrived by the bus which came there and at the instance of 12th accused he accompanied him to the Charge Officer's camp. There accused 12 met the Charge Officer and after having received a list of grain got from various places, 12th accused is said to have asked the Charge Officer not to remain in that place that day but to accompany him to Penukonda. The Charge Officer, however, promised to gather the account books and then proceed to Penukonda the following day. 12th accused then left Siddarampuram by bus while P. W. 5 was detained on account of want of room in the bus. He went to Tarugollapalli and then to Chenrayanpalli where he got into bus on 18—11—43 and was proceeding to Penukonda. P. W. 9 got into the bus and 5th accused who was in 11th accused's house also got into

the bus at Bukkapatnam. This is the fifth incident, the third being the incident in the Nama Lakshminarayana's factory on 12—11—43 and the fourth being in the Charge Officer's camp on 17—11—43. The sixth incident he speaks about is in the Sub Magistrate's court verandah. After reaching Penukonda, P. W. 5 took his meal and came to the Penukonda Sub Magistrate's Court. 12th accused was waiting for the case diary in the Manure leaf theft case of Yajamanam Obalappa P. W. 8 which was with P. W. 9. P. W. 9 arrived there and 12th accused asked him why he came late. Then P. W. 9 told 12th accused that the Charge Officer was missing from the morning while the bed on which he slept was in tact on the ground. Then 12th accused is reported to have said "Why are you trembling and giving the news in fear? The fellow will have fallen down in a well and died. The body will float and I will pluck a hair and throw it away and prepare an inquest and send a report and be done with it." P. W. 5 then narrates the seventh incident connected with the conspiracy and that is what is said to have taken place on the evening of 23—11—1943 or 24—11—1943. 12th accused is said to have asked P. W. 5 to accompany him to Penukonda railway station. P. W. 5 and 12th accused proceeded to the station by jutka and when the train arrived, 13th accused alighted from the train and asked his brother 12th accused as to what certificate was given. 12th accused is then reported to have said 'suicide'. 13th accused then asked 'Sure'. 12th accused replied 'Sure'. Then 13th accused said "Abba; all right."

19. There is no evidence to corroborate the evidence of P. W. 5 in regard to incidents 1 and 2. As regards the incident dated 12—11—1943 in Nama Lakshminarayana's factory at Dharmavaram there is evidence of P. W. 11 and P. W. 17. P. W. 11 is Pantnam Venkatanna, trader and cultivator of Pamdurthi. There was criminal case against the men of 5th accused for having beaten P. W. 11. Having been asked by 12th accused to apply for copies of depositions in the case, P. W. 11 is said to have gone to Penukonda on 12—11—43. P. W. 11 states that both P. W. 9 and 12th accused came by the bus, that at Penukonda, 12th accused told him that he would look into the depositions himself and hence copies were not required, that therefore he returned to Mudigbubba via Dharmavaram by mixed train and that 12th accused and P. W. 5 who travelled by the same train got down at Dharmavaram station and went along the platform. P. W. 17 says that one day in November 1943 he went to get fodder for his cattle, that he went to the factory of Nama Lakshminarayana with a view to gather fodder that might have fallen from carts, that inside the factory he saw accused 1 to 5 sitting with 13th accused and that 1st accused asked him as to whether he retired from service and also told him that he had come to Dharmavaram on some business. P. W. 7 Narayana Reddi of Mangalamadaka who is the Village Munsif of Eluguntla speaks about P. W. 5 coming to his place on 14—11—43 and remaining with him till 16—11—1943. This witness has given evidence more favourable to the defence than to prosecution. He was allowed to be treated as a hostile witness.

20. P. W. 9 has given evidence in support of three of the incidents spoken to by P. W. 5. He speaks to P. W. 5 getting into his bus at Chenrayanpalli, to 5th accused getting into the bus at Bukkapatnam emerging from 11th accused's house on 18—11—43 and also to his meeting 12th accused outside the Sub Magistrate's Court, Penukonda where when questioned as to why he came late he stated that the Charge Officer was missing and then accused 12 is said to have stated "Let the fellow go if he has gone. He might have fallen into some well and died. Why do you tremble like that as if your life is in danger." Another incident he speaks to is about his travelling in the same train with 12th accused on the evening of 23—11—43 from Penukonda and meeting 13th accused on the Dharmavaram platform, when 12th accused is said to have introduced 13th accused as his

brother. Though his note book shows that he was in Kondakamarla side on that day, P. W. 9 states that accused 12 himself suggested that the witness might note in his note book that he was in those parts in search of out of view offenders. P. W. 8 Yajamanam Obalappa and P. W. 21 Isaack, Head Constable also speak about the incident in the Sub Magistrate's Court verandah on 18—11—43. P. W. 8 states that when P. W. 9 related about the disappearance of the Charge Officer, 12th accused stated "Why are you tembling as if you have killed him. If he has gone let him go ?".

21. I shall next refer to the evidence of certain witnesses who have been examined to support the case of conspiracy in causing disappearance of evidence and in screening the offenders from punishment. P. W. 6. Y. Srinivasa Rao, was Taluk Head Accountant, Gooty. He went to Kadiri on the evening of 15-11-43 and was returning to Anantapur on 17-11-43 by the train which leaves Kadiri at 4-30 or 5 p. m. 2nd accused and one Gidda Venkata Reddi got into his compartment at Mudigubba railway station. At Chinnakuntepalli station one man came and informed 2nd accused that Agraharam Rami Reddi 4th accused went to Dharmavaram in a jutka and that he would not be coming by train. P. W. 8 speaks to his having gone to Anantapur on 16—11—43 to attend to his work in the District Court and to his return on 17—11—43 by the evening train, and states that when he reached Dharmavaram 12th accused got down from another train and asked him to go to Penukonda that night, that Maravapalli Rami Reddi 4th accused was then waiting in the platform when 2nd accused and Gidda Venkata Reddi alighted from another train and came and joined them. Accused 2, 4, and Gidda Venkata Reddi are said to have proceeded to the town while 12th accused is also said to have proceeded towards the town. Evidence of P.W. 6 and P.W. 8 is to make out that accused 2 and 4 arranged to meet 12th accused at Dharmavaram station in order to speak as to what should be done regarding the murder that was to be committed that night.

22. P. W. 13 is one Govindarajulu, Bus driver in the Kadiri-Penukonda bus line. He speaks to having reached Siddarampuram at about 6 p. m. on 20—11—43 when P. W. 23 Tahsildar of Kadiri and 5th accused who travelled by the bus got down and went towards the dead body over which an inquest was being held. He speaks to his having seen an injury on the neck of the dead body and also about the testicles being swollen. He states that P. W. 9 was writing the inquest report to the dictation of P. W. 21, that after he saw the dead body he found people dispersing in groups when Yeddula Narasappa one of the panchayatdars is said to have joined 5th accused and talked to him. 5th accused is said to have told Yeddula Narasappa in the following terms. "The police scoundrels are trying to do some mischief to make out a case of murder. Who has got any motive to kill this man? Is it impossible to tie one's hands with a towel in that manner. If Panchayatdars state that it is a case of suicide, the police can do nothing, but on the other hand if panchayatdars say it is a case of murder, Nanji Reddi (1st accused) and others will come into trouble and the panchayatdars themselves would come into trouble."

23. P.W. 14 Lakshminarasappa, village munsif of Pamdurthi Agraharam speaks to his having travelled along with P. W. 23 both in the morning and in the evening, to his having seen the dead body floating in the morning and to have seen the dead body at the inquest in the evening. He states that at Bukkapatnam 5th accused got into the bus when it was about to start and that he, 5th accused and the Tahsildar of Kadiri along with others got down from the bus and saw the dead body. He also speaks to his having seen a mark of a rope of the width of a finger on one side of the neck of the dead body and to have also seen the testicles being swollen. P. W. 23 corroborates the evidence of P. W. 14 and states that he saw the red mark round the neck of a finger's width, both when he saw the body floating in the well and also when he saw the dead body at the inquest. He states that P. W. 21 told him

that he suspected it to be a case of murder and that thereupon he asked the police constable to write his inquest report carefully and went away. He also states that 5th accused travelled by the same bus and got down at Siddarampuram. P. W. 24 also speaks to 5th accused getting down from the bus and moving away in the road towards Bukkapatnam when Yeddula Narasappa is said to have joined 5th accused and talked to him. P. W. 21 also speaks to Yeddula Narasappa and 6th accused having a conversation with 5th accused and to their returning to the place of inquest, after which panchayatdars are said to have definitely given an opinion that the case was one of suicide. P. W. 15 is Nagaraja Rao, reporter to the Andhra Patrika from 1938. He is also depot manager of the Wholesale Stores at Pennkonda. He states that 12th accused asked him about a week after the death of charge officer to send a report to the Andhra Patrika stating that the death was due to suicide and that 12th accused also reminded him about it ten days later.

24. I shall now proceed to consider the evidence of P. W. 20 the approver and the evidence of P. W. 10 and P. W. 12 who have been examined to corroborate the approver to some extent. P. W. 20 states that he was a resident of Ravalcheruvu eking out his livelihood by doing cooly work, that about 3 or 4 months before the occurrence he came to Marthad and was doing cooly work in the village and cooking his food by the side of the Maddileru river, that he was then engaged as a servant by 2nd accused for tending 100 goats which had been purchased, that after 3 months he proceeded to Bangalore along with others for effecting a sale of the goats, and that after one lot of goats was sold he returned to Marthad after staying for a day in Ravalcheruvu on the way. He also states that he took part in a house-breaking in which accused 7 was also concerned, that he was asked to abscond and live in Mallepalli in the house of 2nd accused's son-in-law Basi Reddi, that after he stayed there for 11 days, there was a rioting case at Mallepalli between the faction of one Vengamuni Reddi and the faction of Digamenti Venkata Reddi, father of Basi Reddi, a dayadi of accused 2's son-in-law in which 2nd accused's son Ramalinga Reddi and one Muhammadan of Marthad were concerned, that he was impleaded as a co-accused along with the son and son-in-law of 2nd accused in that affray case, that sometime later he was asked by 2nd accused to go to Marthad on the assurance that the affray case was compromised and that thereupon he went and lived at Marthad in the house of 2nd accused. P. W. 20 also states that a day after he reached Marthad, accused 6, the son of 1st accused came to Marthad on horseback and returned the next day, that on the following day a Madiga lad came to Marthad and delivered a letter to A-7 and that on the same day accused 7 to 9 went on foot along with P. W. 20 to the house of 1st accused in Siddarampuram and that accused 1. 2, and 4 were in the house at that time. P. W. 20 says that accused 1 and 4 were known to him before, that after all the said persons were closetted for sometime inside the house they came out of the house when he heard accused 8 and 9 questioning 1st accused as to whether Suryanarayana Reddi (5th accused) had been consulted and 1st accused replied that 5th accused had been already consulted on all matters, that thereupon 2nd accused asked him and accused 7 to 9 to return to Marthad and to be in readiness to go to Siddarampuram whenever asked to do so, and that P. W. 20 and accused 7 to 9 walked back to Marthad and reached the place before sunset. P. W. 20 also states that the 3rd day after this 1st accused's son 6th accused again came to Marthad on horseback and returned after taking coffee and that about 3 or 4 p. m. on the same day accused 7 to 9 went in a cart driven by accused 10 to Siddarampuram accompanied by P. W. 20 who walked on foot behind. It is stated that they reached Siddarampuram in the night at 10 p. m. that after taking meal 6th accused enquired if a Boya had come that the Boya then came forward and all of them went to a tamarind tree in a tope near the famine camp, that they stayed there while the Boya went and came back stating that persons were awake, that they then passed to the other side of the road and

waited near another tree where they waited until the Boya went out again and returned stating that the 'Ayya' had slept, that thereafter all of them went to the shed where the Charge Officer was sleeping, that accused 6 and 7 then pressed the throat of the charge officer while accused 9 and 10 held the legs and 8th accused held the right hand and P. W. 20 held the left hand, that the Boya having untied an aloe fibre string tied to the shed and having passed it round the neck strangled the charge officer, that finding that life was lingering the Boya squeezed and twisted the testicles of the charge officer till the life became extinct. that 6th accused also thrust his towel into the mouth of the charge officer when he tried to cry out, and that subsequently all of them excepting P. W. 20 and accused 10 carried the dead body to the well near the kitchen and having tied the two hands of the Charge officer crosswise with the towel that was taken out of the mouth and having tied two big stones round the waist with a turban cloth threw the dead body into the well and that subsequently they scaled down the parapet wall to the west of the well and reached 1st accused's house after meeting a woman on the way who came out to answer calls of nature and who questioned them as to who they were, to which however no answer was given. P. W. 20 states that subsequently he and accused 7 to 10 left in the same cart by which they came and reached Marthad before day-break, that he was then asked to attend to cultivation at Poolakuntlapalli, that on the third day he was sent again to Mallepalli where he was hiding himself in the field whenever he happened to see a police-constable, that he then heard about a warrant of arrest that had been issued against him, that on his informing 2nd accused about it he was again sent to Marthad with instructions to live at the well near Poolakuntlapalli, that 10 days later he was sent to Eedulapalli where he was living in the house of Gangi Reddi and Golla Chinna Narayana and that three days later he was taken by Chinna Narayana to Kodavandlapalli police-station and produced before P. W. 16. P. W. 20 also speaks to his being taken to Mudigubba by P. W. 16, to his informing P. W. 16 about the Siddarampuram murder, to his being produced on the next day before the Deputy Superintendent of Police (P. W. 26), to his narating the whole story before P. W. 26 to his accompanying P. W. 26 in his car to Siddarampuram and pointing out several places in the famine camp, to his being taken thereafter by bus to Anantapur where he was produced before a Sub Magistrate who recorded his confessional statement Exhibit Y, given out of his free-will and without being tutored or coerced by anyone, to his subsequently being taken to District Magistrate before whom he gave a statement and to his being tendered pardon and taken as an approver.

25. P. W. 10 is Imam Sahib, Police Constable of Pamdurthi station for about 9 months till 16—6—1944 who was on bandobust duty keeping watch over the famine grain between 11—11—43 to 19—11—43. He has been examined to probablise the meeting of P. W. 20 with accused 1, 2, 4 and 7 to 9 in 1st accused's house on 13—11—43 or 14—11—1943. P. W. 10 deposes that while he was guarding grain in the village chavadi accused 2, 4, and 7 passed by the chavadi towards the house of 1st accused, that on the next day at about 9 or 10 a. m., 4th accused returned and that accused 2 and 7 also left on the evening of 16—11—43. He also speaks to P. W. 5 coming to the chavadi on the night of 16—11—1943 with a ragi bundle and to his sleeping elsewhere for the night and returning on the morning of 17—11—43 with the ragi bundle. This evidence is to corroborate the evidence of P. W. 5 to the effect that 12th accused and P. W. 5 met the charge officer on 17—11—1943.

26. P. W. 12 is Subbi Reddi, the village munsif of Marthad and he resides in a house which is at a distance of three chains from the house of 2nd accused. He states that on a Wednesday prior to the death of the Charge Officer he heard that 1st accused's son came by horseback and that at 4 p. m. on that day while he was at Maddileru he saw a double bullock

cart proceeding from his village to Siddarampuram with accused 7 and 8 in the cart. He also states that he saw the cart in the village again on the next day or two or three days later. In his statement Exhibit N, he had stated that he saw 1st accused's son coming on horseback and that the cart was in the village the very next day. The evidence of this witness while not helping the prosecution to any extent has been very favourable to the defence as would be mentoned presently.

27. I shall now refer to the evidence of P. W. 2 and P. W. 21 as regards the relationship between 1st accused to 9th accused. Their evidence discloses that the two sisters of 4th accused have been married to accused 1 and 2, that 5th accused's paternal grandmother and 4th accused's mother are sisters, that 4th accused's wife is the daughter of 5th accused's paternal aunt, that 3rd accused's younger sister Seethamma was married to one Seebavi Narasimha Reddi, maternal uncle of accused 5, that 6th accused is the son of 1st accused, that 7th accused is the son of 2nd accused and accused 8 and 9 are the brothers of 2nd accused and that 10 accused is the servant of 2nd accused. P. W. 2 is the younger brother of 5th accused's father's sister's husband and his evidence as regards relationship has not been disputed. I have so far dealt with the whole of the evidence adduced on behalf of the prosecution.

28. One Narayanachar who was cited for the prosecution was examined as C. W. 1. He was one of the panchayatdars at the inquest held over the dead body and his evidence is to the effect that the panchayatdars and P. W. 21 were of opinion that it was a case of suicide and that no one there suggested that it was a case of murder. That he is not a truth-speaking witness is clear from the fact that he would not admit the presence of P. W. 23 or of 5th accused even though there is admission and evidence to show that 5th accused did come by the bus which arrived while the inquest was going on and there is evidence to show that P. W. 23 came to the place of inquest and had conversation with P. W. 21. There is also the evidence of Captain Dayananda Rao, the District Medical Officer of Anantapur who was examined as an expert and as C.W. 2, as the prosecution did not adduce the evidence of any medical witness regarding the post-mortem certificate. I shall refer to the evidence of C. W. 2 later on when I deal with the question as to whether the death of the charge officer was a case of suicide or homicide.

29. The accused have given statements in the lower Court and have in this Court given answers to questions put to them with reference to the evidence adduced against them regarding the several incidents referred to already. The first accused states that there are factions against him in his village and neighbouring villages, that Nutheti Venkataramanna is a powerful enemy of his and that same others have joined him and concocted this case. He also states that 12th accused got himself mixed up with his enemies and attempted to fabricate false evidence against him in connection with the grain theft case and that therefore he absconded and was going from place to place living the life of an exile and that finally he surrendered himself before the Magistrate on the date of the hearing of the grain theft case. According to him P. W. 5 is a person begging grain in villages and is a particular friend of Nutheti Venkataramanna. He denies having gone to or even seen Nama Lakshminarayana's factory and states that Mr. B. V. Chetty who has been his enemy and who concocted cases previously against him bore a grudge against him when he was foiled in his attempt to bring him to book and that therefore Mr. B. V. Chetty has procured false evidence against him. He suggests that P. W. 20 never came to his house and that he must have been brought to the Sub Jail where 1st accused was, for the purpose of being identified by him later.

30. The 2nd accused states that there is enmity between him on the one hand and P. W. 2, Kodavandlapalli Chinna Venkata Reddi, Edulapalli Golla Narayana, K. Gangi Reddi, Dorigal Narayana Reddi and P. W. 16 on the other, and that all the enemies have joined hands and having set up P. W. 20 to speak against him, concocted a false case against him. He also states that there are misunderstandings between him and accused 8 and 9 as regards division of the family property. He denies that accused 10 was his servant and states that he has considerable landed property. He denies that he met 4th accused and others at Siddarampuram on 13th or 14th November 1943 and states that there was no reason why he should have joined hands with 1st accused and killed a Brahmin simply because he (2nd accused) married the wife's sister of 1st accused. He further states that P. W. 20 even if he was employed for 2 months under him could not have created confidence enough for being taken to commit a murder. He states that the police officers from the rank of Head Constable to the rank of Circle Inspector have with the idea of getting promotion helped the Deputy Superintendent who was aspiring for an extension of 2 years' service and having cooked up witnesses succeeded in making him rot in jail for a period of 1½ years. He states that he and P. W. 6 were on inimical terms when the latter was Revenue Inspector in his firka and that the other witnesses have given evidence against him falsely being in fear of their superiors. He states that P. W. 20 was never in his service and was set up to speak against him by his enemies.

31. The 3rd accused denies relationship with the other accused as his younger sister became a widow long ago and states that from the time of the senior Bayapa Reddi, father of 5th accused there has been enmity between him and the family of 5th accused. He states that there is a faction in the village and Koochu Venkataramanna and his brother-in-law Nutheti Venkataramanna who is the informant to the District Magistrate were inimically disposed towards him. He adds that he attested the dying declaration of a deceased person in a murder case against Koochu Venkataramanna in 1940. He states that his being a co-accused with 13th accused in Postal Dacoity case has been taken advantage of for implicating him. The 3rd accused also states that P. W. 5 who used to stay and take his meal in Koochu Venkataramanna's house has been instigated to give false evidence against him.

32. The 4th accused states that the witnesses have spoken against him at the instigation of Chinna Venkata Reddi and Mr. B. V. Chetti who are his enemies. He denies having gone to the factory at Dharmavaram and states that he was not at all in the village on or about 17—11—1943 having gone to Kothapalli in Cuddapah district, and remained there for 15 or 20 days.

33. The 5th accused denies the several incidents spoken to by P. W. 5 and other witnesses and states that he has been implicated in this case on account of enmity. He admits that he travelled in the bus from Penukonda to Pamdurthi on the evening of 20—11—43 but denies that he influenced the panchayatdars to give any opinion contrary to their own opinion. He states that he had gone to Penukonda on 18—11—43 and 19—11—43 in connection with cases and returned by the bus on 20-11-43 having missed the bus on the previous day. He states that the bus stopped at about 20 yards from the place where the dead body was kept, covered with a white sheet of cloth and that he remained in the bus feeling that it was below his status to mingle with the crowd. He also states that such heinous offences or thoughts about them are beneath his education and culture.

34. Accused 6 denies ever having owned a horse or having gone to Marthad on horseback. He states that it will take at least 2 days for one to

go to Siddarampuram from Marthad and return. He denies that he met 5th accused at the inquest and states that he was not present at the inquest. He admits that he went to see the dead body along with others but states that he went there at 11 a. m. or 12 noon. Accused 7 to 9 deny that they participated in the murder and state that they did not go to Siddarampuram or to the shed of the charge officer. The 10th accused is stone deaf and it was possible to elicit from him only the answer that he did not know P. W. 20.

35. 11th accused states that he did not see P. W. 4 anywhere near the place of post mortem examination, and that he did cut open the scrotum. He denies that accused 5 came to his house on 18—11—43 and states that P. W. 18 was at a distance of 20 or 30 yards away from the post-mortem table and could not have seen anything. He states that P. W. 19 was present at the post-mortem examination and took notes and that he did cut open the scrotum thought he did not cut the testicles. He denies having told P. W. 24 that the death of the charge officer was a case of suicide and states that P. W. 24 himself wanted to know if in a case of suicide life insurance amount could be got. He states that he cleared the doubts of P. W. 24 by making an incision over the front part of the neck and opening the scrotum. He denies having asked P. W. 24 to cremate the body.

36. The 12th accused states that P. W. 26 ordered his reduction when he was Motor Head Constable from 1937 to 1940 and that P. W. 26 did much to ruin him but that he was nevertheless promoted as Sub Inspector of Police. He states that P. W. 26 foisted the case against him. He also states that he laid the charge-sheet against accused 1 and 19 others in the Famine camp grain theft case and that on 13-11-43 he got the statements of material eye-witnesses against 1st accused recorded under S. 164, Criminal Procedure Code, and that though the charge officer gave a report that there was no shortage of grain he pursued the investigation and succeeded in charging the accused. He states that P. W. 5 was begging grain in Pamdurthi firka from the villagers in the name of the police, that he drove him out of Pamdurthi and that therefore P. W. 5 has given evidence against him having been denied an opportunity to make out his livelihood in nefarious ways. He states that the charge officer had fabricated the grain account book, that it was detected after the death of the charge officer that 180 bags of grain never reached the famine camp, that the charge officer did not produce the book and that time was granted to him to produce it. He denies the several incidents spoken to by P. W. 5 and others and states that he instituted proceedings under Section 110, Criminal Procedure Code against P. W. 8 and P. W. 11. He denies that he asked P.W. 15 to publish any report about the incident. He states that he merely verified the investigation made by P. W. 21 which had already closed and that he could only depend upon the record already made, the post-mortem certificate and the available evidence and that his work was supervised by his superiors.

37. 13th accused admits that he was a co-accused with 3rd accused in the Postal Dacoity case but that he was discharged by the Joint Magistrate, Penukonda. He states that he never came to Dharmavaram in the month of November but was in Chittoor district and that he has been implicated in order to deprive 12th accused of the only help which he could expect. He admits that his house was searched in his presence but states that he never absconded.

38. In view of the statements given by the accused and in view of the suggestions made during the cross-examination of the witnesses for the prosecution, it has become necessary to determine at first the most important question viz, as to whether the death of M. S. Ramakrishna on or about 17th November 1943 was due to suicide committed by him for the reasons suggested or whether he came by his death by foul means. In other words,

the question is whether the case is one of suicide or one of homicide. If on a consideration of the oral and documentary evidence as well as the several circumstances pointed out on either side the Court should come to the conclusion that death was one of suicide there will be no necessity to go into the further question as regards the guilt of the accused, whether it be for murder or conspiracy to murder or disappearance of evidence and false information or conspiracy to cause disappearance or to give false information. If, however, it is concluded that the death was due to foul play it will then be necessary to consider the other questions and determine as to how far all or any of the accused are guilty of the several charges framed against them.

39. The evidence set out above shows that as a result of the inquest held on 20—11—43 the post-mortem certificate granted by 11th accused, the report of 12th accused dated 23—11—43, and the report of the Deputy Superintendent of Police, Penukonda, dated 28—11—43, the authorities concerned came to the conclusion that the death was due to suicide. It was therefore found unnecessary to proceed further in the matter. It is suggested on behalf of the accused that on 23—10—1943 the Executive Engineer who came to Siddarampuram on a surprise visit having been informed by Purushotham, the Junior Work agent about certain irregularities in the famine camp, held an enquiry and after suspending the grain clerk took possession of registers D-3 and D-4 and left the place. It is in evidence that before the Engineer left Siddarampuram he gave instructions for sealing the houses in which the famine grain had been stored and to measure the grain at once and send a report as regards the deficit, that the Junior Work Agent, Senior Work Agent and Charge Officer then proceeded to the grain stores and sealed them with the seal of the Senior Work Agent, that at that time the Junior Work Agent raised the question of grain stored in another house belonging to one Purushotham, that on the Charge Officer making an enquiry of the grain clerk the latter informed him that the house had been vacated and thereupon the charge officer stated that only three houses may be sealed. From that day till about the 12th of November 1943 the grain was being measured and finally a report was sent on 13-11-43 to the effect there was really no deficit, vide Exhibit XXXIX. In this report of the Charge Officer it is stated that the book balance might be incorrect and that as the book was with the Executive Engineer the entries in it had to be examined to find out the mistake.

40. On 28—10—1943 on information received from a watcher of the grain stores the senior work agent, the junior work agent and the charge officer went to the places indicated by the watcher and found that there were two half bags of grain in a certain house and that there were about 10 bags of grain emptied on the ground in another unoccupied house. As stated in Exhibit XXXIX(a) dated 31—10—1943 the Charge Officer was not in a position to state definitely the actual quantity lost and also the kind of grain lost. P. W. 27 in his evidence states that about the 14th November 1943 the Executive Engineer called upon the Charge Officer to show cause why he should not be made to pay a sum of Rs. 150/- from his pocket. This was with reference to the complaint made by the junior work agent as regards the difference between registers D-3 and D-4. The complaint was to the effect that without showing the number of coolies in the muster roll, register D-3, the charge officer was making payments and entering them in the register D-4 which is the acquittance roll and pocketing the difference. It was found subsequently that a sum of Rs. 150/- was the difference so found. After the charge officer disappeared the Executive Engineer arrived on 19—11—1943 and when cheking the cash found an excess of Rs. 76/-. It is explained by P. W. 25 that it was due to the charge officer having paid 3 members of the staff their wages and having failed to reimburse himself. Whether or not this explantion can be accepted it is suggested on behalf of the accused that as the Charge Officer was only getting a small salary the

excess must be due to the dishonest acts of the charge officer. After the Charge Officer's death the Executive Engineer looked into the accounts and observing that the records were all faked up came to the conclusion that 178 bags of cholam had been misappropriated. This was found out by checking the invoices with the quantities of grain credited in the registers.

41. It is also pointed out that after the complaint was made by the junior work agent and the seizure of the registers the charge officer became dejected and perturbed in mind and that on the evening of 17—11—43 when he went in company with P. W. 27 to the Anjaneyaswami temple which is at a distance of 6 furlongs from the famine camp, he made certain disclosures to P. W. 27 about his state of affairs. P. W. 27, however, in his evidence denies that there was any conversation between him and the charge officer of the nature suggested by the defence. It is, however, pointed out that the portion relating to the statement made by P. W. 27 to P. W. 21 at the time of the inquest has been mutilated and the full notes have not been made available to Court as otherwise the suggestion by the defence would be made out. Exhibit CC is the notes of evidence taken by P. W. 21 and it is incomplete. It is stated on behalf of the prosecution that a portion of the statement is missing as there was no carbon paper at that portion. This explanation no doubt appears to be curious but cannot be ruled out as improbable. There is also a suggestion made that about that time the charge officer received a letter from his wife to the effect that she is being tormented by her mother-in-law and father-in law. Though P. W. 25 now states that he did not know personally of any such letter, he admitted that P. W. 24 told him that he found a letter from the wife of the Charge Officer complaining that no money was sent. 12th accused no doubt in his report has recorded that P. W. 27 made mention of a letter complaining of ill-treatment. The suggestion is therefore made on behalf of the accused that on account of all these circumstances the deceased charge officer must have committed suicide.

42. On the other hand it is stated on behalf of the prosecution that none of these circumstances could have influenced the charge officer to commit suicide as he was not responsible for any of these defalcations and as he was taking steps against the 1st accused and others in the village for grain theft probably done with the connivance of the grain clerk Krishnamoorthy. The first accused and Krishamurthi were tried for the offence of theft and were convicted. It is stated that the 1st accused having been impleaded in the grain theft case must have borne a grudge towards the charge officer and conspired with the other accused and arranged to put an end to his life as spoken to by P. W. 20 with the idea of exculpating himself from the crime. It is, however, argued on behalf of the accused that by putting an end to the life of the charge officer the 1st accused could not have escaped punishment and that therefore there was absolutely no motive for murdering the said charge officer. But it has to be pointed out that the charge officer was actually prosecuting the grain theft case and if in fact he was himself one of the persons responsible for the disappearance of the grain the first accused must have had enough motive to bring about the death of the charge officer by foul means.

43. Though the panchayatdars came to the conclusion that the charge officer might have committed suicide in order to save himself from disgrace, there are enough indications in the inquest report Exhibit D which point to the conclusion that the charge officer came by his death by foul means. There was a mark round the neck of the dead body of the width of a little finger as if made by a rope or string. The testicles were swollen abnormally and the hands were tied in a peculiar fashion. The ear appears to have been cut and there was also a tear between the anus and the testicles. No doubt as seen from the evidence of C. W. 2 the District Medical Officer of Anantapur the cut in the ear lobe might have been due to acquatic animals having eaten

the ear and the tear might have been due to excess formation of gas which found its way through the torn portion. The contusions on the body mentioned in the inquest report might be post-mortem stains. The Doctor is, however, of opinion that a mark like that of a string cannot be obliterated within 16 hours. The red mark ought to have been found by 11th accused at the time of post-mortem examination, but 11th accused did not make any mention about this mark. The Doctor (C. W. 2) has also pointed out that a stone weighing 8 or 9 pounds would not be sufficient to prevent the body from floating up at the time of drowning. Hence there was no purpose in the deceased having tied a small stone round the waist. The inquest report shows that a towel was wound twice round the left wrist and the right wrist was placed over it and there was a tight knot underneath the left wrist with a loose knot over it. There is evidence to show that the panchayatdars attempted to put a knot on their own hands and some of them did not succeed at all and some of them succeeded by making only a loose knot. The Doctor (C. W. 2) says in his evidence that if a loose knot is put on the wrist and a man drowns in water the knot will be untied or it might become tighter while the drowning man was struggling. He states that it is more probable that the knot would become untied. Further it is seen from the inquest report that when the body was removed and placed on the ground the hands were bent with the palms of the hand turned upwards. The Doctor (C W. 2) has no doubt stated that when a man with the idea of committing suicide falls into a well he would be in a fit of temporary insanity and it is not possible to guess what all steps he would have taken to prevent his coming out of the water. Nevertheless, it would not have been possible for the deceased to have tied his hands in such a tight fashion as mentioned in the inquest report, if he tied his hands himself. The inquest report also shows that there was no mud in the nails. The Doctor (C. W. 2) states that while a drowning man struggles in the well he generally clutches at the mud in the well and there will be in most cases mud in the nails. It is suggested on behalf of the accused that the words in Telugu indicating that there is no mud in nails in Exhibit D have been interpolated. No doubt there is a full stop and the letter "go" (గ) appears to have been written on the second part of the letter 'thu' (ళు). It is just possible that it was written at the time of the inquest as is spoken to by P. W. 9 and P. W. 21 though it might have been written soon after the inquest report was completed and it was found that this point was not noted. It is certain that it is not a later interpolation because the Sub Inspector 12th accused in his report Exhibit J has stated that P. W. 21 informed him that there was no mud in the nails. Further as could be seen from Exhibits S an U-2 the post-mortem notes and the post-mortem register the chambers of the heart were found empty which is generally an indication that the death was not due to asphyxia. Though 12th accused in his report states that the deceased looked like a demented person and though a suggestion is being made that the deceased was in a perturbed state of mind there is evidence of P.Ws.25 and 27 who are disinterested persons which shows that the deceased was not in any such mood on the night of 17—11—1943 when he went to sleep in the Doctor's shed. No doubt P. W. 27 states that the deceased looked a bit worried when the junior work agent complained against him but he says it was only temporary and the charge officer did not feel much about it later. There is evidence to show that on the night of 17—11—43 the deceased cooked his own food, made curry of potatoes and onions and having served P. W. 25 and eaten his own food went to the Senior work agent's shed and was conversing with him, the junior work agent and P. W. 25 till about 10 p. m. and even gave two night pills to P. W. 27 before he returned to the Doctor's camp. I do not think that this would have been the attitude of the deceased if he was contemplating to commit suicide a couple of hours after that. Considering all the circumstances set out above, I do not think that the death was the result of suicide but it was due to foul means employed by somebody. I hold that the case was one of homicide.

44. The next question to be considered is whether the deceased was murdered by accused 6 to 10 and P. W. 20 with the help of a Boya as spoken to by P. W. 20. In the first place there is no reason why 2nd accused who is only shaddaka of 1st accused and who is a resident of Marthad which is a village 18 or 20 miles away from Siddarampuram should have joined hands with 1st accused for committing the crime or why he should have sent accused 7 to 9 to perpetrate the deed. There is absolutely no evidence to show that P. W. 20 was working as a servant in the house of 2nd accused or that 10th accused was a cook in the house 2nd accused. On the other hand there is evidence to show that P. W. 20 was a person living in Golla Narayan's house in Eedulapalli for about 3 years. Apart from the oral evidence of P. W. 12 who is the Village Munsif of Marthad between whom and 2nd accused there has been faction to the effect that P. W. 20 was a farm-servant of Golla Narayana for 3 years, there is evidence afforded by Exhibit XXXIII which is a certified copy of the deposition in C. C. No. 1016/41 on the file of the Sub Magistrate's Court, Kadiri. The deposition is that of one Kullayappa, son of Subbanna, a Hindu, Mala, a cooly by profession and of the age of 32 years. P. W. 20 in his cross-examination states that he does not remember about the case or of his having been a defence witness in a case brought by Aswarthamma against Achamma and Gangamma in Sub Magistrate's Court, Kadiri. He is however in a position to state that Aswarathamma is the sister-in-law of Chinna Narayana and Achamma and Gangamma are his sisters. If as P. W. 20 states he remained in Chinna Narayana's house only for 3 days, it is not known how he has been in a position to give all these particulars. There can be therefore no doubt that Kullayappa mentioned in Ex. XXXIII is no other than P. W. 20. In this deposition P. W. 20 has stated that he was living in Chadive Chinna Narayana's house and was living by doing cooly work. In his evidence in this Court, however, he states that he was never in Chinna Narayana's house previously. Though P. W. 16 states that 2nd accused is a partisan of Golla Narayana, he admits that there is no record to prove the friendship. On the other hand, the evidence of P. W. 12 clearly shows that there have been factions between him and 2nd accused and that Gangi Reddi and Golla Chinna Narayana belong to the faction of P.W.12 and not of 2nd accused. P. W. 12 also states that accused 8 and 9 are not on speaking terms with 2nd accused on account of land disputes. There is therefore every reason to believe that P. W. 20 was living in Chinna Narayana's house from 1941 onwards probably till the date he was taken by Chinna Narayana to P. W. 16 till February 1944. There is absolutely nothing to corroborate the evidence of P. W. 20 regarding his living with 2nd accused in Marthad or his living with Basi Reddi, the son-in-law of 2nd accused in Mallepalli or his living in Poolakuntlapalli attending to the cultivation of 2nd accused.

45. The only documentary evidence to connect P. W. 20 with the 2nd accused is that afforded by Exhibit Q which is a certified copy of the charge-sheet under S. 160, Indian Penal Code. Though P. W. 20 states in his evidence that he was the first accused in that case, Exhibit Q shows that he was impleaded as the 9th and last accused. The incident is said to have taken place on 6—11—43 and the charge-sheet was laid on 7—1—1944. Absolutely no description of 9th accused is given beyond stating that he is Mala Kullayigadu. The evidence of P. W. 20 shows that he was arrested by the Head Constable though he did not take part in the affray just because he was standing nearby. P. W. 20 also states that there are several persons who go by the name of Mala Kullayigadu. While therefore the 9th accused in Exhibit Q might not be P. W. 20 there is nothing to show that he was a partisan of 2nd accused and was employed under him even assuming that this P. W. 20 was the person implicated in the case. Hence there is absotutely no evidence to prove that P. W. 20 was such a confidential servant of 2nd accused that he could have been taken to a distance of 18 or 20 miles on two occasions, viz., on the first occasion to hear about the

conversation implicating 5th accused, and on the second occasion to commit the murder. On the other hand there is every reason to believe that P. W. 20 who was a servant or dependant of Golla Narayana was pitched upon as the person to give evidence in the case taking advantage of the faction between 2nd accused and Golla Narayana.

46. Apart from the discrepancy in the evidence of P. W. 20 which leads to the inference that the death of Ramakrishna was prior to the rioting case while in fact it took place 11 days after the incident at Mallepalli, there is indication from Exhibit Y the confessional statement recorded from P. W. 20 to show that P. W. 20 has not been speaking out the truth. In Exhibit Y, P. W. 20 states that on the second day after the affray he went to Marthad, that on the fourth day thereafter 6th accused came to Marthad and returned on the next day, that three days later a dark lad came from Siddarampurm and gave a letter to 7th accused and left the same date, that on the following day P. W. 20 went Siddarampuram on walk accompanied by accused 7 to 9, that they returned to Marthad on the same date, that on the third day after returning to Marthad 6th accused again came on horseback, and that on that evening P. W. 20 went to Siddarampuram. In his evidence in the lower Court P. W. 20 stated that he and accused 7 to 9 left for Siddarampuram after taking morning meals and reached Siddarampuram in the evening and that this was on the next day after the Madiga boy came, vide Exhibit XXXI (d). If time is computed according to this evidence it will be seen that P. W. 20 could have gone to Siddarampuram to commit the murder, only on the 18th or 19th of November 1943. It is to get over this difficulty P. W. 20 is made to say again before this Court that he left on the same day on which the Madiga boy came.

47. There are also other discrepancies between the evidence given in the lower Court and the evidence before me as could be seen from the several portions of the deposition before the Committing Magistrate marked for contradiction Exhibits XXXI (a) to XXXI (q). In his evidence in the lower Court P. W. 20 stated that he could not say for how many days he was tending the goats of 2nd accused, that he does not know the name of any single individual under whom he worked for cooly, and that 2nd accused had three farm servants. He would however now state that he was tending the goats for 3 months and that there was only one other farm-servant under 2nd accused. As regards the identification of the deceased, P. W. 20 is unable to state whether the deceased had whiskers on his face, whether he was having a tuft or a cropped head or whether he was an young man or an old man. It is admitted by P. W. 20 that when he and others went to the famine camp they did not take any light with them, that there was only one light in the whole of the camp and that was in the shed in which the deceased was sleeping and that it was a kerosene light (*buddi* బుడ్డి దీపము), He is unable to state if the light had a chimney or not. The evidence of P. W. 27 however shows that the deceased could not have been using any kerosene light as kerosine was not available during those days. According to him the deceased used to have only a mud light with a wick (మట్టిది). The evidence of P. Ws. 24 and 25 shows that the former took only a hurricane lamp when he left and that P. W. 25 showed to P. W. 24 a torch light which was lying by the side of the bed. This is an indication that the deceased was not having any light much less a kerosene light. It is therefore not known with the aid of what light P. W. 20 and others could have traced out the place where the deceased was sleeping, especially when it is seen that he was not taking bed in anyone shed but was using either his own shed or the Doctor's shed as he chose. Further P. W. 20 is unable to give the name or any other particulars of the Boya who is said to have taken part in the murder. His whereabout are not known and it is doubtful if there exists any such person.

48. As regards the manner in which evidence of P. W. 20 was secured there is also much suspicion. He came into the hands of the police directly from the house of Golla Narayana who as already stated was on inimical terms with A-2. According to P. W. 20 he narrated the whole story to P. W. 16 before he was taken before P. W. 26. P. W. 16 would, however, say that there was absolutely no conversation between him and P. W. 20 and that as soon as P. W. 20 was taken before P. W. 26 and asked to state what he knew about the Siddarampuram murder case he went on narrating all that he knew. It is stated that P. W. 20 narrated all the events for peace of mind (*manassanti*) మనశ్శాంతి. P. W. 20 could not have known what the effect or the meaning of these words were as is clear from the fact that in his evidence in the lower Court he stated that the word 'mind' (*Manasu*) means 'man' (*Manushyadu*). He was asked in the lower Court about the meaning of several words which occurred in Exhibit Y and which were all recorded in Exhibit XXXII. He was unable to give the meaning of any of these words except three words meaning accused, sunset, and way of the mind. In another portion of his evidence before me he states that it is not a sin to commit murder but that on the other hand it is a good thing to commit murder. I do not think it will be prudent to place reliance upon the evidence of such a witness. Further, though the witness does not admit before me that any inducement was given to him before recording his confession, he has stated in the lower Court that P. W. 16 told him that he would not come to trouble (కీడేమి వచ్చుతాడదు), in case he gave out the facts. From Exhibit XXXI (k) it is seen that he mentioned the facts to P. W. 16 only when he was pressed much. It is seen from Exhibit XXXI (1) that P. W. 16 noted down what all P. W. 20 said. He admits that Chinna Narayana sent his brother-in-law Gangi Reddi to stand surety for him and that the said Gangi Reddi was outside when P. W. 20 was giving the information to P. W. 26. P. W. 20 further admits that Chinna Narayana sent Gangi Reddi assuring him that there would be no fear as security would be furnished, and that in fact when P. W. 20 was in Sub Jail, Chinna Narayana was frequently going and seeing him. All these circumstances go to show that P. W. 20 was not a free agent. His confessional statement therefore cannot have much value.

49. There is also absolutely no evidence to corroborate the evidence of P. W. 20. P. W. 12 who admits that he is an enemy of accused 2 is not prepared to say in this Court anything further than that he heard that accused A6 came to Marthad on horseback on a Wednesday prior to the death of the charge officer. While P. W. 12 stated that he saw accused 8 and accused 9 going in a closed carriage (*Savaribandi*) P. W. 20 stated that it was an open carriage with a jalla or basket. In order to cover up this discrepancy P. W. 20 has been made to say that the top of the cart was previously taken beyond the river Maddileru and kept there, that the cart went from the house of accused 2 with a jalla till they reached the river, that after crossing the river the basket was removed and the covering was put in. P. W. 20 however says that when they returned the next morning the basket was nowhere to be found. This story appears to be so incongruous that it cannot be believed. Further according to P. W. 12 he observed only accused 8 and Accused 9 sitting in the cart and he did not see either accused 10 or P. W. 20 any where near the cart. P. W. 12 also states that accused 2 has lands nearby and that being the cultivation season it was just possible that accused 8 and accused 9 were going to the fields nearby. P. W. 12 could not state that the cart was going to Siddarampuram which is about 18 or 20 miles away.

50. As far as the evidence of P. W. 10 is concerned he merely speaks to his having seen accused 2, accused 4 and accused 7 going towards the lane leading to accused 1's house on or about 13—11—43. In the first place there is no reason why he should have noted this incident and secondly as he did not make a note about the incident in his note book or anywhere else

it is not known how he could have remembered the date 13—11—43. Even assuming that what he states is true it does not probablize the conversation which is said to have taken place between accused 1 and accused 8 and accused 9 as regards consulting accused 5 or as regards accused 2 asking P. W. 20 and others to be in readiness to come back to Siddarampuram at any time they were called for.

51. There is therefore no corroboration of P. W. 20's evidence regarding the actual murder or the conspiracy to commit murder. No circumstances have been placed before me which could be considered to be corroborative of the evidence of P. W. 20. It has been well laid down that corroboration must be by independent evidence and that the mere fact, that it is not possible in the nature of things that corroborative evidence could be forthcoming, is not a sufficient reason for dispensing with corroboration. It has also been laid down that the evidence of an accomplice being usually of a tainted character the Courts as a matter of purdence should insit generally on some material corroboration thereof in so far as it implicates the accused persons. It has also been laid down that corroboration is particularly necessary in cases of conspiracy where mere agreement to commit an offence is itself an offence, vide I. L. R. 38 Calcutta 559 (Emperor v. Lalith Mohan Chakrabarthi). See also Bucha Babu v. Emperor A. I. R. 1935 Allahabad 162. No doubt the corroborative evidence need not show positively that the accused committed the crime and it is sufficient if it is merely circumstantial connecting him with the crime. But even that circumstantial evidence is not forthcoming in this case. I am therefore unable to act on the uncorroborated testimony of the approver. It follows that the second charge of murder against the accused 6 to 10 has to fail, and that even the 1st, third and fourth charges of conspiracy to commit murder and conspiracy to cause disappearance of evidence relating to the murder as well as of causing disappearance of evidence have also to fail.

52. I shall now proceed to consider the evidence against the other accused in regard to conspiracy to commit murder. The other accused are accused 1 to 5 and 12 and 13. The principal witness about this matter is as stated already P. W. 5. Though P. W. 5 poses himself to be a respectable person being a member of Penukonda Village Vigilance Committee and a member of Panchayat Board, Penukonda, there is ample material from which it can be easily gathered that he is a man of very little means and a man of bad character also. According to the defence he is a barber by caste and is the son of one Babanna of Pamudurthi village. He does not admit this but persists in saying that he is a Setti Balija by caste and he is the son of one P. Sanjivi Reddi, Village Munsif of Penukonda. There is ample evidence supported by documents and also other material to show that P.W.5 is not speaking the truth and that he is a barber by caste and is the son of Babanna. There is evidence of P. W. 7 who has no doubt been treated as a hostile witness and also evidence of other witnesses for the presecution that P. W. 5 belongs to the barber caste and is the son of Mangala Babanna. P. W. 14 admitted in the lower Court that P. W. 5 is a barber by caste as could be seen from Exhibit XXVIII-(b). There is a also positive evidence adduced on behalf of the accused in support of this. D. W. 5. is a respectable pleader of 44 years standing of the Penukonda bar. He states that he appeared for P. W. 5 in some claim proceedings, and that the claim petition Exhibit XLIV was prepared on instruction from P. W. 5. In this affidavit P. W. 5 is described as Mangala Chitambarappa, son of Babanna and that he was also a process-server employed in the Penukonda District Munsif's Court. D. W. 5 states that he knows personally about P. W. 5 having worked as a process-server in the Court. P. W. 5 was not, however, honest enough to admit that he was either a barber by caste or that he was employed as a process-server. The evidence of D. W. 6 who is a vakil's gumastha also shows that P. W. 5 is a barber by caste, and that he is the son of Babanna. Exhibit XLV is a certified copy of the judgment in

C. C. 259 of 1942 on the file of the Stationary Sub Magistrate, of Penukonda. This shows that the accused Chithambarappa is the son of Babanna a barber by caste and a cooly by profession. The case against him was that he committed theft in a building and he was sentenced to six months' rigorous imprisonment. The prosecution relies upon Exhibits PP, QQ and RR to show that a certificate was given to P. W. 5 to the effect that he was of good character, that he was discharged in C. C. 99/30 which was filed by the mother of D. W. 6 and that D. W. 6. admitted having entrusted a harvesting of crops on his land to P. W. 5. But all these circumstances will not have the effect of disproving that P. W. 5 is a person having absolutely no regard for truth and is also a person who is going about in the villages begging for grain and fomenting trouble.

53. The reason for P. W. 5 denying his caste and his antecedents is that if he admits them the enmity between his father and the father of accused 5 would be proved beyond doubt and as a result his evidence will have to be discounted. Apart from the evidence noticed above there is also other documentary evidence from which it has been made out that P. W. 5 is a barber and the son of Babanna. P. W. 5 admits that two suits were filed in regard to a house owned and occupied by him in Penukonda. Exhibit III is a certified copy of the written statement of P. W. 5 in O. S. No. 419 of 1927. In this written statement P. W. 5 admits that the property in dispute was purchased by one Papakka by a sale deed dated 19—5—1920 and that P. W. 5 purchased the property from the said Papakka under a sale deed dated 5—3—1923. Exhibit III (a) is a registration copy of the sale deed dated 5th March 1923. This sale deed recites that Chitambarappa, the vendee is the son of Nidmamideppagari Pamdurthi Babanna, a barber by caste and the vendor is Papakka, the wife of the said Papanna. P. W. 5 denies that he gave instructions to prepare the written statement. Exhibit IV is a printed copy of the judgment in Original suit 241 of 1939. In para 17 of the Judgment it is observed that P. W. 5 was denying the sale deed which he himself filed because it contains a recital that he is a barber by caste and that he is the son of Babanna, whereas his case is that he is a setti balija and is the son of Sanjiva Reddi and Papakka only brought him up. P. W. 5 sticks to the latter version in this Court. He states that his father Sanjiva Reddi gave money for the purchase of a house and got the sale deed executed in favour of Papakka as she happened to nurse him and he wanted that P. W. 5 should not waste the property. That all this is a tissue of falsehoods is clear from the admission register and loan register of Penukonda Co-operative Town Bank Ltd., Exhibit VII is the admission register. Exhibit VII (a) is an entry showing that one N. Chithambarappa took three shares on 30 -10—23. It bears his signature in Telugu with the initial N in English. Underneath this entry is entry marked Exhibit VII (b), which is signed by P. N. Chithambarappa in English. This signature is admitted by P.W. 5 to be his. One share having been withdrawn two shares are carried over to the entry under the same admission No. 706. The entry shows that N. Chithambarappa is the son of Babanna, a barber by caste. In Exhibit VIII-a which is admittedly the account of P. W. 5 the entries are signed by him giving the general number as 706 and P. W. 5 admits in his evidence after reference to the records with him that the admission number is 706. Exhibit IX is an application for admission in the Fund. Exhibit IX (a) is signature. Exhibit X also contains signature of P. W. 5. When P. W. 5 is confronted as to why he is not holding the office of V. M. of Penukonda if he is really the son of Sanjivareddi, P. W. 5 states that he did not mind his younger brother occupying the office of V. M. Considering all these circumstances there can be no doubt P. W. 5 is the son of Babanna, and a barber by caste and that he has deliberately given false evidence.

54. From Exhibit II it is seen that P. W. 5 gave a registered notice to Bayyapa Reddy younger brother of accused 5 and the son of Senior Bayyapa

Reddi of Pamdurthi threatening to take proceedings for defamation for having been called a barber. P. W. 5, however, wants it to be believed that he was maliciously called barber because he did propaganda in the villages to the effect that the charge officer had been murdered by the reddis. There is, however, no reference to this in Exhibit II. There having been enmity between P. W. 5's father Babanna and accused 5's father Bayyapa Reddi P. W. 5 appears to have entertained feelings of animosity against accused 5 and to have come forward to give evidence implicating him.

55. Now turning to the incidents spoken to by him, the versions as regards the incidents dated 8—11—43 and 12—11—43 are so very unnatural that they cannot be believed to be true. I do no think that accused 3 and accused 5 would have been conversing in such a loud tone about a secret so as to be overheard by people passing in the street. It could not also have been possible for P. W. 5 to have recognised the voices of accused 3 and accused 5 when he had not much opportunity to converse with them before. Further there is unimpeachable documentary evidence to show that the second batch of arrested persons in Siddarampuram were sent to Penukonda for being remanded only on the 9th November 1943. If really P. W. 5 accompanied the arrested persons on the 9th and heard the conversation only two days later it could not have been on 8—11—43. But P. W. 5 persists in saying that the incident was on 8—11—1943. For the same reason the incident at Nama Lakshminarayana's factory could not have been on 12-11-1943. There is evidence to show that accused 12 was at Siddarampuram itself on the 12th. P. W. 11 who speaks to the presence of accused 12 at Penukonda on 12—11—43 and to his proceeding by train to Dharmavaram is a person who is in the opposite faction to that of accused 5. The other witness who corroborates P. W. 5 as regards the incident dated 12—11—43 is P. W. 17 who is a retired police constable who worked as Station Writer under Mr. B. V. Chetty who was Sub Inspector, Pamdurthi, and between whom and the late Bayyapa Reddi there was civil litigation. The evidence of P. W. 17 shows that he must be under obligations to the Sub Inspector and it is significant that his evidence was secured only after Mr. B. V. Chetty began to investigate the case. If these two incidents are found to be untrue and if the evidence of the approver cannot be believed there is absolutely nothing to prove the conspiracy against accused 1 to accused 5. Even assuming the incidents are true, the alleged converstation cannot make out that accused 1 to accused 5 were conspiring to murder any person. It might be that the conversation was with reference to the grain theft case.

56. The other incidents spoken to by P. W 5 are to implicate accused 12 in the conspiracy. So far as the incident of 18—11—43 is concerned, there is inherent improbability of both P. W. 5 and P. W. 9 being present at the same time as it must have taken at least an hour for P. W. 5 to take the meal and go to the Sub Magistrate's Court and as there is evidence to show that P. W. 9 directly went to the Sub Magistrate's Court after changing his dress. P. W. 9 and P. W. 21 are persons who took part in the inquest as a result of which a verdict of suicide was given. P. W. 8 who is the only other person who speaks to the incident is a person who is opposed to the faction of accused 5. There is also discrepancy as regards the words alleged to have been used by accused 12 when he was informed of the disappearance of the charge officer. I am therefore not prepared to believe that this incident took place in the manner spoken to by the witnesses. The last incident spoken to by P. W. 5 is for the purpose of implicating A-13 in the conspiracy. P. W. 5. admits in his evidence that after the incident of 12—11—43 he became so annoyed that he wanted to sever his connection with A-12. There is no reason why P. W. 5 should have accompanied A-12 when he was called to go to the charge officer on 17—11—43 or to go to the railway station on 23—11—1943; It is also not probable that if A-12 and A-13 were concerned in the conspiracy to

murder the charge Officer, A-12, would have tried to pursuade the charge officer to leave Siddarampuram on that date or A-12 and A-13 would have been conversing in the manner spoken to by P. W. 5 in a public place like a railway platform. The evidence of P. W. 9. does not carry the matter further and the evidence of D. W. 4 to some extent negatives the possibility of A-13 having been present at Dharmavaram on 12—11—43. I am therefore not satisfied that the evidence adduced is sufficient to implicate A-12 in the conspiracy to commit murder or to implicate A-13 in the conspiracy to commit murder or to cause disappearance of evidence.

57. Before proceeding to consider the evidence relating to the conspiracy to cause disappearance of evidence, or to give false information, I shall advert to the complaint made on behalf of the defence that the prosecution in this case has acted in an unfair manner in not making the statements taken by the police officer available to the Court or to the accused under Section 162, Criminal Procedure Code. Though a number of witnesses were examined by P. W. 26 betwen 12-2-44 and 20-3-44, the statement of P. W. 20 alone has been recorded in full and has been made available. The accused had the benefit of the statement of P. W. 20 and cross-examined P. W. 26 with reference to the same. As regards the other witnesses, however, the copies of statements have not been made available. P. W. 26 states in his evidence that he has with him a record of the substance of the evidence taken by him. He, however, states that it is not a case diary and that he has not made the notes available to the Court. Being a Gazetted officer he is no doubt not bound to keep a case diary. He has sent grave crime reports and it is admitted, that whatever might be the name given, if the reports do contain statements of witnesses, the accused are entitled to copies of such statements, under Section 162, Criminal Procedure Code. I have had occasion to peruse the grave crime reports sent by P. W. 26 to the District Magistrate from time to time. But I do not find that they contain statements of witnesses taken then and there. P. W. 26 appears to have dealt with the evidence recorded by him of two or three persons together and made his own comment. They cannot be called statements. It was no doubt the duty of P. W. 26 to have perserved the notes taken by him of the evidence and made the same available to the Court and to the accused. Failure to do so is a serious defect, as has been observed in Baliram Thikaram Marathe v. Emperor (A. I. R. 1945 Nagpur 1).

58. I shall now proceed to discuss the rest of the evidence., which relates to conspiracy to cause disappearance of evidence and conspiracy to give false information. The evidence of P. W. 6 and P. W. 8 has been adduced to show that on the evening of 17—11—43, accused 2 accused 4 and accused 12 met somewhere in Dharmavaram. Apart from the fact that P. W. 6 and P. W. 8 could not have sufficient reason to remember the dates, P. W. 6 happens to be a person employed in the Taluk Office, Gooty. He was a Revenue Inspector in Sunkepalli and Pamdurthi firkas in 1928 to 1932 and 1938 to 1939. He does not know accused 4 personally and he was a witness in a criminal case by Karnam of Pamdurthi against accused 5's father which ended in an acquittal. P. W. 8 is also a person who is opposed to the faction of accused 5. There is no evidence at all against accused 3 with reference to his complicity in the conspiracy to cause disappearnce of evidence or to give false information. Even as regards accused 2 and accused 4 the only evidence is that of P. W. 6 and P. W. 8.

59. As regards accused 1 he was absconding from 7—11—43, and there is no evidence as to his being a member of the conspiracy. There is some evidence no doubt let in as regards accused 5. P. W. 5 and P. W. 9 speak about his getting into the bus while it was standing at the house of accused 11 in Bukkapatnam on 18—11—43. If the evidence of P. W. 5 is rejected on the ground that he is an unreliable witness, and on the ground that he is an enemy of the family of accused 5, there is only the evidence of

P. W. 9 with reference to this matter. The mere fact that accused 5 got into the bus while emerging from accused 11's house even if true, is not sufficient, in my opinion, to prove that accused 5 was conspiring with Accused 11. It might be that accused 5 was standing at accused 11's house or was resting therefor a while before he got into the bus. This would not necessarily show that accused 5 had any conversation with accused 11.

60. The next incident which connects accused 5 with the conspiracy is the one at the inquest on the evening of 20—11—43. Accused 5 admits that he did travel by the bus proceeding from Penukonda to Kadiri, and that the inquest was being held when the bus stopped at the famine camp. The only witnesses who speak to the conversation between accused 5 and Yeddula Narasappa are P. W. 13 the Motor Bus driver, P. W. 21, the Police Head Constable, and P. W. 24 the younger brother of the Charge officer. P. W. 14 and P. W. 23 also speak to accused 5 getting down from the bus but their evidence is not of much importance as accused 5 admits having travelled by the bus and as they have not stated anything about the conversation. P. W. 21 merely states that after Yeddula Narasappa went and conversed with Accused 5 and came back, the panchayatdars turned round and gave an opposite opinion of suicide to that of murder to which they were inclined in the beginning. But P. W. 21 had admitted in the lower Court that by the time the bus had arrived, column 9 had already been written in Exhibit D. He, however, wants to improve the case in this Court by stating that before Col. 9. was written, the bus arrived and the panchayatdar Narasappa went with accused 5 The purpose of the variation is obvious. P. W. 24 did not speak about the presence of accused 5 when he gave evidence in the lower Court, and the version spoken to by P. W. 24 differs from the veresion of P. W. 13. While P. W. 13 states that after the dead body was seen by the passengers who alighted from the bus, they went about in groups and Yeddula Narasappa left the inquest and joined the group of accused 5 and others, P. W. 24 states that when everyone got down from the bus and came to the place of inquest accused 5 alone was seen going away towards the Bukkapatnam road at a distance of 30 yards from the bus, and that Yeddula Narasappa alone went and talked to him. He states that only on account of this that even though he was interested in the conversation between P. W. 23 and P. W. 21 his attention was diverted to the two persons who were going away from the crowd. P. W. 13 is the only person who speaks about the conversation. Even he statas in this Court that he heard only the first part of the conversation referring to the Police as scoundels which was in Telugu and that he only heard a translation of the rest of the conversation made by a pasenger as it was in English. It may be that this witness has been gained over. But such a person's evidence cannot be relied upon, especially as he is a motor driver who has been driving a bus without a licence forthe last two or three years. In my opinion the evidence is not sufficient to implicate the fifth accused in the conspiracy.

61. So far as accused 6 is concerned, there is no doubt some evidence to show that he was present at the inquest and expressed an opinion that it was possible for any person to tie his hands with a towel in the manner in which it was found tied on the dead body. There is also evidence to show that when the cook of the Charge Officer informed P. W. 27 about the floating of the dead body and P. W. 27 came out of the shed he found accused 6 in the company of the cook. These circumstances no doubt throw a good deal of suspicion aout the conduct of accused 6. I do not think however that from this alone a conspiracy can be said to be made out against accused 6. I have already stated that the charge of murder having failed against accused 6 to accused 10, conspiracy to cause disappearance of evidence has also to fail. There remains only the case of accused 11 and accused 12 for consideration.

62. So far as accused 11 and accused 12 are concerned, there is testimony afforded by documents to which they have been parties and which clearly

indicate that they have conspired with some persons who have been responsible for the murder, to create evidence in favour of suicide and to give false information, with the object of screening the offenders. If it has not been possible for spotting out the real offender or offenders and bringing them to book, and if it has not been possible to secure the evidence of persons to bring home the guilt to the real offender or offenders, it is because of the conduct of accused 11 and accused 12 subsequent to the murder of the charge Officer. On 18—11—43, when P. W. 9 took the case diary in the manure leaf theft case to accused 12, P. W. 9 must have informed A-12 about the disappearance of the Charge Officer. It has to be noted that the Charge Officer was the complainant in the grain theft case of Siddarampuram famine camp. It is surprisipg that accused 12 should not have gone to Siddarampuram and made enquiries at once and that he should have proceeded to Anantapur to consult the Assistant Public Prosecutor to lay a charge sheet in the grain theft case. Accused 12 goes to Siddarampuram only on the evening of 21—11—43, after the whole investigation was over. The argument that this conduct is consistent only with the innocence of accused 12, cannot be countenanced as it is based on the assumption that what all P. W. 5 stated is ture. It is certainly less risky to have evidence created through the instrumentality of other persons than to create evidence personally.

63. Though accused 12 states that he examined witnesses, the evidence of P. Ws. 21, 23, 25 and 27 clearly shows that no witnesses were examined. The inquest report Exhibit D contains sufficient material to suspect a case of murder, even though the panchayatdars had given a different opinion. A perusal of Exhibit J shows that accused 12 was at great pains to make out that the death was one of suicide. Even though the post-mortem certificate showed that no definite opinion could be given as regards the cause of death, accused 12 has introduced sufficient material in Exhibit J to show that the case was one of clear suicide. Referring to the report of P. W. 21 accused 12 states "that P. W. 21 had examined the dead body carefully and found both of his hands tied with a towel with only a single knot and it is only half knot and any man can say on the face of it to have been tied by himself." As regards the testicles A-12 states that they were bloated when first seen and by the time inquest was being held the swelling decreased. This is not the case of any one. Even at the time of the post-mortem examination the testicles appeared to have been swollen like a balloon. The evidence in this case is that the testicles were swollen abnormally and accused 12 wanted to make out that the swelling decreased by the end of the inquest. Accused 12 also states that from the time remeasurement of grain was over and grain balance was found in excess, the charge Officer was fully absent-minded and confused also. In another place he states that P. W. 27 told him that the Charge Officer was talking absent-mindedly and his face was void and looked like a mad cap. P. W. 27 says that he was not examined by accused 12 and that he did not make any such statement. Then again he states that he examined panchayatdars, that Yeddula Narasappa stated that he had the least doubt about the death being one of suicide, and that the other panchayatdars also pointed it to be a clear case of suicide. He also says, that he made confidential enquiries in the village and learnt that it was a clear case of suicide. He further states that the stone which the deceased had tied in the waist was a heavy stone weighing 3 visses and one seer and that this was sufficient to keep the dead body in water for two days.

64. Referring to the evidence of accused 11, accused 12 states in the report that accused 11 did not find any injuries on the dead body and said that the death was not due "to violence or whatsoever". He gives a reason as to why there was not much water in the stomach. The reason given is that if the dead body had a stone's weight and so while drowning the Charge Officer had no effort to drink water. He explains that a

lay-man like the Head Constable might have thought that the body was contused and that really there were only imaginary wounds because skin had peeled off and blebs had started. Finally he ends the report by stating that it is a clear case of suicide. In this report accused 12 has used the expression "clear case of suicide" on more than six occasions. It is not known why accused 12 should have been so anxious as to make it out to be a case of suicide. Accused 12 states in his report that there was no mud in the nails. This is some indication that it could not have been a case of suicide. As regards strangulation mark round the neck which is referred to in the inquest report, and of which a number of witnesses have spoken, C. W. 2, is of opinion that the mark cannot be obliterated in about sixteen hours which is the interval that elapsed between the inquest and the post-mortem examination.

65. There is also the evidence of P. W. 15, the reporter to the Andhra Patrika, which shows that about a week after the death of the charge Officer, accused 12 asked him to send a report to the Andhra Patrika stating that the death was one of suicide, and that about 10 days later accused 12 again reminded him of it. This shows the anxiety of accused 12 to make out that the case was one of suicide and not murder.

66. Now I shall turn to the complicity of accused 11 in the conspiracy. Though accused 11 has stated in Exhibit BB post-mortem certificate that no definite opinion could be given as the body was in a high state of decomposition, he seems to have told accused 12 that it was a clear case of suicide. The evidence of P. W. 24 is to the effect that when he expressed doubts to the Doctor, the latter gave explanations for each one of the doubts and assured him that it was a case of suicide. I see no reason to disbelieve P. W. 24. It is suggested by accused 11 in his statement that P. W. 24 himself asked him as to whether insurance amount on the life of the deceased could be recovered in case of suicide. There is no reason why such a question should have been put, unless accused 11 had said that it was a case of suicide. Whatever might be said about the evidence P. W. 4 and P. W. 18 there is no reason to disbelieve P. W. 24 when he states that he asked A-11 to cut open the testicles and that A-11 refused to do so saying that he knew better as a doctor; Accused 11 appears to have also told P. W. 24 that he should make arrangements to cremate the body and that otherwise, he would himself arrange to dispose of the dead body. Though accused 11 states that he did cut the scrotum, C. W. 2 states in his evidence that there is no indication in Exhibit S-1 the post-mortem notes to show that the scrotum was cut open. A comparison between Exhibit S-1 the post-mortem notes and the entries in Exhibit U-2 as found in the register Exhibit U shows that there is difference in some material particulars. C. W. 2 states that Exhibit U2 is intended to be an exact copy of Ex. S-1 and that there ought not to have been any points of difference, At page 8 of Exhibit S-1 the following remarks appear as against the item 'hands' clenched-Tightly holds the towel tied to the hand-Mud under the nails-Fingers flexed -nails pale etc.' The words "tightly holds the towel tied to the hand" do not find a place in Exhibit U2. The inquest report shows that when the dead body was laid down on the ground, the two hands were found crosswise and a towel of red stripe was wound round the left hand twice and was taken over the right wrist and a knot was put on the left wrist and that there was again a loose knot over the tight knot. It is also stated that the two hands were at a distance of 4" from the head with the palms turned towards the sky. If this was the condition of the palms at the time of the inquest it is not known how the towel came to be held tightly in the palms. There is also variation in another matter which is very material. In page 9 of Exhibit S-1 the word "empty is found written opposite to the item "Heart". Subsequently the items right auricle and right ventricle are bracketted and it is stated that they contained thin coating of blood. This remark is not found either in Exhibit S or in Exhibit U-2. In Exhibit BB it is stated that the right chambers contain thick dark blood and left chambers of the heart were empty. Again as against the column 'tongue' it is stated in Exhibit S-1 that the tongue was slightly protruded between teeth whereas in Exhibit U-2 it is stated that tongue

protruded between teeth. This does not find a place in Exhibit D. It is seen from the evidence of C. W. 2 that in cases of death by asphyxia the right chambers will be full, and the left chambers will be empty generally. Similarly with reference to the position of the towel, he states that if a dead body was thrown into a well the hands could not have tightly held the towel. I cannot accept the explanation offered on behalf of the accused that the discrepancies are purely accidental or that accused 11 omitted to copy portions in Exhibit U-2. There is no reason why such errors or omissions should have occurred in the most material portions of the notes. To my mind there appears to be a designed attempt by accused 11 to show that the death was one of suicide rather than of murder, even though at the examination there were no indications in favour of suicide in regard to these details. The attempt of accused 11 to make out that there were no injuries on the body, even though the police report shows there were injuries, seems to me to indicate that accused 11 wanted to explain the ligature mark round the neck as one due to blebs. While accused 11 was trying to introduce some points in favour of suicide, accused 12 was trying in his report to so change the facts as to indicate that it was possible for the deceased to have tied his hands in the manner it was found on the dead body. I have therefore no doubt that accused 11 and 12 did conspire with some unknown persons to create evidence in favour of suicide, to cause disappearance of evidence in favour of murder and to give false information to screen the offenders whoever they might have been. The circumstances noted above afford ample evidence of the intention of screening the offenders. It is regrettable that on account of the conduct of these two persons the higher authorities such as the Deputy Superintendent of Police, and District Superintendent of Police referred the case as one of suicide and did not take any further action. But for the conduct of these persons, I feel there would have been evidence available soon after the death of the deceased which might have brought the offenders within the reach of the law. As it is, the perpetrators of the murder whoever they might have been have escaped punishment.

67. All the assessors have given their opinion that none of the accused is guilty on any of the charges framed against them. Though I agree with their opinion in regard to the charges 1, 2 and 4 and in regard to accused 1 to 10 and 13 with reference to the 3rd charge, I am unable to agree with them in their opinion as regards accused 11 and 12 with reference to charge No. 3.

68. I therefore find that none of the accused is guilty of the offences mentioned in charges 1, 2, and 4. I find that accused 11 and 12 are guilty of the offence under the third charge, viz., having been parties to a criminal conspiracy for the causing of disappearance of evidence relating to murder and giving false information respecting the offence with the intention of screening the offenders from legal punishment. I find that the accused 1 to 10 and 13 are not guilty of the said charge.

69. I therefore convict accused 11 and 12 of the offence punishable under S. 120-B read with S. 201, I. P. C., and sentence them to undergo rigorous imprisonment for 3 years I acquit accused 1 to 10 and 13 in respect of all the charges and set them at liberty. The approver is discharged from custody.

Pronounced in open Court, this 22nd day of August 1945.

C. BHAKTAVATSALU,
Sessions Judge.

(Sd.) T. S. RAMACHANDRAN,
Sessions Judge Delegate.
27—8—45.

NOTE:— Accused 11 and 12 are released on bail for a period of 15 days from 22—8—45.

WITNESSES EXAMINED FOR PROSECUTION.

1. Karnam Ranga Rao
2. Pedda Ventaka Narayana Reddi
3. B. Nabi Sahib
4. Chakala Narasimhulu
5. P. N. Chithambara Reddi
6. Mr. Y. Srinivasa Rao (Head Accountant)
7. Narayana Reddi
8. Ejamanyam Obulappa
9. Venkata Subbayya P. C. 183
10. Imam Sahib P. C. 221
11. Patnam Venkatanna
12. Subbi Reddi
13. Govindarajulu
14. Lakshmi Narasappa (V. M. of Pamudurthi)
15. Nagaraja Rao
16. Rangaraju (S. I. of Police)
17. Sultan Sahib
18. Fakruddin (P. C. 449)
19. Venkata Reddi (Compounder)
20. Mala Kullayigadu (Approver)
21. Issac (Head Constable)
22. Janab Sirajuddin (S. I. of Police)
23. Sri Gopalaswami Ayyangar
24. ,, M. S. Nagasubramanyam
25. ,, Venkatarathnam
26. ,, D. N. Gopala Ayyar (Retired Dy. S. P.)
27. Sri Sanyasayya

COURT WITNESSES.

1. Narayanachar
2. Capt. B. Dayananda Rao, L. R. C. P. & S. (Edin.) (District Medical Officer.)

DEFENCE WITNESSES.

1. Sri Krishna Menon, D. S. P.
2. ,, M. Nagabhusanam (Law Instructor)
3. Janab Basheer Ahammad (Dy. S. P.)
4. Sri A. Rama Mohan Rao Naidu, (Income-tax Officer)
5. ,, R. Venkoba Rao, Pleader
6. C. Raghavendrachar

DOCUMENTS EXHIBITED FOR THE PROSECUTION.

A	18—11—1943	Report received by P. W. 1 from the Senior and Junior work agents of Siddaramapuram Famine Camp.
B	do	Report sent by P. W. 1 to the Magistrate with Exhibit A.
C	20—11—1943	V. M's report to the Police.
C-1	do	do Magistrate.
D	do	Inquest report.
E	7— 3—1944	Statement of P. W. 4 under S. 164 Cr. P. C. recorded by the Special Magistrate.
F	24— 2—1944	Statement of P. W. 5 under S. 164 Cr. P. C. recorded by the Special Magistrate.
G	26—10—1944	Deposition of P. W. 7 in the lower Court.
H	26— 2—1944	Statement of P. W. 8 under S. 164 Cr. P. C. recorded by the Special Magistrate.
J	23—11—1943	Case diary file of accused 2.
K	18— 9—1943 & 7—11—1943	Note book relating to P. C. 183.
K-1	8—11—1943 to 31—12—1943	do
L	29— 3—1944	Statement of P. W. 10 under S. 164 Cr. P. C. by the Special Magistrate.
M	do	Statement of P. W. 11 before the Special Magistrate.

N	12— 2—1944	Statement of P. W. 12 before Sri M. Ramappa.
O	21— 2—1944	do P. W. 13 under S. 164 Cr. P. C. recorded by the Special Magistrate.
P	27— 3—1944	do P. W. 15 do
Q	7— 1—1944	Certified copy of charge-sheet by P. W. 16 in C. C. 37/44 Stationary Sub Magistrate, Kadiri in which M. Kullayigadu was one of the accused.
R	15— 3—1944	Warrant for the arrest of accused 7 received by P. W. 16 for execution.
R-1	do	do accused 8 do
R-2	do	do accused 9 do
R-3	do	do accused 10 do
S	21—11—1943	Rough post-mortem notes.
S-1	do	Fair post-mortem notes sent to the District Medical Officer.
T	9— 3—1944	Statement of P. W. 19 under S. 164 Cr. P. C. recorded by the Special Magistrate.
U	23— 5—1943 to 10— 1—1944	Post-mortem book of Bukkapatnam Dispensary.
U-1	6—11—1943	Notes relating to the corpse of Kuruba Lingamma in Exhibit U.
U-2	21—11—1943	Notes relating to the corpse of M. S. Ramakrishna in Exhibit U.
W	23— 5—1943	Rough note-books of post-mortem notes.
W-1	1—12—1943	
Y	29— 2—1944	Confessional statement of approver P. W. 20.
Z	20—11—1943	F. I. R. in Crime No. 43/43 of Pamdurthi Police Station.
AA	do	Requisition to the Doctor for post-mortem examination.
BB	21—11—1943	Post-mortem certificate.
CC		Statement of P. W. 27 and others under S. 162 Cr. P. C.
DD	5— 3—1944	Search list prepared by P. W. 22.
EE	10— 5—1944	Unexecuted warrant of arrest of accused 13.
EE-1	20— 6—1944	Proclamation.
FF	7— 3—1944	Statement of P. W. 24 under S. 164 Cr. P. C. recorded by the Special Magistrate.
GG	3— 4—1944	do 25 do
HH	7— 2—1944	Complaint by the District Magistrate (C. C. 4/44 District Magistrate, Anantapur).
JJ	27— 2—1944	Plan.
KK	26— 3—1944	Proeeedings R. C. M. 264/44 of the District Magistrate, granting pardon to P. W. 20.
LL	31—10—1943	Report signed by the Charge officer and sent to the Sub Inspector of Police, Pamdurthi.
MM	28—10—1943	Report sent to the Sub Divisional Officer, Famine Sub Division, Penukonda.
NN	12— 3—1944	Statement of P. W. 27 under S. 164 Cr. P. C. recorded by the Special Magistrate.
OO	18— 5—1945	Statement of the 1st accused in the committing Court.
OO-1	do	do 2nd do
OO-2	do	do 3rd do
OO-3	do	do 4th do
OO-4	do	do 5th do
OO-5	do	do 6th do
OO-6	do	do 7th do
OO-7	do	do 8th do
OO-8	do	do 9th do

OO-9	18— 5—1945	Statement of the 10th accused in the committing Court.
OO-10	do	do 11th do
OO-11	do	do 12th do
OO-12	do	do 13th do
PP	15— 1—1936	Application of P. N. Chidambarappa (P. W. 5) to the District Board President.
QQ	6— 5—1930	Certified copy of judgment in C. C. 99/30 on the file of the Sty. Sub Magistrate, Penukonda.
RR	12— 5—1945	Portion in the deposition of D. W. 6 in the lower Court.

DEFENCE.

I, I-a	29—11—1944	Portions in the deposition of P. W. 4 in the lower Court.
II	9—12—1943	Notice issued by P. W. 5 to Bayapa Reddi (younger brother of accused 5).
III	25— 6—1927	Certified copy of written statement of P. W. 5 in O. S. 419/27 Penukonda Munsif's Court.
III-a	5— 3—1923	Registration copy of sale deed executed by Papakka to Chidambarappa for Rs. 100/-.
IV	23— 9—1940	Printed copy of judgment in O. S. 241/39 Penukonda Munsif's Court.
V		Plan.
VI, VI-a, VI-b, VI-c, VI-d, VI-e	30— 9—1944	Portions in the deposition of P. W. 5 in the lower Court.
VII		Admission Register of Penukonda Co-operative Town Bank Ltd., Penukonda.
VII-a	19—11—1936	Disputed signature of P. W. 5 in Exhibit VII.
VII-b		Admitted signature of P. W. 5 in Exhibit VII.
VIII		Loan Ledger No. 16 of Penukonda Co-operative Town Bank Ltd., Penukonda.
VIII-a	14— 9—1938	Admitted signature in Exhibit VIII at page 173.
IX	16— 7—1923	Loan application of P. W. 5.
IX-a	do	Disputed signature of P. W. 5 in Exhibit IX.
X	11— 6—1922	Loan application of Papakka.
X-a		Disputed signature of P. W. 5 in Exhibit X.
XI	5— 7—1927	Notice in Suit No. 39/27 on the file of the Panchayat Court, Penukonda.
XI-a		Disputed signature of P. W. 5 in Exhibit XI.
XII	12—11—1943	Remand order.
XIII	9—11—1943	Remand report for Adi Reddi and 2 others.
XIII-a	do	Case diary of the Sub Inspector regarding the arrest of Adi Reddi and 2 others on 8-11-43.
XIV	11—11—1943	Case diary in the handwriting of accused 12.
XV	12—11—1943	do do
XVI	13—11—1943	Requisition to the Stationary Sub Magistrate, Penukonda to record the statements of 2 witness under S. 164 Cr. P. C.
XVII	8—11—1943	Case diary in the handwriting of accused 12.
XVIII	20—11—1943	Writing in Column 4 in Exhibit D.
XIX	26—10—1944, 27—10—1944 & 17— 4—1945	Portions in the deposition of P. W. 9 in the lower Court.

XX	23—12—1943	Charge-sheet in the grain theft case.
XXI	25—11—1944	Deposition of accused 12 do
XXII	7—11—1943	Case diary in the handwriting of accused 12 in the grain theft case.
XXIII	5—11—1943	F. I. R. in the grain-theft case.
XXIV	do	Case diary in the handwriting of accused 12 in the grain-theft case.
XXV	7—11—1943	Remand order of 5 accused in the grain-theft case.
XXVI	8—11—1943 to 31—12—1943	Note book relating to P. C. 183.
XXVII	27—10—1944	Portion in the deposition of P. W. 10 in the lower Court.
XXVIII, XXVIII a, XXVIII b	do	Portions in the deposition of P. W. 14 in the lower Court.
XXIX, XXIX a, XXIX b	16— 3—1945	do P. W. 17 do
XXX, XXX a to XXX g	29— 2—1944	Portions in the confessional statement of P. W. 20.
XXXI, XXXI a to XXXI q	3—11—1944, 10—11—1944 & 16—11—1944	Portions in the deposition of P. W. 20 in the lower court.
XXXII	16—11—1944	List of words.
XXXIII	29— 4—1941	Certified copy of deposition of P. W. 20 in C. C. 1016/41 on the file of the Stationary Sub Magistrate, Kadiri.
XXXIV, XXXIV a to XXXIV d	28—11—1944	Portions in the deposition of P. W. 21 in the lower Court.
XXXV	20—11—1943	Entry in the note-book of P. C. 120.
XXXVI	do	Report of P. W. 21.
XXXVII, XXXVII-a	27—11—1944	Portions in the depositions of P. W. 23 in the lower Court.
XXXVIII, XXXVIII a, XXXVIII b	2— 4—1945	Portions in the deposition of P. W. 25 in the lower court.
XXXIX	13—11—1943	Letter to the Sub Inspector of Pamudurthi in the handwritng of P. W. 25.
XXXIX a	31—10—1943	Endorsement of resubmission in the handwriting of Charge-Officer.
XL	12—12—1943	Report of the Executive Engineer, to the Collector about the shortage of 178 bags of grain.
XLI		Sketch.
XLII	8— 3—1937	Certified copy of statement of accused 3 in P. R. 6/36 Joint Magistrate, Penukonda.
XLII a	29— 4—1943	Certified copy of petition of Kusu Venkataramanna in C. C. 283/43 on the file of the Stationary Sub Magistrate, Penukonda.
XLII b	do	Certified copy of sworn statement do
XLII-c	3—10—1924	Certified copy of deposition of P. W. 1 in C. C. 288/24 Stationary Sub Magistrate, Kadiri.
XLII-d	24— 4—1927	Gun-licence of accused 3.

XLII-e	26— 1—1927	Printed notice re: renewal of licence.
XLIII	28—11—1943	Copy of the report submitted by D. W. 3 to the District Magistrate, Anantapur.
XLIV	7— 6—1923	Certified copy of E. A. 282/23 E. P. 296/23 O. S. 831/22 District Munsif's Court, Penukonda.
XLV	18— 8—1922	Certified copy of judgment in C. C. 259/22 on the file of the Stationary Sub Magistrate, Penukonda.

MATERIAL OBJECTS.

Nil.

C. BHAKTAVATSALU,
Sessions Judge.

(Sd.) T. S. RAMACHANDRAN,
Sessions Judge Delegate.
27—8—45.

No. of words:— 24119. Amount Rs. 42—10—0.

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Cr. Mis. 126—19.824—27-10-41.

In the Court of THE SUB DIVISIONAL MAGISTRATE, G O O T Y.

105 20 37 45

THE 28th DAY OF March, 19 45.

PRESENT:— Sri. P.C. V. Thomas B.A., Esq.,

~~Sessions Judge.~~
Sub Divl. *Magistrate.*

Judgment in Criminal Appeal Nos. 6,7,8,9/ 19 45

From what Court the Appeal is preferred	Stationary Sub Magistrate's Court, Anantapur
Number of the case in that Court	C.C. 1135/44.
Number of the Appeal	6,7,8, & 9/1945.
Name and description of the Appellant	Vide separate list attached.
The sentence and law under which it was imposed in the lower Court.	Vide separate list attached.
Whether confirmed, modified, or reversed; and, if modified, the modification.	Confirmed against all appellants except A.6. in whose case the sentence is reduced to the period of imprisonment already undergone.

Date—of, or on which,						
Presentation.	Filing.	Notice issued by Court to appear.	Bail bond if appellant has been let out on bail.	Appellant ordered to appear.	Hearing.	Order.
7.3.45	7.3.45	26.3.45	14.3.45	26.3.45	26.3.45	28.3.45.

This Appeal coming on for hearing before me, upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the arguments of Sri.P. Hanumantha Rao, Pleader for A.1.D.D.Srinivasa Rao, for A.2. U.L.Narasimha Murthi for A.6. and B. Kasi Rao for A.3. to A.5 A.7. to A.15 and A.16 and A.19.

I do adjudge and Pass the following

JUDGMENT.

APPELLANTS.	THE SENTENCE AND LAW UNDER WHICH IT WAS IMPOSED IN THE LOWER COURT.
1. Nanji Reddi.	Sentenced to undergo R.I. for 6 months and to pay a fine of Rs. 200/- in default to undergo R.I. for two months under Section 380 or 414 I.P.C.
2. Krishamurthi:--	Sentenced to undergo R.I. for 6 months under Sec. 380 I.P.C. read with Section 108 I.P.C.
3. Talari Pullappa.	Sentenced to undergo R.I. for four months under Section 380 I.P.C. read with Sec. 108 I.P.C. or 411 I.P.C.
4. Nese Chowdappa.	do.
5. Muhammad Hussain.	Sentenced to undergo R.I. for four months under Sec. 380 I.P.C. read with Sec. 108 R. R I.P.C.
6. Golla Obulesu.	do.
7. Vodde Venkatappa.	do.
8. Moogodu.	do.
9. Chigullarevu Venkatesu.	do.
10. Vodde Chinna Ramudu.	Sentenced to undergo R.I. for four months under Sec. 411 I.P.C.
11. Manneni Erikalappa.	do.
12. Majjiga Chennappa.	Sentenced to undergo R.I. for four months under Section 414 I.P.C.
13. Boya Mukali.	do.
14. Neeruganti Gurranna.	do.
15. A.Krishnappa.	Sentenced to undergo R.I. for four months under sec. 414 or 411 I.P.C.
16. Chakala Obulesu.	Sentenced to undergo R.I. for four months under Sec. 414 I.P.C.
17. Chakala Errugadu.	Sentenced to undergo R.I. for four months under Sec. 414 I.P.C.
18. Adi Reddi.	Sentenced to undergo R.I. for four months under Sec. 411 I.P.C.
19. Sugali Ramudu.	Sentenced to undergo R.I. for four months under Section ~~xxx~~ 414 I.P.C.

(108)

(109)

C.A. Nos. 6,7,8 and 9/45.

Judgment.

'These' appeals have been preferred by the nineteen accused in C.C. 1135/44 on the file of the Sty. Sub Magistrate, Anantapur, against their conviction and sentence to varying terms of imprisonment and fine under Secs. 380 or 411 or 414 read with Sec. 108 of the I.P.C. They were originally filed before the sub divisional magistrate, Anantapur, but subsequently transferred to this court by the Dt. Magistrate, Anantapur for disposal according to law.

2. The main facts of the case are these. To alleviate the distress caused by famine in the year 1943 a famine camp had been opened at Siddarampuram village in Penukonda taluk under the supervision of P.W.2 the Executive Engineer at Anantapur. One Mr.M.S. Krishnan, in connection with whose suspicious death a preliminary enquiry is now ~~in-co~~ going on against certain persons including the first appellant before the Sub Divl. Magistrate, Anantapur, was the charge officer of the camp and in immediate charge of the administration of the camp. P.W.3. now a supervisor in the department of public works at Polavaram was the senior work agent in the camp. The charge Officer had joined the camp only at the latter part of the year. The second appellant was thegrain clerk in charge of all the grain stores in the camp. On 23.10.43 P.W.2. visited the camp and wanted to verify the grain accounts. A.2, the second appellant, produced the accounts before P.W.2. but while doing so complained without P.W.2. asking him anything, that the junior work agent in the camp was ill disposed towards him as he refused to comply with his request for grain for his ~~p~~rsonal use.' P.W.2. suspected the ~~co-uc~~ conduct of A.2. and kept him under suspension immediately. P.W.2. also directed the charge Officer P.W.8. and the junior work agent to measure and check the stock of grains. The same night A.2. took these officers to three houses where grain was stored and they were sealed. At that time it was represented to them by A.2. that the stock of grain kept in P.W. 3's house was already exhausted and that the house was vacated. From the next day the measuring of the grain was strated. On 27.10.43, at about 2 A.M. P.W.15, a watcher in the camp, came along with his brother (on leave from Military service) and informed the charge Officer, P.W.8. and others that famine grain was being distributed among the villagers of Siddaramapuram and if they would go then, the culprits could be caught red handed. P.W.8. the deceased charge Officer, junior work agent one peon Dastagiri and the informants immediately proceeded to the village, about a mile off from the camp. At the entrance to the ~~gx~~ village, they met the school master near the schoolsned. There were two half bags of famine cholam. The school master informed them that coming to know that grain was being stocked unauthorisedly in the school, he came to see what the matter was and saw those half bags there. Inside a shed used as a rehearsal hall they found some famine grain strewen here and there on the floor and a gunny bag. Then they proceeded to the houses of P.Ws. 5 and 6, A.4. A.16, and A.6 and they gave them some information about the removal of the grain. They also enquired A.5. and A.11. and they admitted that they removed some bags of grain from P.W.3's house to A.1's house. The charge officer recorded the statements of P.Ws. 5 6,A.4. A.16, A.6 A.11. and A.5. and P.W.8. has stated that these statements Exs. E to E.7. were actually recorded by the Charge Officer and that they bear his signature. These statements disclosed that famine grain stored in P.W.3's house at Siddarampuram was dishonestly removed at the instance of A.1. and A.2. by A.4. A.6. A.7. A.8. A.11. P.W.5, A.5. and A.9. to the ~~s~~ house of P.Ws. 5 and 6 and A.1. Next morning the charge officer sent a report to P.W.1, the Sub Inspector of Police at Pamdurthi, about the above incidents and requested him to take action in the matter. As the Sub Inspector, appeared to be taking no action on the matter, a second report Ex.A. was sent to the Sub Inspector, on 30.10.43. The Sub Inspector ~~of~~ appears to have been slow to move and eventually

.11.

P.W.2. had to move the higher authorities in the matter and at their direction the Sub Inspector finally registered a case on 5.11.43, and started investigation. On 6.11.43, he seized the famine cholam sold in the house of one Pullappa. That was about 2200 seers. He then inspected P.W.3's house where grain was previously stored but in which A.2. was residing at that time of inspection. The charge Officer informed the witness P.W.1. and that the grain stocks were still being measured and that he would give the actual quantity of grain lost after finishing the measurement. The Charge Officer also handed over the to the Sub Inspector the statements Exs. E. to E.7. recorded by him. P.W.1. enquired that day P.W.4. P.W.5. and others and arrested A.2.A.4.A.8.A.17 and A.18. The same day he searched the house of A.19, a relation of A.1. at Marala, and recorded 3 bags of cholam, which were identified to be famine cholam by the deceased Charge Officer. On 7.11.43, he searched the house of A.4,A.11. A.15 and on 8.11.43,the houses of A.14 and A.10. and recovered certain quantities of cholam which were identified to be famine cholam by the deceased charge Officer. P.W.16 the village karnam was present through out the searches. On 11.11.43, P.W.13 a police constable produced A.20 before the Sub Inspector, stating that he was caught while he was trying to bury two pots of cholam in the vanka at Marala and that when questioned he said that it was given to him by A.19. On 17.11.43, the charge officer gave him Exs. Account about the gunny bags received inthe camp which showed a loss of about186 gunny bags. Finally he got Ex.T report from the Executive Engineer which showed a loss of about 180 bags of famine cholam from the camp. After enquiry, P.Ws. 3, 4,5, 6, and others the appelants were charged.

3. A-1's contention is that P.W.1 the Sub Inspector joined the opposite party in the village and foisted this case on him. A-4, A-10 and A-15 contended that the grain recovered from their houses were famine Cholam they got as wages in the camp. A-6 admitted that he was called on the night in question to carry Cholam from the grain store in P.W.3's house to the house of P.W.5 along with A.4, A-5, A-9, A-8, A-11, A-7, A-20 contended that the police forced him to confess his guilt though he was not really concerned in the affair. Evidence was let in to prove the above contention but disbelieving the defence theory and agreeing with the prosecution case the appelants were convicted and hence the present appeals.

4. The main grounds urged in appeal are noted below:-
1. No properties have been recovered from A-15's house.
2. The evidence of P.Ws.4 and 16 go to show that A-3, A-4, A-6 A-11, A-12 and A-17 were A-1's enemies.
3. Will A.1. a responsible village officer risk his job?
4. The alleged direct witnesses P.Ws 3,4 and 5 and 6 give different stories and their evidence is artificial and improbable.
5. A.2's name is not mentioned by P.W.3. but P.W.4. mentions it.
6. Proper Properties have been recovered only from some of the accused. These properties must have been earned by them as wages in the camp or the produce of their fields. In the case of the other appellants they have been implicated unnecessarily by the charge officer or the Police.
7. Was there evidence to show that grain was actually lost from the camp.
8. A.6. prays only for mercy in view of the fact that he was consistently admitting his guilt unlike A.20 who retracted.

5. That there was loss of grain from thefamine camp is crystal clear from the overwhelming evidence before the court and it is idle to dispute the point. Loss of grain was suspected though the books showed correct accounts. The whole stock had therefore tobe verified by measurement and the relevant accounts checked. After doing so, Ex.T. the final audit report was given to P.W.1. which showed a loss of about 180 bags of famine cholam. On 17.11.43, the Charge Officer gave Exs. account to P.W.1. which showed a deficit of about 186 gunny bags received in the camp. Combined with these there are the statements Exs. E to E.7. recorded by the charge Officer which clearly show that famine cholam had been removed from the store inP.W.3's house. It is urged that these statements are not admissible in evidence but I shall deal with this contention presently. To add to these is the direct oral testimony of P.Ws. 3,4,5 and 6 about the actual removal of the grain by some of the accused. There is thus overwhelming evidence that actually famine grain was lost.

6. Exs.E to E-7 are argued to be not admissible in evidence as they have not been proved according to rules. P.Ws. 2 and 8 were sufficiently acquainted with the hand writing of the deceased charge Officer and they have sworn that these Exs. were in his hand and signed by him. P.W.8. has sworn that these documents were prepared in his presence and were signed by the Charge Officer. It was open to the defence to challenge the contents of these documents when P.W.8. was in the box. They had not chosen to do so and now to argue that the content of these documents have not been proved is only futile. I think these documents have been proved as required under section 47 of the Evidence Act. They are thus quite admissible in evidence. Those documents clearly show that famine grain stored in the house of P.W.3. was dishonestly removed at the instance of A.1. and A.2. by A.4. A.6.A.7.A.8. A.11.P.W.5. and A.9. These statements were recorded immediately after the detection of the removal in the night. There was hardly any time for these people to meet again and then say that the removal was effected at A.1's or A.2's instance with a view to bring them into troubles. It cannot be believed that enemies of A.1. conspired and entangled him in the affair. Before any joint collaboration could be had the charge officer and his men were on the spot and there can be no doubt that the statements represent the true facts. A.6. consistently has admitted the offence. He has not retracted. According to him the grain was carried by A.4, A.5. A.7. and kept in A.1's house. His statement is corroborated by the statements of others. A.6. and A.1. were defended by the same pleader but laterwhen A.6. comsistently refused to retract from his statements this theory of enemity must have been conveniently set at. And these statements are supported by the direct oral evidence of P.Ws. 3,4,5 and 6, which go to show that A.1. A.2.A.3 A.4.A.5.A.6.A.7.A.8.A.9.A.11.A.12. A.13.A.14.A.15.A.16.A.17.A.18.A.19 had their part in the removal of the grain stored in P.W.3's house. A.20. was caught red handed and he stated that A.19. gave him the property. This statement and recovery are not disputed. Properties have been recovered from the houses of A.4.A.10.A.11.A.14. and A.15 and they were identified by the charge officer as famine grain as also by P.W.16 the village karnam who was one of the mediators for this seizure. The grain recovered from A.20's house also was identified as famine grain. There is thus overwhelming evidence to show that the appellant removed the famine grain stores in P.W.3's house. If as contended by them the grain recovered were those grown on their fields P.W.16 co have been cross-examined in detail on this point. On the other hand his evidence consistently show that the grain recovered were all famir grain. A.6. is being mentioned by other accused in their statements. If really all these were A.1's enemies, would A.1. have joined hands with them in such a risking affair? I wonder: ! The stay of enemity between A.1. and A.6 is thus only myth engineered at a later stage of the case to circumvent A.6's consistent statements about the complici of A.1. in the affair. A.1. and A.2's parts in the whole transacti are given in detail in the statements Exs. E. series. Apart from t documentary evidence there is evidence of P.W.4. which shows that A.2. was physically present in the store in P.W.3's house when grain was be removed from there. According to P.W.8. A.2. represented to the char Officer when they all went to seal the house on the night of 23.10.43 that the store in P.W.3's house was already vacated and thus put the charge officer, a new comer and stranger to the place, on the wrong scent. Not only this. He very cunningly approached P.W.3. with the assistance of A.1. and obtained one ante dated receipt in token of hav

vacated the store a few days previously. Obviously, this was also ~~a~~ r- arranged or planned to put dust into the eyes of his superiors. It is argued that the charge Officer is responsible forthe loss of the grain and that when he feared that the loss would come on his head he stage managed the whole affair and got the statements under pressure from the various persons. It is also argued that the ~~Peei~~ Police tuitored and made the witness speak against the accused. Both these arguments have absolutely no force. It is on evidence that the Police were slow to move in the affair till P.W.2, the Executive Engineer, moved the higher police authorities in the matter. The statements in question were recorded by the Charge Officer, before he sent his report to the Police and they started investigation. The ~~chrg~~ charge Officer was new to the place and a complete stranger. It is impossible to imagine that he could have distributed grain to several persons and got them recovered by the police and also obtained the statements from so many persons; to cover at his faults. In such a case he should have conspired with a lot of persons. The poor man is now more but P.W.8. swears that the statements recorded were voluntary and not obtained under any threat or vibiance. Allthe persons gave who gave the statements belong to one of neighbouring villages of Siddarampuram andit is impossible that they could have given evidence ~~xx~~ against A.1. the influential reddi of the village as against the charge officer, an utter stranger in whom or whose prospects they are not concerned, at all. In fact there is not an iota of evidence in support of this contention. I consider that to level this argument against the charge Officer, an unhappay person who for his slight negligence and implicit belief in A.2. had to pay with his dear life is most unkind and criteryan. The grounds of appeal have thus absolutely no wieght and the defence contention absolutely baselless without an iota of truth in it. There can be no doubt that the proseuction case is absolutely true. As remarked by the lower court the charge Officer, being new to the place relied upon A.2. A.2. managed to keep his accounts alright but at the same time was stealthily removing the grain with the help of A.1. the influential reddi ~~the village~~ of the village and thus cheating the charge Officer. With this purpose, he obtained the ante dated receipt. Finally when he was kept under suspension, the night of 23.10.43, he tried to make away with as much as grain as possible and available in P.W.3's house. The distribution andcarrying probably continued till the night of 28.10.43 when the whole affair was finally detected. The statements recorded by the charge Officer details the party played by several of the accused in the affair. A.6. and A.10 admitted this guilt before a ~~xxx~~ stipendary magistrate though A.20 retracted from it later on. The prosecution case was thus clearly proved against the appellants and there can be no doubt that A.2. was able to dupe his master and manage the whole thing with the help of A.1. The appellants were thus rightly convicted The grain belongs to Government and had been got there ~~xx~~ with much difficulty to dole out to the famine stricken people of the locality. To have pilfered that is an criteryan and atrocious crime against society and there are thus no extenuating circumstances in the case of these parasites. However it is argued that A.2. and A.5. being young men their case may be considered for action under Sec. 502 (1) Cr.P.C. The Assistant Public Prosecutor has no objection. I however ~~disagree~~ quite disagree on this point. A.5. was a grain watcher and A.2. the grain clerk. If really both people were repentant for their folly they could have made a clear ~~best~~ breast of it in the beginning as was done by A.6. Their action was premeditated. The circumstances of the case and conduct of these two appellants therefore do not at all justify action being taken against under section 502 (1) Cr.P.C. As regards A.6. his only plea is for mercy. From the very beginning he was admitting his guilt and he has not also retracted. I think his case under the circumstances deserves a more lenient treatment. In this case I reduce the sentence to the period of imprisonment already undergone and direct that he be set at liberty at once. "ith this reduction only in the sentence against A.6. the appeals are dismissed under Section 423 (1) Cr.P.C.

Sd. C.V.Thomas,
Sub Divl. Magistrate, Gooty.
Dated. 30.5.45.

/true copy/

For Dt. Magistrate.

Rev. Dept.

Memo. No. 1396. E/46-1. dt 15-3-46.

Public Servants - (Anantapur) - M.S. Ramakrishnan - Late Famine Charge Officer, Siddarampuram - Grant of educational concessions to the children.

Petition from M.S. Saraswathi Ammal addressed to the Collr. of Anantapur dt 27.9.45.

The attention of the Collr. of Ananta-pur is invited to para 3 of the petition quoted above. The Collr. ~~of Anantapur~~ is requested to report through the Bd. of Rev ——

(1) how many children of the petitioner are now going to school and in what classes they are studying; and

(2) what amount may be sanctioned as a ~~by way of special~~ scholarship and for ~~how long~~ what period to enable them to continue their studies ~~should the scholarships be paid~~

To the Collr. of Anantapur (with copy of pet.)
Copy to the Bd. of Rev. (with copy of pet.)

14.3.46 14.3.46 Dt 15/3/46

No. P.V. Mis — 3504. Office of the Accountant General,
Madras, Dated 13-3-1946.

14933

Post copy of Telephone Message dated 12-3-1946 from the Accountant General, Madras, to the Deputy Secretary to Government, Finance (Pension) Department, Madras.

....

Ref:- G.O. No. 196 Finance (Pension) dated 27-2-'46 sanctioning pension and gratuity to the family of late Sri. M.S. Ramakrishnan, late Famine charge Officer, Siddaramapuram.

....

Only a copy of the application of M.S. Saraswathi Ammal has been received along with the G.O. quoted above as enclosure. Copies of the applications of the sons and daughters of the late officer and the photos of these persons may also be sent for making arrangements for payment.

P.R. Sundaram.
For Asst. Accounts Officer.

(only one form was sent by this Board)

ASST. SECRETARY TO GOVERNMENT
15 MAR 1946
FINANCE DEPARTMENT

Finance (Pen)

Endt No:- 52956 Pen-10 dt 29.3.46.

Pension - Extra ordinary - family of late M.S. Ramakrishnan, Famine charge Officer, Siddavanapuram - Furnishing of application forms and photos.

Ref: 1 From the A.G. No. P.V. Mis - 3504 dt 13.3.46.
2 G.O. No 196 Fin (Pen) dt 27.2.46

The A.G's letter read above is referred to the Board of Revenue for furnishing the application forms and the photos as requested therein direct to the A.G.

28.3.46

29/3/46

The Board of Rev.

Copy to the A.G

REVENUE DEPARTMENT.

Subject.

PUBLIC SERVANTS--(Anantapur)--Ramakrishnan Sri M.S.--Late Famine Officer, Siddharamapuram--Grant of educational concessions to children.

To Rev. Deptt.

Ref. No. D. 1335/46-2,
Station:-Madras. Dated 4th April, 1946.

From

K.N.Anantharaman Esq., I.C.S., Joint Secretary, Board of Revenue, Madras.

--

To

E.Bennett Esq., I.C.S., Commissioner of Land Revenue and Post War Reconstruction.

--

Read the following:-

Memorandum No. 1396, E/46-1, dated 15th March, 1946 from the Government of Madras, Revenue Department.

--

Board's Ref. No.D.1335/46-1, dated 21/3/46.
From the Collector of Anantapur, L.Dis.3499/46-47, dated 25/3/45.

--

A copy of the Collector's letter cited above is submitted to the Government.

2. As the widow of late M.S.Ramakrishnan is reported to be living at Madras, the Collector of Madras, is being asked to enquire into the matter and submit a report. The Board's report will be submitted to the Government on receipt of the Collector's reply.

** **

For Joint Secretary.

To the Secretary to Government, Revenue Department, with a copy of Anantapur Collector's letter paras 1--2 only.
,, the Collector of Madras, Para 3 only with a copy of the letter at page-3

--

Copy of letter No. L.Dis. 3499/46, A7, dated 25/3/46 from the Collector of Anantapur to the Secretary to the Government, Revenue Department, Madras through the Secretary, Board of Revenue, Madras.

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Sub:-Public Servants--Sri M.S.Ramakrishna late--Famine Charge Officer Siddaramapuram--Grant of Educational concessions to the Children--Report--Submitted.

--

Ref:-Government Memorandum No.1396 E/46-1, Revenue, dated 15/3/46.

P.T.O.

~~66~~ 52

-2-

Late Sri M.S.Ramakrishnan was not a member of this District establishment. His Services were lent by the Collector of Cuddapah for acting as Famine Charge Officer. His children are not studying in this District.

2. The petitioner's original application dated 27/9/45 received in this office on 6/12/45 was forwarded to the Collector of Cuddapah in my office N.Dis. 14603/45, dated 7/12/45.

3. The Collector of Cuddapah may be in a position to report on some of the points raised by the Government, I therefore forwarded the reference received from the Government to the Collector of Cuddapah for submitting a report to the Board of Revenue direct. The petitioner appears to be residing at Madras and if she is enquired of there she ~~appear~~ will be able to give details of the standards in which her children are reading and what relief she requires for their free education.

(Sd) ...
for Collector.

Copy to the Collector of Cuddapah.

(True copy)

N. Subramaniam 5.4.46

for Joint Secretary.

G.R.4/4/46.

1000
290
410
450
2150

Revenue Department.

From: ... thermann Esq., I.C.S.,
Designation: Secretary, Board of Revenue, Chepauk, Madras.
Station

Received ... Registered

To
The Secretary to Government,
Revenue Department,
Madras.

Enclosures:

Ref. No. D.1335/46-4 dated 30-5-46.

Sir, E. Bennett Esq., I.C.S., Commissioner of Land Revenue and Post War Reconstruction.

Sub:- PUBLIC SERVANTS - (Anantapur) - Ramakrishna Sri M.S. Late Famine Charge Officer, Siddaramapuram - Grant of educational concessions to children.

ASSISTANT SECRETARY TO GOVERNMENT 28222 1 JUN 1946 REVENUE DEPARTMENT

Read:- From the Government, Revenue Department, Memo. No.1396-E/46-1 dated 15-2-46.
2. Board's Ref.No.D.1335/46-2 dated 4-4-46.
3. From the Collector of Madras, L.Dis.No.2824/46 dated 23-5-46:-

----

Ref:- Board's Ref.No.D.1335/46-2 dated 4-4-46.

Late Sri M.S. Ramakrishna, left behind four daughters and a son, whose particulars are furnished below:

1.	M.R. Jayalakshmi	aged 16	- appeared for S.S.L.C.
2.	M.R. Vanajakshi.	aged 13	III form.
3.	M.R. Parvadhavardhini.	aged 10	V class.
4.	M.R. Savithri.	aged 8	II class.
5.	M.R. Sundaram	aged 3	--

The intention of the parents is to educate them upto S.S.L.C. The amounts thus required is as shown below:-

1. M.R. Vanajakshi is now reading III form, if promoted she will be in IV form.
School fees (Including special fees) for IV to VI form. Rs. 190
Books and note books. 100

290

II. M.R. Parvathavardhini is reading in V class if promoted she will be in I form.
School fees (including special fees) for I form to VI form. Rs.270
Books and Note books, etc. 140
---
310 (410)

III. M.R. Savithri is now reading in II class if promoted she will be in III class.
School fees (including special fees) from III class to VI form. Rs. 300
Books and note books. 150

450
---

2. Regarding the first daughter it is stated that she

has

...ed for S.S.L.C. for ... only having passed the ...arts in 1945. M.R. Sundaram the last son is not ...chool as he is aged only three.

Reference:-

Submitted to the Government with reference to their Memorandum cited above. Provision of about Rs.1000/- has to be made for the education of the son also.

For Secretary.

ADN.30.5.

Revenue Department

Subject

Public Servants -(Anantapur) -Ramakrishnan Sri M.S. Late Famin Charge Officer, Siddharamapuram -Grant of educational concession to children.

Reference No-D. 1336/46-5

Madras, dated the 26th June 1946.

From

G.Venkateswara Ayyar Esq., O.B.E., I.C.S.,
Secretary, Board of Revenue, Madras.

To

F.Bennett Esq., I.C.S.,
Commr. of Land Revenue & Post-War Reconstruction.

Read the following:-

Agin: Board's Refce. No D. 1335/46-4 dated 30-5-46

Petition from M.S.Saraswathi Ammal dated 12-6-46.

Reference

Submitted to the Government in continuation of the Board's Reference cited above.

2. With reference to her petition dated 12-6-46, M.S.Saraswathi Ammal is informed that the Government have been addressed in the matter and that their orders will be communicated to her on receipt.

for Secretary.

To the Secretary to Government, Revenue department (with a petition in original.)

To the Petitioner (para 2 only)

M.R.V. /26-6-46.

*P.T.O.

56

* M.S.Saraswathi Ammal
C/oUdamalpet S.Krishnamurthy,
United India Life Assurance Co. Ltd. Madras.

Rev. Dept.

To RS.

Submitted for perusal. The main file in which the question of granting educational concessions to the children of the deceased famine charge officer is in circulation. This may be added to it as return.

2/7/46

25-6-46.

From.

M.S. Saraswathi ammal
c/o. Udamalpet. S. Krishnamurthy.
United India Life Assurance Co. Ltd.
Esplanade
Madras.

Madras.
12-6-'46

To. The Commissioner of Land Revenue
+ Irrigation.
(The Board of Revenue Office)
Chepauk,
Madras.

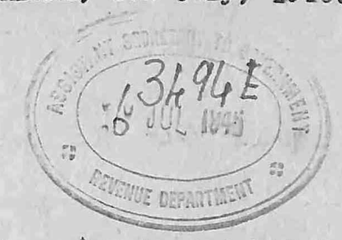
Sir,

Sub:- Free Education to the children of Late Mr. M.S. Ramakrishnan — Famine charge Officer Siddaramapuram

G.O. no. 196 (Pension) Department dated 27-2-46 — B.P. misc. no. 364 & 7-3-46.

You were pleased to write in your proceedings B.P. misc. no. 364 & 7-3-'46 in para 4. that the request for free Education of the children is separately

MADRAS, 5th July, 1946.



To
The Secretary to Government,
Revenue Department,
Madras

Dear Sir,

Sub: Pulic Servants (Anantapur) Late Sri M.S.Ramakrishnan- Famine Charge Officer - Siddaramapuram - Grant of Education concession to Children.

Ref: No.D-1336/46-5 dated 26-5-1946 from the Secretary, Board of Revenue, Madras.

I have admitted my daughters in the schools mentioned below and have given the approximate cost for the year 1946-47.

The Madras Seva Sadan High School, No.67, Narayanamudali Street, George Town, Madras.

2nd daughter M.R.Vanajakshi IV form.

10 instalments of school fees @ Rs.5/4/- per month	-	Rs.52 - 8 - 0
Games, special, Library, Laboratory and Entrance fees		6 - 6 - 0
Approximate cost of Books and note books	-	40 - 0 - 0
		98 -14 - 0

3rd Daughter M.R.Paruvathavarthini - Ist Form.

10 instalments of school fees @ Rs.5/- each	-	Rs.50 - 0 - 0
Entrance fees	-	1 - 0 - 0
Approximate cost of books and notebooks	-	20 - 0 - 0
		71 - 0 - 0

Sri Ramakrishna National Girl's School, No.6, Krishnappa Naicker Agraharam, G.T.Madras.

4th Daughter M.R.Savitri.

School fees for 12 instalments @ Rs.0/12/- each	--	Rs.9 - 0 - 0
Entrance, Puja, Library, Home wrok	--	2 -14 - 0
Approximate cost of books and note books	--	5 - 0 - 0
		Rs.16/14/----

I am admitting my first daughter M.R.Jayalakshmi who has passed her S.S.L.C. in the music class in the Madras Seva Sadan High School, City Branch.

10 instalments of Rs.5/- each	---	Rs.50 - 0 - 0
Entrance fee	---	1 --0 - 0
Books etc	---	5 - 0 - 0
		Rs.56 - 0 - 0

I request you that early orders be passed as it is already a month since the schools were reopened.

Thanking you,

Yours faithfully,

M.S. [illegible]

From
M.S.Saraswathi Ammal,
C/o.Udamalpet S.Krishnamurthy,
United India Life Office, Madras.

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5 Fb 62

Rev. Deptt.

To H.S.

Please see the petition at p. 73/4 ante. The main file relating to the request of the petitioner for educational concessions to her children is in circulation. This may be added to the main file on its return.

8.7.46

8.7.46.

9/7/46

30/2/48

Edn & P.H. Dept. (C.1.)

Scholarships--Children of the late Sri M.S.Ramakrishnan-Famine Charge Officer, Siddaramapuram--Orders passed.

From the Board of Revenue, No. D.1335-5/46-4 dated 30-5-46 and 26th June 1946.

**

Order/MS. No. 1665 (Edn.) dated 28.8.1946

The Govt. sanction the grant of special scholarships to ~~the~~ M.R. Vanajakshi, and M.R. Parvadavardhini, daughters of the late Sri M.S. Ramakrishnan, Famine Charge Officer, Siddaramapuram, referred to in G.O.No. 196 Finance (Pension), dated 27-2-46, as shown below:--

	Rs
1. M.R. Vanajakshi (Studying in IV form in the Madras Seva Sadan High School No. 67, Narayana Mudali St., George Town Madras.	35 per annum
2. M.R. Parvadavardhini (Studying in the ~~I~~st Form in the Madras Seva Sadan High School No. 67, Narayana Mudali St., George Town, Madras.	6-10-0 per annum

2. These scholarships will be granted in addition to the pensions sanctioned in the G.O. referred to above and will be available till the ~~pupils~~ pupils complete their S.S.L.C. Course. The scholarships will be discontinued if they ~~children~~ fail to secure promotion in any year; but it shall be revived on promotion to the next higher class.

3. The Govt. do not see sufficient reason to sanction special scholarships to M.R. Jayalakshimi and M.R. Savitiri in addition to the pension already sanctioned.

4. The question of granting a special scholarship to M.R. Sundaram will be considered after he is admitted in a school.

P.T.O

64

5- The D.P.I. is requested to arrange for the grant of the scholarships referred to in para 1 above. The expenditure will be debited to "37. q--Edn.-- Scholarships"

Nom 7/8/46.

12/8/46

Rev. 8. S.

To the D.P.I. (with copy of G.O.No: 196 Fin (Pen) d/27.2.46)

Board of Rev.

A.G. (Rev Fin)

Copy to Fin (Pension) with copy of pp. 4-5 n.f.

p 57 cf

65

C.No/ 1690 E/4.

R. 2.

Famine - (Anantapur) - Penukonda Tk - Siddaramapuram charge - Late charge officer, Sri S. M. Ramakrishnan Pension application from the widow - Report. From the Bd of Rev. Ref. S. 5494/44-7 d 9.11.45.

pp 30-33 cf

To U.S

Please see the memo at pp 15-16 cf of (S) and Bd's Refce at pp 30-33 cf.

'M' on p 33 cf

2. For the reasons stated at M on p 32 cf, the Collr of Cuddapah recommends the grant of an extraordinary pension of Rs 60/- p.m. as at 'A' on p 33 cf. The Bd agrees with the Collr that ~~the~~ 'Risk of office' has been proved. This Dept may agree with the Bd that the extraordinary pension at the rates recommended by the Collr may be sanctioned ~~The file may be passed on to Fin for the issue of necessary orders.~~

'A' on p 30 cf

K on p 30 cf

(to M.S. Saraswathi Ammal, widow of the late charge officer, Sri M.S. Ramakrishnan and his five children. The file may be ~~passed~~ sent to Fin for ~~the~~ issue of ~~necessary~~ orders.

14.11.45

16.11.45.

16/11/45 S

16/11/45 Fin

Rev No 1690 E/45-5 16.11.45

ASST. SECRETARY TO GOVERNMENT 17 NOV 1945 FINANCE DEPARTMENT

52956

Finance (Pension)

The proposal relates to the grant of ~~an~~ extraordinary family pension to the family of the late Sri M.S. Ramakrishnan, Famine Charge Officer (Siddaramapuram famine camp) who was murdered on 17.11.43. The Collector's recommendation, with which the Board (x) of Rev and the Rev Deptt agree, is at 'A' and 'D' on p 33 c.f.

(x) para 2 on p 30 cf note above.

'M' on p 3 of (F)

Under Rule 13 (5) of the Extraordinary Pension Rules, a certificate from the A.G. about the admissibility of the award and the amounts so ~~admissible~~ admissible

is necessary. ~~Pension~~ – ~~Rev. may therefore be requested to obtain from the~~ A.G. may be requested to furnish the necessary certificate ~~and transmit the file to this deptt (for the grant of pension) on~~ its ~~receipt~~. Draft [illegible] is subd.

Rev
Send only pp. 30 – 33 to the AG & pages 1 – 2 of
WS

WS
21.11.45

Issued as Endt No 52956 Pen – 1 d 21.11.45 to AG.

From M.S. Saraswathi Ammal, Widow of late M.S. Ramakrishnan d 27.9.45

Please see the petition on p 30.C.F. The AG's report for the grant of the extraordinary family pension to the family of the late Officer has been called for. In the present petition she has made two addl requests viz (i) for the grant of free educational facilities ~~etc~~ to her children and (ii) for the grant of a lump sum ~~for~~ towards the marriage expenses of her daughter. The petition addressed thro' the Collector, Anantapur (of which p 30 CF is only a copy) may be awaited for the consideration of the 2 addl. requests now put forward by the widow. Await A.G's report till 10/12

WS
7.12.45

A draft reminder to the A.G. is subd for approval.

WS
11.12.45

[Issued as Memo No. 52956 Pen – 1 d 11.12.45]
[From the AG. No. P.V. EFP – 10 – 1230 – 2711 d 19.12.45]

Please see the AG's report on p 40 C.F. The Madras Public Service Commission will have to be consulted before extraordinary pensions are sanctioned by Govt. A draft letter to the Commission is submitted for approval.

WS
28.12.45

Issued as 52956 Pen – 3 d 28.12.45

(From the M.P.S.C. No 1 – C/46 – 1 d 4.1.46)

A draft letter furnishing the printed copy of judgment wanted by the Commission is submitted on p 43 CF for approval.

WS
11/46

What about the judgments? WS 10.1.46
Subd that the draft has been amplified

This have been sent before.
WS

Subd: noted

(From the M.P.S.C. No 1 – C/46 – 2 d 28.1.46)

The Commission has taken the view that the case of the late Sri Ramakrishnan is one of 'suffering injury by violence' and that the Officer's death was due to injuries received as a result of 'Special risk of office'. It has accordingly recommended that the widow may be granted a gratuity of Rs 480/- and with effect from 18.11.43 a monthly pension of Rs 34.4.7 and that with effect from the same date the 5 children be awarded a monthly pension of Rs 5.2.3 each. The A.G's certificate on pp 40 – 41 CF is based on the Board's recommendation that the injuries which caused the death of the Officer were received as a result of 'Risk of Office'. The different view taken by the Commission gives the widow an additional gratuity of Rs 480/- representing 4 months' pay of the deceased Officer. For orders whether the AG. may be asked to certify the amount of awards admissible to the family of the deceased Officer on the basis of the view taken by the Commission ('Special Risk'). Subject to orders a draft memo is submitted for approval.

p 46 CF
p 30 CF
Vide schedule II and rule 10 (i) of 'M' or 3 of (F)

Yes WS

R on 10/2

WS
1.2.46

If it is considered that AG need not be consulted again a D.O. note will be subd.

[From M.S. Saraswathi Ammal d 1.2.46]

Perhaps an interim reply to the petitioner may be sent. (The A.G. has been asked to treat the matter as urgent). A draft memo is subd for approval.

para 2 on p 49 CF

WS
8/2/46

[Issued as Memo – 6 d 8.2.46]
[From the Board of Rev Ref No. S.5494/44-8 d 9.2.46]

The Board has sent a reminder on p 54 CF. A draft reply to the Board and a draft memo reminder to the A.G. is submitted for approval.

Did not issue as the reply came.

Yes. D.O. R on 25/2 if necessary

WS
18.2.46

Returned for issue

[Issued as Memo – 7 d 18.2.46 to Board]

[From the A.G. No E.F.P. 10 – 3260 & 13.2.46]

The file deals with the grant of Extraordinary family pension to the family of the late Sri M.S. Ramakrishnan, late Famine Charge officer who met his death by murder on 17.11.43 in the discharge of public duty. For the details of the murder please see paras 1 and 2 of the Collector's letter on pp 30-31 C.F. The Board of Rev. has therefore recommended that the family of the deceased may be granted pensions under Rule 10 of the Extraordinary Pension Rules, since the 'Risk of office' has been proved. According to the recommendation of the Board the amounts of pension admissible to the members of the family will be as follows:-

Widow: A monthly pension of Rs 34.4.7. (Payable till her death or remarriage if she Remarries, ~~which ever occurs earlier~~.)

Each of the five minor children (One son and 4 daughters): A monthly pension of Rs 5.2.3 (Payable in the case of the son till he attains the age of 18, and in the case of daughters till they get married or attain the age 21 whichever happens earlier)

2. The Madras Public Service Commission which was consulted with reference to Sec 266 (3)(c) of the Govt of India Act, 1935, ~~however~~, takes the view that this case is one of 'suffering injury by violence' and that the officer's death was therefore due to injuries received as a result of 'special risk of office'. The Commission has accordingly recommended that the widow may be granted a gratuity of Rs 480/- in addition to the pensions noted above. The A.G. Madras has certified that this amounts would be admissible if the views of the Commission are accepted. The monthly pensions will commence from 18.11.43.

3. The Remarks of Rev. may be invited whether the Commission's view may be accepted. (It may be mentioned that the widow's request for the grant of a lump sum for her daughter's marriage is inadmissible). Exp 11 also may please see with reference to 'A' on p 36 C.F. Re. the educational concessions

20.2.46 Rev.

ASST. SECRETARY TO GOVT. 28 FEB 1946 FINANCE DEPARTMENT

Rev dept.

To R.S.

Please see Fin. dept's note at p. 4 ante. This dept. may agree with the recommendation of M.P.S.C. at 'A' on p. 46. (The grant of educational Concessions is being taken up separately)
The file may be returned to Fin (Pen).

23/2/46 S
23/2/46 Fin (Pen)

Rev dept
1002 E/46-1
22/2/46
1.977

Finance (Pen)

Notes from p 4 above may be read. Rev Deptt. have agreed with the recommendation of the Madras Public Service Commission that the case of late Sri M.S. Ramakrishnan should fall under 'Special Risk of Office'. If the Commission's recommendation is accepted, a gratuity of Rs 480/- (equal to 4 times the pay drawn by the deceased) will be admissible to the widow in addition to the monthly family pensions mentioned at 'A' on p 4 above.

For orders whether the Commission's view may be accepted.

23.2.46 25/2/46

The Commission's view may be accepted and a gratuity of Rs 480/- plus the pensions as at 'A' on p 4 ante may be sanctioned, the payment of the pensions commencing from 18/11/43, the day following the night of the murder.

The request for a lumpsum towards marriage expenses of one of the daughters may be refused. Regarding free education of the children, the matter will be referred to Edl the authorities concerned on the above.

approved
25/2/46
A1 25.2.46
A3 25.2.46

2 E 20 6 C1

Fin (Pen)

Please see the orders on p 5 ante. A draft order is submitted for approval. After issue the file may be sent to EPH with reference to the request for the educational concessions to the children of the deceased.

26/2/46 26/2/46

27/2/46

ASST. SECRETARY TO GOVERNMENT 5 MAR 1946 12868 EDUCATION AND PUBLIC HEALTH DEPT.

(Ac) EPH.

EPH (Ac)

Edn and P.H. Dept (C1) Fin (Pen)

U.O. 10977-1 / 5.3.46.

The file has been sent to this dept for remarks with reference to the question of granting free educational facilities to the children of the deceased, M.S. Ramakrishnan. It is not possible to admit the children as free scholars in any school.

In 1943 the Govt. ordered the payment of a special scholarship of Rs 15 p.m. to the son of an excise peon who was ~~death~~ murdered in the discharge of his duty. There are now under consideration two proposals to grant similar scholarships to ~~the~~ two sons of two forest guards who were murdered while on duty. Rev may consider in consultation with Finance whether scholarships are necessary in the present case.

The file may be ~~[illegible]~~ sent to the Rev. dept.

11/3/46 S

9/3/46.

Rev. Deptt. Rev.

A on page 36 cf & Para 2 of Fin note on page 4 ante

Please see C.F. G.O. 7052 C [illegible] another file

x one in C.F. & another [illegible] & Dept Fin G.O. 4885 20/[illegible]

Edn U.O. 128689/46-1 / 12.3.46.

To U.S.

Please see notes from p. 4 ante. The late Famine Charge Officer has 4 aged daughters aged 15, 12, 9 and 7 years (respectively) and one son aged 2 years. The question now is what educational concessions are to be given to the children of the deceased. E & P.H. have stated that

1396 E 13 MAR 1946

10/3/46

37 71 7

in similar cases a special scholarship of Rs. 15/- per mensem has been sanctioned to the children of certain Govt. servants who were murdered while on duty. It is not known how many of the children of the late Famine Charge Officer are now going to school and in what classes they are studying. The information may be called for from the Colr. of ~~Bellary~~ Anantapur and he may be requested to report through the Bd. of Rev. the amount that ~~a~~ may be paid to each of ~~them~~ the persons (for the period for which the payments should be made) by way of scholarships. A draft Memo. is submitted for approval.

14.3.46

14.3.46

15/3/46

p. 59 CF (Issued as Memo. No. 1396-E/46-1 d/ 15-3-46)

pp. 65-66 CF (From the Bd. of Rev. Ref. S. D. 1335/46. 2 d/ 4-4-46)

pp. 67-68 CF (From [illegible] to [illegible] d/ 30-5-46)

To U.S.

Please see the Memo. to the Colr. of Anantapur at p. 59 CF and the Colr's report and the Board's Reference thereon at pp. 67-68 CF. From this report it appears that the educational concessions, if granted, will cost Rs. 2050 to Govt. No concessions to the eldest daughter of the deceased is recommended as she has already appeared for the S.S.L.C. The presumption in all cases is that they will study up to & inclusive of S.S.L.C. For orders whether, on the analogy mentioned by E & P.H. at p. 6 ante, this deptt. may recommend the grant of scholarships at the rates mentioned by the Colr. & the Bd. at pp. 67-68 CF.

& P53 ante

The file may be returned to E & P.H.

The Bd has given the total

1.6.46.

~~6~~/72

C1 EA

amount for school fees & books estimated to be required to complete the children's education. ~~Edn~~ Presumably monthly scholarships will be granted. If the Bd's figures are accepted, the monthly amounts for each child will come to not much less than Rs 15, even if the pension of Rs 5/2/3 is included. For orders as to the amount which may be recommended.

3/6/46 S

We may support Bd's & Collr's proposals.

3/6/46 EPH

Edn and P.H. Dept Rev mp

1396.E/46.3
4.6.46

Please see this dept note on page 6 ante wherein it was suggested that Rev may consider in consultation with Finance whether scholarships are necessary in this case. Finance have not seen the case. The file may be sent to that ~~this~~ dept for remarks in the first instance.

29853
57/6/46

8/6/46. 10/6/46 10.6.46

Finance

Edn U.O. 29853/46-1
10.6.46.

Finance (Exp.A).

The file deals with the question of grant of scholarships to 4 children of the late Sri M.S.Ramakrishna, Famine charge officer, who was murdered on 17-4-43. The cost of granting scholarships to these four children for ~~studying~~ studying up to S.S.L.C. is estimated at Rs 2,050. The grant of scholarship is in addition to the pension of Rs 5-2-3 p.m. to which each of the 4 children is eligible.

pp 67-68 CF

32933 Exp.A

p 57 CF

2. In the similar case referred to by E.P.H. on p.6 above the scholarship of Rs 15 p.m. was sanctioned under ~~the~~ different circumstances. It was sanctioned from the date on which the pension granted to that boy lapsed on his attaining the age of 18. In the present case a pension of Rs 5-2-3 p.m to each of the

p 33 CF (a)

'C' and 'K' in p 1 NF (a)

(G.O. 644 Edn 23 ...)

p 57 CF

(besides a pension of Rs.34-4-7 p.m. to the widow) 5 children of the deceased has been sanctioned in G.O.No.196 Finance (Pension) dated 27-2-46. The question of granting ~~any~~ a scholarship to any ~~xx~~ or all of the four children to enable them to continue their studies will arise only when the payment of pension is stopped. In the circumstances this Dept. may advise that the petitioner may be informed that no scholarship will be granted in addition to the pension ~~granted~~ sanctioned to each of the children of the deceased.

pp 57-58 CF

Thro' Pension
15/6/46.

15.6.46 15.6.46

The monthly pensions given to the widow & the 5 children (Rs 59-15-10 in all) should be deemed to cover schooling charges also. There seems to be no case for sanctioning ~~a~~ special scholarships in addition to the pensions.

17.6.46 17.6.46 ~~A.S.~~/ D.S.

Scholarships as proposed by the Bd. of Revenue in addition to the pensions already granted, will be a concession which will give rise to a most inconvenient and undesirable precedent. This dept would ∴ strongly advise against ~~it~~ any such concession.

If however, any educational concession is to be granted under orders in circulation, this dept may suggest that a deduction should be made to cover the pension of Rs 5/2/3 p.m. already sanctioned for each of the children and only the balance allowed.

Fin. U.O. 32935 Exp.A-1
18.6.46.

18/6/46

ASST. SECRETARY TO GOVERNMENT
11 JUN 1946
FINANCE DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT
3266 E
4 JUN 1946

EPH

Edn and P.H. Dept

C1

The Finance dept advise against the grant of the scholarships. The file may be returned to the Revenue dept for taking orders in circulation.

ASST. SECRETARY TO GOVERNMENT
18 JUN 1946
EDUCATION AND PUBLIC HEALTH DEPT.

May agree with Fin

21.6.46

Edn U.O. 29853/46-2
21.6.46

32532

19/6/46. 20/6/46 21.6.46

Revenue

10

To H.S. (Please see notes from p.6 ante) Rev. Deptt.

The file deals with the question of grant of scholarships to four children of the late Sri M.S.Ramakrishnan, Famine Charge Officer, ~~Bellary~~ Anantapur district, who was murdered on the 14th April 1943 while on duty. The widow of the Famine Charge Officer has already been sanctioned a gratuity of Rs.480 and a pension of Rs.34-4-7 per mensem.= The children of the deceased (One son and four daughters) were also granted a pension of Rs.5-2-3 per mensem tenable in the case of the son till he attains the age of 18 and in the case of the daughters till they get married or attains the age of 21 whichever happens earlier. The Collector and the Board of Revenue recommended educational concessions by way of school fees and books to the extent of Rs.2050. This proposal was supported in this Deptt. Finance however consider that scholarships as proposed by the Board in addition to the pension already granted will be a concession which will give rise to a most inconvenient and undesirable precedent and they are against the grant of scholarships. But Finance Deputy Secretary has suggested that if any concession is granted under orders in circulation a deduction should be made to cover the pension of Rs.5-2-3 per mensem already sanctioned for each of the children and only the balance allowed. E.& P.H. also agree with Finance. For orders whether (1) this Deptt. may press for the acceptance of the Board's proposal or (2) whether this Deptt. may agree with Finance and reject the Board's proposal. If the Board's proposal is accepted, it is for orders whether the concession may be given as indicated by Finance Deputy Secretary at 'X' on page 9 above.

|| A [signature]

] B. [signature].

[signature] 25/6/46 S

[signature] 25.6.46

A above subject to B above is supported in Rev. For orders [signature] 26/6/46

M

cir. 27-6-46

H.M. (Rev) A subject to B. [signature] 29.6.46.

H.P.M. I agree with Hm. (Rev) [signature] 18/7/46

SECRETARY TO GOVERNMENT 19 JUL 1946 REVENUE DEPARTMENT

To H.S.

The file may now be returned to E & P.H. through Finance for issue of

M on p.10 ante

11

M

75

final orders, ~~as otherwise proposed~~.

[signature] 19.7.46.

[signature] 19/7/46

Fin / E.P+A

[signature] 19.7.46.

Rev. u.o. 3266-E/46-2 19.7.46.

ASST. SECRETARY TO GOVERNMENT [..] JUL 1946 FINANCE DEPARTMENT

39832 Exp A

Fin. [Exp A]

(Previous Finance notes on pp 8-9 above)

Orders in circulation, on p. 10 above may be perused [struck through] and the file [struck through] to E & P.H.

Sk 22.7.46

[signature] 24.7.46

2. As the c.f. contains G.O. 196 Fin(Pen) d 27-2-46 relating to the sanction of extraordinary pensions & gratuity, E.P.H. may be requested to send to this dept. pp. 1-58 c.f. so that they may be docketed separately and sent to the Records Branch. A copy of the notes on pp. 4-5 ante will be taken in this dept. & added to the Fin (Pen) Dept. G.O. cited above.

α pp.57-8 c.f.

D.S.

Dr. (Pen) [signature] 24/7/46.

pp 59 et seq c.f. deal with the G.O. giving [..] concessions & may be retained in E.P.H.

α pp. 57-8 c.f.

[signature] 24/7/46.

[signature] 24.7.46.

[signature] 26/7/46

Fin. u.o. 39832 Exp A 24.7.46.

E.P.H.

ASST. SECRETARY TO GOVERNMENT 25 JUL 1946 EDUCATION AND PUBLIC HEALTH DEPT.

40824

E & P.H. Dept (C. 1.).

[Notes from page 10 ante may be read.]

The Board of Revenue recommended that the children of the late Sri M.S. Ramakrishnan might be allowed educational concessions to the extent specified in its letter on page 67 c.f. It has been ordered in circulation that the

P.T.O.

educational concessions recommended by the Board should be allowed subject to the condition that a deduction should be made to cover the pensions of Rs. 5-2-3 per mensem already sanctioned to each of the children and that only the balance should be allowed. The scholarship that will have to be allowed to each of the children will then be as follows:--

(1) M.R. Jayalakshimi -- Has Passed S.S.L.C.

Pension Rs. 5-2-3 p.m. -- No Scholarship.

(2) M.R. Vanajakshi--Studying in IV Form.

Amount of scholarship recommended by the Board for study in forms IV to VI (i.e. 36 months)	Rs 290-0-0
Amount of pension that will be paid during the above period (36 months)	Rs 185- 1-0
Net amount payable as scholarship (Rs. 290-0-0 — Rs. 185-1-0)	Rs 104-15--0

(3) M.R. Parvathavardhini --Studying in Ist Form.

Amount of scholarship recommended by the Board for study in forms I to VI ~~form~~ (i.e) 72 months)	Rs 410--0--0
Amount of pension that will be paid in the above period (72 months)	Rs370--2--0
Net amount payable as scholarship: Rs. 410-0-0 - Rs. 370-2-0	Rs 39-14--0

(4) M.R. Savithri--Studying in III Class

Amount of scholarship recommended by the Board for study in III Class to VI Form (i.e. 108 months)	Rs 450--0--0
Amount of pension that will be paid in the above period (i.e. 108 months)	Rs 555--3--0
Net amount payable as scholarship	NIL

(5) M.R. Sundaram Aged 3 years (Not Studying)

Amount of scholarship recommended by the Board	Rs. 1000-0-0
Supposing the boy joins Ist class when he is five years of age he will study for 11 x 12(132) months till he completes VI Form. The amount of pension that will be paid in 132 months	Rs 678--9--0
Net amount payable as scholarship	Rs 321--7--0

P.T.O.

P.T.O.

P. Mu. Secy — The question of granting a scholarship to the son can be considered after he is admitted into a school.

It will be observed that only M. R. Vanajakshi and M. R. Parvadhavardhini are eligible for scholarships — the former for a scholarship of Rs 104-15-0 (for a period of three years and the latter for a scholarship of Rs 39-14-0 (for a period of 6 years). The amounts will be very small if they are to be distributed monthly. (Vanajakshi Rs. 2-14-8; Parvathavardhini Rs 0-9-0) It may perhaps be ordered that the scholarships may be paid annualy. It may also be laid down that the scholarships will be stopped if the ~~children~~ pupils fail in any class but shall be revived if they are promoted to the next higher class.

A draft order is put up. Rev & Finance may see.

7/8/46. 12/8/46 P. Mu. Secy

Rev / Finance

Rev. Deptt.

Edu u.o 40824 C1/46-1 14-8-46.

UNDER SECRETARY TO GOVERNMENT 4301 E 15 AUG 1946 REVENUE DEPARTMENT

To A.S.

The draft order below may be perused and the file passed on to Finance.

16/8/46 20/8/46 21/8/46 Fin

Fin (ExpA)

(Finance last saw on p.. above)

The notes and the orders in circulation and the draft order below may be perused and the file returned to EPH.

4301 E 45563

ASSISTANT SECRETARY Exp A 22 AUG 1946 FINANCE DEPARTMENT

Thro' Pension 23/8/46 23.8.46 23.8.46 23/8/46 24/8/46

EPH

Fin u.o 45563 Exp A 22.8.46

14

E & PH
el

Issue
26/8/46

ASST. SECRETARY TO GOVERNMENT
2 6 AUG 1946
EDUCATION AND PUBLIC HEALTH DEPT.

49394

The Indian Express of 26th August 1946

SEQUEL TO MURDER OF FAMINE RELIEF OFFICER

Two Accused Sentenced To 3 Years' R.I. Each

ANANTAPUR, Aug. 22.

Mr. Bakthavachulu Naidu, Sessions Judge, Anantapur, delivered judgment this afternoon sentencing N. Lakshminarayana, former Sub-Inspector of Police, Pamadurthi, and Obula Reddy, a rural medical practioner, to undergo three years' rigorous imprisonment for the offence of criminal conspiracy for causing disappearance of evidence relating to the murder of Mr. Ramakrishna, the officer in charge at the Siddaramapuram Famine Camp. Eleven of the other accused were acquitted.

The prosecution case against the accused was that they conspired and murdered the Officer, as he had reported against a few of them about the theft of grain bags from the Famine Camp in November, 1943.

It might also be recalled that at the time of the inquest the Panchayatdars returned a verdict of "suicide by drowning". But the case was taken up for re-investigation by the police, on a petition by the relatives of the deceased who suspected foul play.

The assessors returned an unanimous verdict of 'not guilty' against all the accused.—F.O.C.

IRRIGATION OF SUMMER CROP IN RED HILLS

MADRAS, Aug. 25.

The proposal of the Chief Engineer (Irrigation) to supply water upto Oct. 1, 1945 to irrigate 2,342 acres of summer crop to be raised on parts of the ayacuts under the Red Hills and Cholavaram tanks, has been approved by the Government of Madras, who have directed that no water should be supplied for the irrigation of the crop after Oct. 1.

Out of the total extent of 2,342 acres, 1,470 acres will be under the Red Hills tank and 872 acres under the Cholavaram tank.

orders were issued in R.D.

Rev. Dept.

To A.S.I

Submitted for perusal with refce. to the correspondence in the linked file.

28/8/45

28/8/45

29/8/45

DTO F.H.E.

28/8/45

Legal Dept.

I

Letter No.6236/41 dated 8-10-41

To

The Secy. to the Govt. of Bengal,
Judicial Dept., Calcutta.

Sir,

The Madras General Sales Tax Act, 1939 - levy of tax on first sales by manufacturers - validity - judgment of High Court, Madras.

My letter No.5932/41-2 Legal Department, dated 16-9-1941.

I am to request that the following corrections may kindly be carried out in the copy of the judgment sent with my letter quoted above:-

1. At page 3, line 4 from the bottom, for "Entry No.45", substitute "Entry No.48".
2. At page 5, line 39 from the top, omit the full stop occurring after the word 'commodities'.

I have, etc.

K. M.
3/X/41

Madras, 19-9-1946.

To

The Secretary to Government,
Revenue Department,
Madras.

Sir,

Sub: Public Servants (Antapur Late Mr. M.S.Ramakrishnan - Famine Charge Officer - Siddaramapuram - grant of Education concession to children.

Ref: No.9-D 336/46-5 d/- 26-5-1946 from the Secretary, Board of Revenue, Madras.

I beg to bring to your notice that I am not complied with any reply to my petition dated 5-7-1946. I have given the approximate expenses for the children for the year 1946-47 in my petition of 5-7-1946. In this connection I may write to you that I have not admitted my eldest daughter M.R.Jayalakshmi in the music call class as stated in my petition of 5-7-46.

As it is more than 3 months since the schools were reopened I request you to kindly pass early orders on my petition of 5-7-46.

Yours faithfully,

M.S. [illegible]

From
M.S.Saraswathi ammal,
C/o. Udamalpet S.Krishnamurthy,
United India Life Office,
Esplanade,
Madras.

36/15/+

(7)

Edn and P.H.Dept

Memo 56669C1-1 D 14-X-46 C1.

Scholarships - Children of the late Sri. M.S. Ramakrishnan, Famine Charge Officer.

Petition from Srimathi M.S. Saraswathi Ammal dt 19.9.46.

—

Sri M.S. Saraswathi Ammal is informed that orders have already been issued in this matter vide G.O. No: 1668-Edn dt 28-8-46. (copy enclosed). and that she may apply to the D.P.I for the ~~grant~~ payment of the scholarships

To Srimathi M.S. Saraswathi Ammal C/o Sri Kodumalpet. S. Krishnamurthi United Life Insurance Corporation (with copy of G.O.)

12/10/46.

Copy to the D.P.I.

14/10/46

Madras, 21st April, 1947.

HOME SECRETARY TO GOVERNMENT
28 APR 1947
EDUCATION AND PUBLIC HEALTH DEPT.

To
The Secretary to Government,
Education & Public Health Departme
Fort St.George,
Madras.

'Registered Post'

Sir,

Sub: Scholarships - Children of the Late Sri M.S.Ramakrishnan - Famine Charge Officer - Siddarampuram - Anantapur Distric G.O.No.Misc.1665 Education dated 28-8-46 and memorandum No. 56669 Cl-1 dated 14-10-46 the Government of Madras (Education and Public Health Department)

In my petition dated 5-7-46 I applied to the Government f the grant of education concessions to my children, but the Government did grant the concession in full and the grant made is also insufficient. For convenience of reference particulars regarding the claims made and the sums granted are given below side by side.

1. The Madras Seva Sadan High School, No.67, Narayanamudali Street, George Town, Madras.

2nd Daughter M.R.Vanajakshi IV Form.

10 instalments of School fees at Rs.5/4/- per month	--	Rs.52	8
Games, spl.Librry, Laboratory and entrance fee	--	6	6
Approximate cost of Books, note books and stationery	--	40	0
		Rs.98	14

The actual amount sanctioned to M.R.Vanajakshi was Rs.35-0-0 only against Rs.98/14/- claimed for

The Madras Seva Sadan Industrial school, 67, Narayana Mudaly Street, George Town, Madras.

3rd Daughter M.R.Paruvathavarthini I Form.

10 instalments of School Fees @ Rs.5/- each	--	50	0
Entrance fees	--	1	0
Approximate cost of Books note books and stationery	--	20	0
		71	0

The total amount sanctioned was Rs.6-10-0 as against Rs.71/- claimed

Sri RamakrishnaNational Girls' School No.6, Krishnappa Naicker Agrah George Town, Madras.

4th Daughter M.R.Savitri III standard.

School fees for 12 instalments at Re 0-12-0 each	--	9	
Entrance fees Puja, Library Home work etc	--	2	
Approximate cost of books, note books and other stationery		5	-
		16	0

She was not granted anything.

Continued.

ceipts wherever available from the school are also enclosed. Besides t school and special fees paid expenditure has also been incurred on items such as books, note books and other stationery.

In the circumstances I may be permitted to point out that the amount towards the school fees sanctioned is not only far below the actual school and special fees paid, but also utterly inadequate to meet the entir cost of education. I therefore beseige the benign government to reconside their kind orders and grant the entire amount claimed by me towards the education of my children.

In the G.O.ited the Government were pleased to sanction Educational concession only to two of my three shcool children. The reaso for not granting any concession to M.R.Savitri, a student of III standard on whose behalf I have spent towards school and special fees Rs.11-4-0 besides books and noted books and stationery is not known.

I therefore request that the Government be pleased to reconsider their decision in respect of this girl M.R.Savitri also and sanction sufficient allowance for her education.

I request that early orders may kindly be passed on this petition and that I may be paid in a lump sum the amount representing the difference between the actual expenditure incurred by me towards the educat of my children and the amount already granted by the Government.

In these hard days, I find even difficult to pass the days with my pension. My eldest daughter M.R.Jayalakshmi aged 18 yrs is still unmarr and my husband has not left behind any property. I request you, conside my plight in these expensive days, as a very special case to grant any substantial amount for the marriage of M.R.Jayalakshmi, that you think fi and releive me of my financial trouble to a great extent.

Hoping my petition will have a favourable consideration by the benign Govern~~mtn~~ment

Thanking you.

Yours faithfully,

M.S.

From
M.S.Saraswathi Ammal,
C/O Udamalpet S.Krishnamurthy,
14, Krishnappa Naicker Agraharam St.,
G.T.Madras.

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Hoping my petition will have a favourable consideration by the benign ~~Governmemt~~ Government

Thanking you.

Yours faithfully,

M.S. Saraswathi Ammal

From
M.S.Saraswathi Ammal,
C/O Udamalpet S.Krishnamurthy,
14, Krishnappa Naicker Agraharam St.,
G.T.Madras.

E & PH dept C1

M.R. Vanajakshi
IV Form.

Available receipts enclosed, some being mislaid.

The papers referred to at "A" on page 1 ante are put up in a file which is in circulation. This may lie over till the file is returned or till 10-5-47 (whichever is earlier)

Sd 3-5-47.

5/5/47 The file has not yet returned from circulation. This may lie over till the 15th May. [interlined: continue to]

Sd 10-5-47

THE MADRAS SEVA SADAN HIGH SCHOOL

FEE RECEIPT

Name of pupil M R Vanajakshi

Class or Form IV for Term I

PARTICULARS	Rs.	A.	P.
Tuition fees	5	4	0
Games fees	1	2	0
Special fees	1	4	0
Library fees	1	0	0
Laboratory fees	1	0	0
Fines, if any			
Entrance fees	2	0	0
TOTAL ...	11	10	0

Rupees eleven and annas ten only

No 2411

Date 24-6-46

U. Sumathi
Accountant

30 Bks.—5-45 M.P.

91

10 10

THE MADRAS SEVA SADAN HIGH SCHOOL

FEE RECEIPT

92

Name of pupil M. R. Vanajakshi

Class or Form 10 for Sept' Term I

PARTICULARS	Rs.	A.	P.
Tuition fees	5	4	0
Games fees			
Special fees			
Library fees			
Laboratory fees			
Fines, if any			
Entrance fees			
Repenspiel & A3 four nos			
TOTAL ...	5	4	0

No 2464

U. Sunita
Accountant

Date 12-9-46

Bks.—5-45 M.P.

93

THE MADRAS SEVA SADAN HIGH SCHOOL

FEE RECEIPT

Name of pupil M. R. Vanaja Fish

Class or Form IV for [illegible] Term I

PARTICULARS	Rs.	A.	P.
Tuition fees	5	0	0
Games fees			
Special fees ...			
Library fees ...			
Laboratory fees			
Fines, if any			
Entrance fees			
TOTAL	5	0	0

Rupees five & NS five

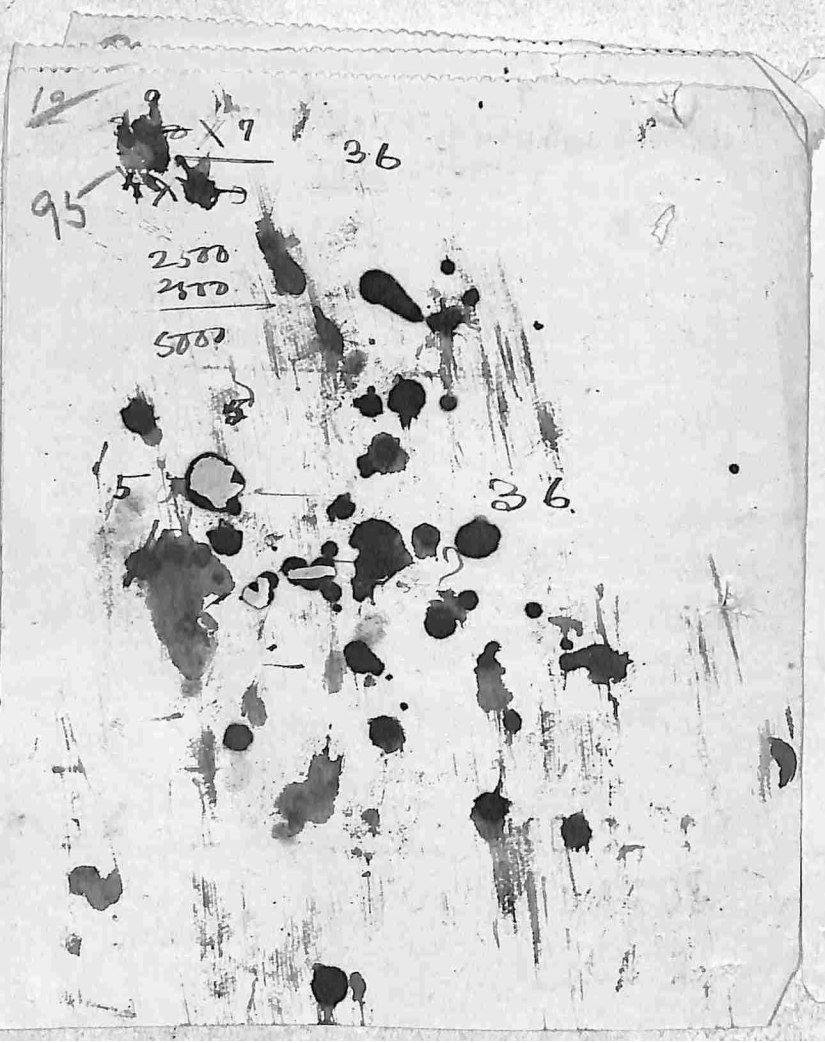
No 2482

U. Samiha

Accountant

Date 11-10-46

30 Bks.—5-45 M.P.



M. P. MS—276—24-6-46—5 Bks

THE MADRAS SEVA SADAN CITY BRANCH

HIGH SCHOOL

FEE RECEIPT

Name of pupil M. R. Vanajakoh

Class or Form IV for NAV Term I

PARTICULARS		Rs.	A	P.
Tuition fees		5	4	0
Games fees				
Special fees				
Library fees				
Laboratory fees				
Fines, if any				
Entrance fees				
Super fine & re fanning				
TOTAL ...		5	4	0

No. 207

Date 15.9.46

U Sunitha

Accountant

M. R. Parvathavarthini (97) 98

I Form.

Available receipts enclosed, some being mislaid.

THE MADRAS SEVA SADAN CITY BRANCH

HIGH SCHOOL

FEE RECEIPT

Name of pupil .....

Class or Form ..... for ..... Term .....

PARTICULARS	Rs.	A.	P.
Tuition fees			
Games fees			
Special fees			
Library fees			
Laboratory fees			
Fines, if any			
Entrance fees			
TOTAL ...			

No. .....

Date .....

Accountant

THE MADRAS SEVA SADAN INDUSTRIAL SCHOOL

FEE RECEIPT

Name of pupil.....

Class or Form.....for.....Term.....

PARTICULARS	Rs.	A.	P.
...ition fees	5	0	0
...nes, if any	1	0	0
...trance fees			
TOTAL ...	6	0	0

No. 451

Date.....

Office Assistant

THE MADRAS SEVA SADAN INDUSTRIAL SCHOOL

FEE RECEIPT

Name of pupil Kr. R. Parvathavardini

Class or Form Senior for Sept' Term

PARTICULARS	Rs.	A.	P.
Tuition fees	5	0	0
Fines, if any			
Entrance fees			
Rupees five only			
TOTAL ...	5	0	0

No. 72

Date 12.9.46

R Sumitra
Office Assistant

103

THE MADRAS SEVA SADAN INDUSTRIAL SCHOOL

FEE RECEIPT

104

Name of pupil..... M. Parvathi

Class or Form..... Senior ..... for October ..... Term ..... I .....

PARTICULARS	Rs.	A.	P.
Tuition fees	5	0	0
Fines, if any ...			
Entrance fees			
Repair fund			
TOTAL ...	5	0	0

No. 114

Date..... 11-11-46

V. Seetha

Office Assistant

105

THE MADRAS SEVA SADAN INDUSTRIAL SCHOOL

FEE RECEIPT

106

Name of pupil M. R. Parvathavardhini

Class or Form Senior Div for Dec Term

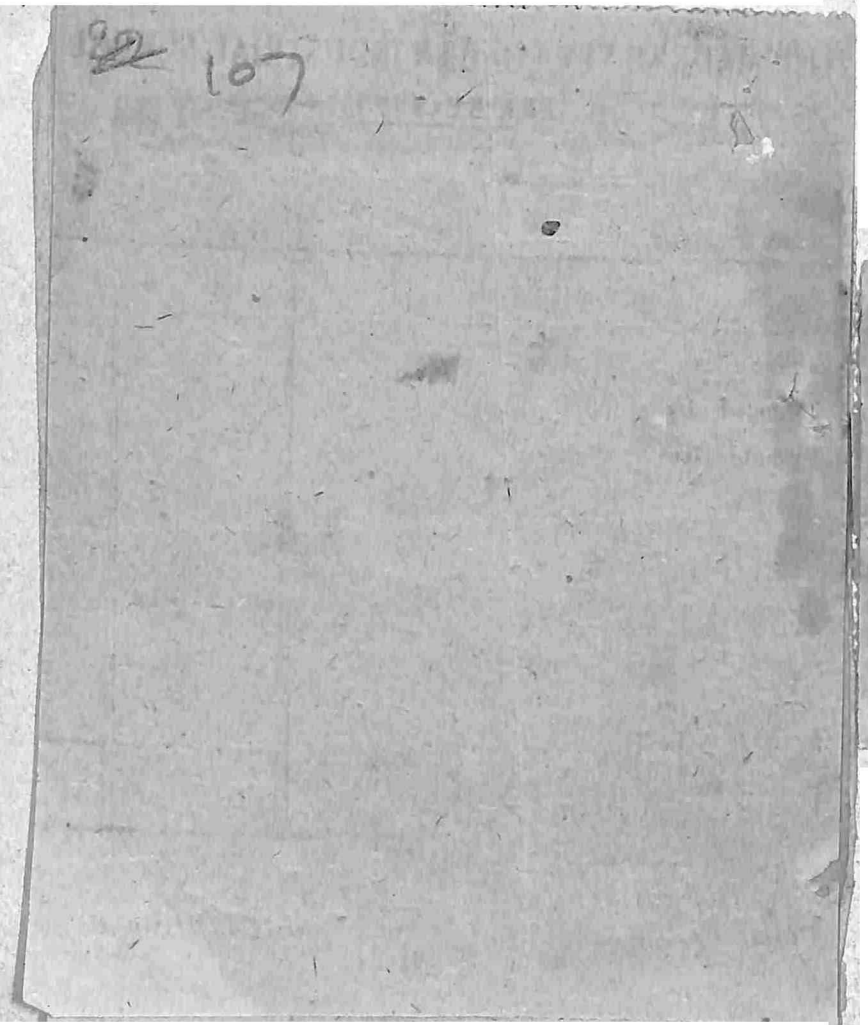
PARTICULARS	Rs.	A.	P.
Tuition fees	5	0	0
Fines, if any			
Entrance fees			
TOTAL ...	5	0	0.

No. 196

Date 18/12/46

Sundaram
Head Mistress

Office Assistant



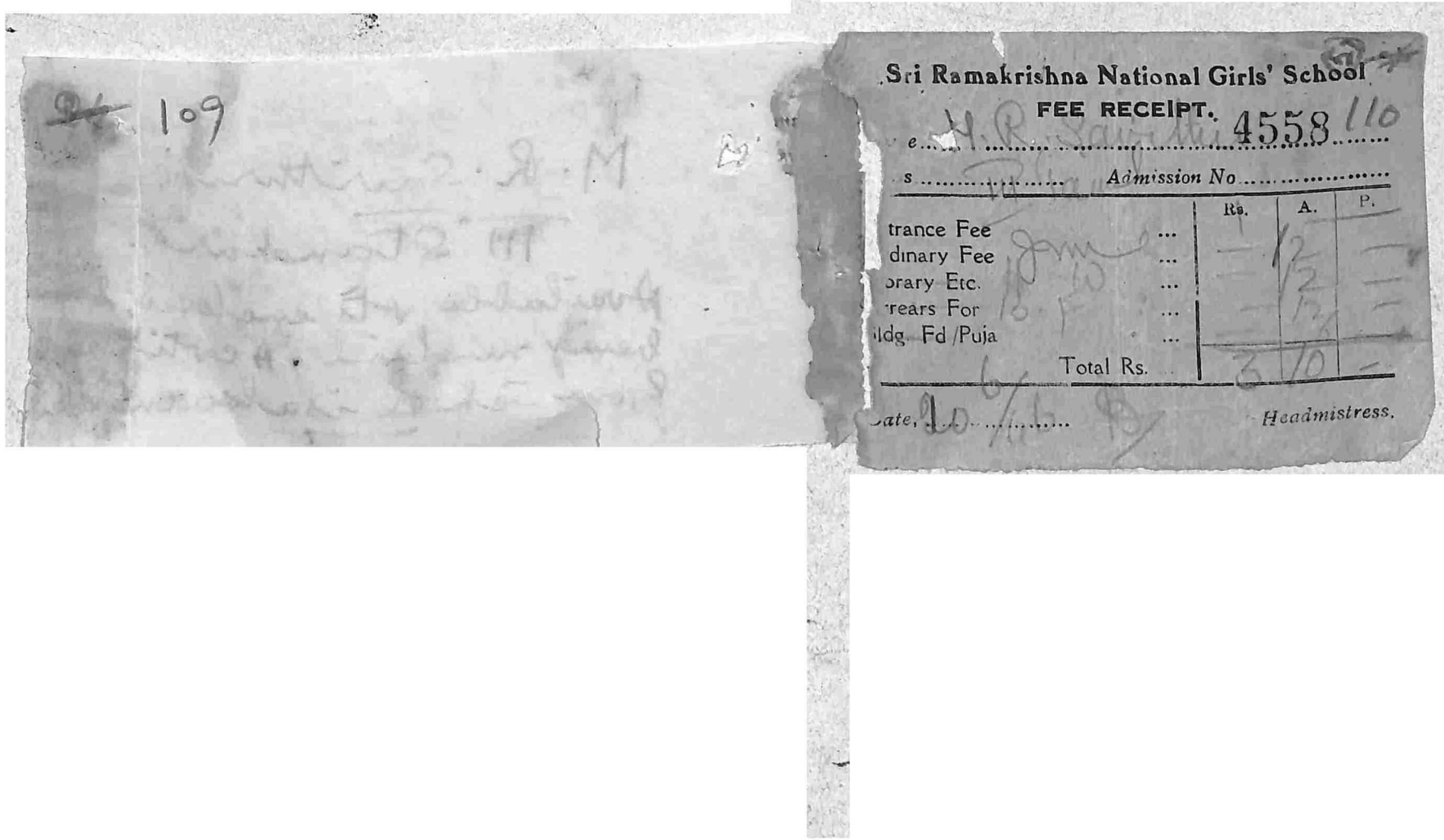
107

108

M. R. Savithri

III Standard.

Available vts enclosed, some being mislaid. A certificate from School is also enclosed



109

Sri Ramakrishna National Girls' School

FEE RECEIPT. 4558

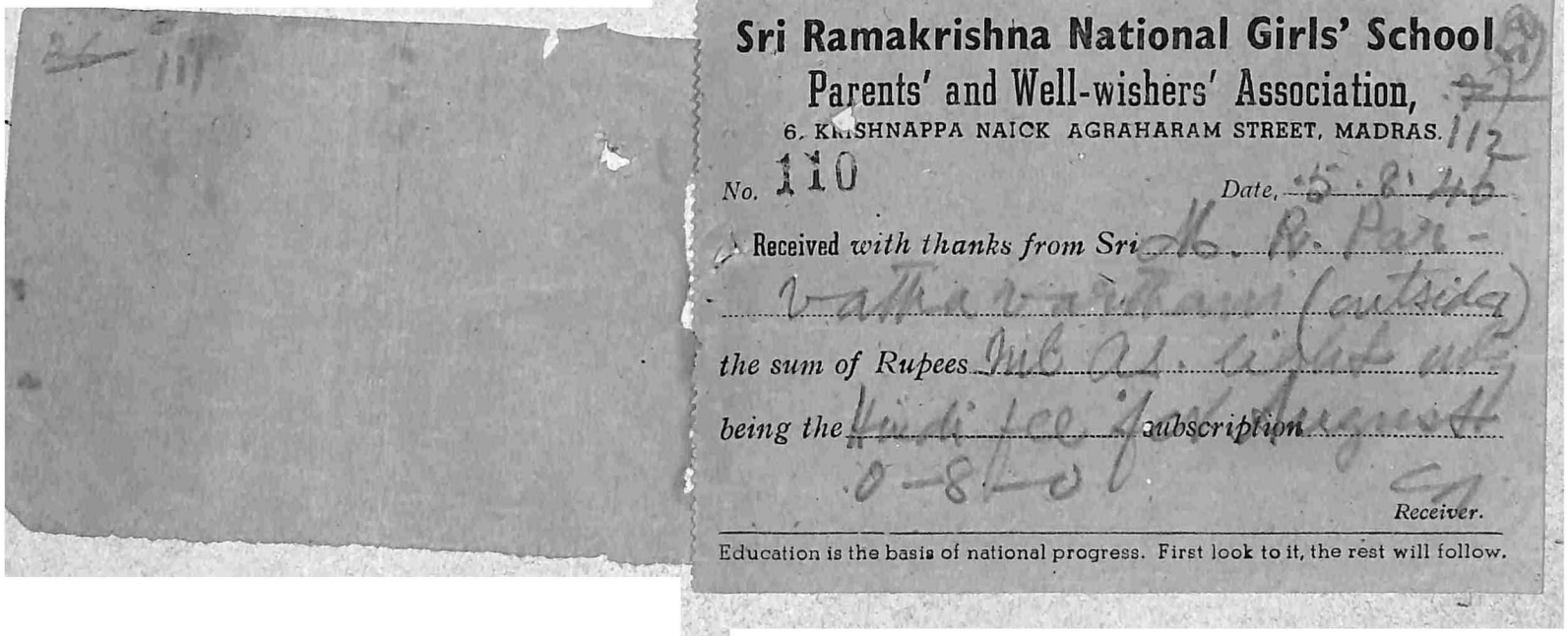
e ... H. R. Sarkar

s ... Admission No ...

	Rs.	A.	P.
trance Fee ...			
dinary Fee ...			
orary Etc. ...			
rears For ...			
ldg. Fd /Puja ...			
Total Rs.			

ate, ...

Headmistress.



Sri Ramakrishna National Girls' School

Parents' and Well-wishers' Association,

6, KRISHNAPPA NAICK AGRAHARAM STREET, MADRAS.

No. 110 Date, 5.8.40

Received *with thanks from Sri* K. R. Par-

thasarathy (outside)

the sum of Rupees Rs 2. 12 Annas only

being the Subscription for August

0-8-0

Receiver.

Education is the basis of national progress. First look to it, the rest will follow.

~~20~~ 113

Sri Ramakrishna National Girls' School

FEE RECEIPT. 8790

Name.....

Class VIII A *Admission No* .....

	Rs.	A.	P.
Entrance Fee ...			
Ordinary Fee ...		12	
Library Etc. ...			
Arrears For ...			
Bldg. Fd /Puja ...			
Total Rs.		12	

Date, ...

Headmistress.

~~30~~ 115

(60) 116 ~~7~~ Madras.
21-4-47.

To
The manager,
Sri Ramakrishna national girls'
School.
6. krishnappa naicker Agraharam St,
G.T. Madras

Sir,

Ref. Miss. M.R. Savithri.
III Standard

Please favour me with a certificate for the School and Special Fees paid by my daughter for the School year 1946-'47, as the same is required for applying for ~~con~~ educational concession to my daughter.

Thanking you,

Yours faithfully
S. Krishnamurthy
for Mrs. Saraswathi ammal

H. M.
Please let me know the amount so that I may reply the gentleman
[illegible] 21. 4. 47

From:
M.S. Saraswathi ammal.
C/o. S. Krishnamurthy
14. Krishnappa naicker Agraharam
G.T. Madras.

P.T.O.

~~32~~

117

Tuition fees. Rs. a. p.

'46 June to April '47 @ 0-12-0 per month | 8-4-0

Special fees A.W + B.F + Puja (0-12-0 + 0-12-0 + 0-6-0) | 1-14-0

Entrance fees | 1-0-0

Total. Rs. 11-2-0

0-12-0

~~Fees to be paid~~ 11-14-0

B 21.4.47

B 22.4.47

M 21.4.47

Dear Sir
Herewith the information asked for by you.

[signature]
21.4.47

---

118 E & PH.

(6)

Sub
Scholarship - Children of the late Sri M.S Ramakrishnan - Famine Charge Officer - Increase of - Request of.

Ref
From Srimathi M.S Saraswathi Ammal - Madras dt: 21-5-47

Memo No: 36354 C1/47-2 Edn dt. 17.6.47

~~Srimathi~~ M.S Saraswathi Ammal is informed that her request can not be complied with.

T.3 17/6

PP 1-32 [illegible] 10/6

Afterwards the Ramp will be finished with. (E)

[initials] 13/6

To
Srimathi
M.S. Saraswathi Ammal.
c/o Udamalpet S. Krishnamoorthi
14, Krishnappa Naicker - Agraharam St.
G.T. Madras.

Despd 19/6

Sd 13-6-47 [initials] 13/6/47.

[initials] 14/6/47

Education and P.H.(C.1.)Department

Sub: Scholarship - Children of the late Sri M.S. Ramakrishnan - Famine Charge Officer - Increase of - Request for.

Ref: From Srimathi M.S. Saraswathi Ammal, Madras dated 21-5-47.

Sri M.S. Ramakrishnan, Famine Charge Officer, Sidharamapuram Famine Camp, Anantapur, was murdered on 17-11-43 while discharging his public duty. His wife petitioned Government for extraordinary pensionary help. ~~The widow~~ She was granted a monthly pension of Rs 34-4-7 tenable till her death or remarriage in addition to a gratuity of Rs 480/- and a monthly pention of Rs 5-2-3 for each of the five minor children tenable till his 18th year, in the case of a son, and till her 21st, in the case of a girl. In 1945, the widow petitioned the Government ~~again~~ asking, among other things, scholarships for the education of her children. The Board of Revenue recommended the grant of educational concessions to 3 daughters as follows:

M.R. Vanajakshi:- (for 3 years, till she finished her S.S.L.C.)

School fees (including special fees) forms IV to VI	Rs.	190-0-0
For books and note books	"	100-0-0
Total		290-0-0

M.R. Parvathavardhini: (for 6 years from form 1st to VI.)

School fees including special fees	Rs.	270-0-0
For books and note books	"	140-0-0
Total		410-0-0

M.R. Savithri: (for 9 years from 3rd class to VIth form)

School fees including special fees	Rs.	300-0-0
For books and note books	Rs.	150-0-0
Total		450 - -

In Government sanctioned the amount recommended by the Board of Revenue as educational concessions to the children subject to the condition that deduction should be made from the above amount a sum equal to Rs 5-2-3 per mensem, sanctioned previously as pension for each child ~~per mensem~~. The scholarship thus sanctioned to the three daughters were (were): -

M.R. Vanajakshi	Rs. 290 minus 185-1-0 =	Rs. 104-15-0
M.R. Parvatha Vardhini	Rs. 410 minus Rs 370-2-0 =	Rs. 39-14-0
M.R. Savithri	Rs 460 minus Rs 555-3-0 = balance	Rs. NIL

P.T.O.

121

M.S. Saraswathi Ammal, the mother of the girls, now represents that the scholarship amounts sanctioned by Government for her daughters are insufficient and has furnished a statement of accounts for the expenditure incurred on the education of the girls. She requests that --

(1.) the entire amount of expenditure incurred by her for the education of her girls may be paid to her as scholarships;

(2.) a scholarship may be given to her daughter M.R. Savitri;

and (3.) a substantial amount may be given for the marriage of her daughter Jayalakshmi.

It may be pointed out to the petitioner that in passing orders in G.O.No. 1665 dated 28-8-46 the Government have taken into account the special pension of Rs 5-2-3 granted for each of the children and that the Government are unable to increase the scholarship as ~~prepared~~ requested for by her.

As regards her second request, she may be told that since the cost of educating her daughter M.R. Savitri for 9 years from class III to form VI amounts only to Rs 450, while the pension she would draw for 9 years would amount to Rs 555-3-0, ~~Hence~~ the Government are unable to grant her the addl. amount.

As regards her third request, ~~the file may be sent to Revenue~~ please see the orders in circulation at page 69 of (t) ~~calling necessary extract for~~ ~~Department for necessary action.~~ ~~Finance may see for remarks.~~

A | In the result, all the three requests may be negatived. Finance may see for remarks.

6-6-47

S | F 11-6-47

Fin: Exp. C

Edn. U.O.No. 36354 C1/47-1 8-6-47

Fin. Exp. C

Fin: agree to A above.

C&K 9-6-47

E&PH C1.

ASST. SECRETARY TO GOVERNMENT 34709 9 - JUN 1947 FINANCE DEPARTMENT

Fin. U.O.No. 34701 Exp. 10-6-47

A draft memo is submitted

To be filed with G.O. No. 1665 Edn. 28-8-46 after issue.

13-6-47

14-6-47

13/6/47

ASST. SECRETARY TO GOVERNMENT 48869 19 JUN 1947 EDUCATION AND PUBLIC HEALTH DEPT.

A. MUTHAIYA PILLAI, B.A., B.L., PLEADER, UDAMALPET.

122

To ~~SECY.~~ E.& P.H. 18-10-1947.

May be examined and put up.

H.M. EDN. TSB 21-10-47

84585

Dear Sir,

My friend's sister Mrs. M.S. ~~Savithri~~ Saraswathi ammal, the widow of a government servant who was shot dead while on duty as a famine relief officer in Ananthapur is drawing pension and has applied for enhancement of education concession to her children.

It is a very deserving case. I request that her case may be considered favourably and early orders passed.

With best regards,

Yours Sincerely

A. Muthaiya Pillai

From

Mrs. M.S. Saraswathi Ammal,
C/O. Mr. Udamalpet S.K. Murthy,
14, Krishnappa Naicker Agraharam,
George Town, Madras.

To

The Secretary to the Government,
Revenue Department,
MADRAS.

Sir,

Sub:- Public Servants (Anantapur) Late Sri M.S. Ramakrishnan--Famine Charge Officer--Siddaramapuram--Grant of Education concession to children.

Ref:- No.D.1336/46/5 dated 26-6-1946 from the Secretary, Board of Revenue, Madras -- G.O. No.1605 (Edn) dated 28-8-1946 Education and Public Health Department.

My daughters Miss. M.R. Vanajakshi, Miss. M.R. ParvathaVarthini and Miss. M.R. Savithri were studying last year in IV Form in the Madras Sevasadan High School, G.T., Madras, I Form in the Madras Sevasadan Industrial School, G.T., Madras and III Standard in Sri Ramakrishna National Girls' School, Krishnappa Naicker Agraharam, G.T., Madras respectively. They have all been promoted this year.

This year I have admitted them in the Schools mentioned below and have given the approximate cost for Miss. M.R. Vanajakshi for the year 1947-48. For the other two girls, it has necessitated me to admit them for studies at Udamalpet that being our native place. I would therefor request you to kindly make references to the undermentioned schools and get the informations required regarding their school fees, cost of books and other formalities necessary.

I. The Church of Scotland Mission, Madras Girls' Day High School, Acharappan Street, G.T., Madras.

Second daughter Miss. M.R. Vanajakshi, V Form A Section.

10 Instalments of School fees at Rs.6-8-0 per month		Rs. 65--0--0
Games, Science, Stationery, Library, Excursion, Sewing, Handwork, Conductress and Admission fees		Rs. 8--4--0
Approximate cost of books and note books	...	Rs. 40--0--0
	Total ...	Rs.113--4--0

P.T.O.

125

II. Board High School, Udamalpet, Coimbatore District.

Third daughter Miss. M.R. ParvathaVarthini, II Form A Section.

(The Headmaster may be referred for details of fees, etc.)

III. Victoria Memorial Girls' School, Udamalpet, Coimbatore Dt.

Fourth daughter Miss. M.R. Savithri, V Standard.

(The Headmistress may be referred for details of fees, etc.)

In these hard days, I find very difficult to pass the days with my pension. I request you therefore that early orders be passed as it is already three months since the schools were reopened.

Yours faithfully,

M.S. [illegible]

Madras,
12th October 1947.

Copy to the Minister of Education, Madras.

84585/47

PP 3-4 CG.

126

E.P.H.Deptt.(C1)

Sub: Scholarships- Children of the Late Sri M.S.Ramakrishnan- Famine charge Officer, request for an increased amount.

Ref: Petition from Srimati Saraswathi Ammal dated 12-10-47.

Memo. No. 84585-C1-1- Edn./47 dated 18-12-47.

The headmaster of Board High School
headmistress Victorial Memorial Girls' School,

Udamalpet, Coimbatore Dt., is requested to report at an early date the tuition fees and special fees etc., payable for the year 1947-48. by M.R. Parvathavarthini, student II Form A.Section
M.R. Savithir V. Standard

daughter of the late Sri M.S. Ramakrishnan, Famine charge Officer, together with the cost of books required by her for ~~the~~ study in the year.

To

The Headmaster Bd.
High School, Udamalpet, Coimbatore, Dt.

Headmistress V.M.Girls' School,
Udamalpet, Coimbatore Dist.

Copy to Srimathi
M.S. Saraswathi Ammal
c/o Mr Udumalpet S.R. Ramaiya
14 Krishnappa Naicken Agraharam
George Town. Madras.

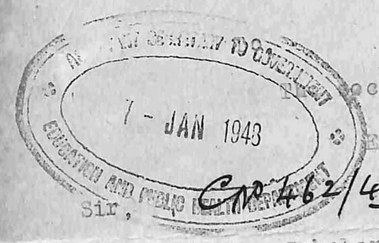
From,

Sri. S.R.Kuppu Rao. B.A.,L.T.,

Headmaster,

Board High School,

Udamalpet.



To

The Secretary to the Government of Madras

Education & public Health department, Madras.

Sir,

Subject;- Scholarships - children of the late Sri M.S.Ramakrishnan Famine charge officer------

Government memorandum No.84585 C 1-1 E Dp/47 dated 18-12-47.

The particulars required on behalf of M.R.Parvatha Varthini student of II. Form A. section of his high School is herewith appended.

Fees for 7 instalments in the long term at Rs 2-12-0 per month	Rs. 19-4-0
Fees for three instalments in the short term at Rs 2-12-0 per month	Rs. 8-4-0
Games fee for the long term	0-8-0
Associaton fees for long term	0-4-0
" " " Short term	0-4-0
Printing fees for the long term	0-4-0
Cost of books	20-0-0
Total	48-12-0

I beg to remain Sir,

Your most obedient servant,

Headmaster, 5-1.48

To (67) 13 Cl Fy

The Secretary to Government,
Edn. & Public Health Department
Madras.

Sir,

ASSISTANT SECRETARY TO GOVERNMENT
Edn. & Public Health Department
9 JAN 1948
6828
With PUBLIC HEALTH DEPARTMENT

P. 5 anks.

With reference to your memo No. 84585-C1-1-Edn-47. dated 18/12/47 I beg to submit the cost list for books & Note-books of M. R. Savithri, V th Std. who is reading in V. M. M. Cr. H. E. School, Vdpt. daughter of the late Sri. M. S. Ramakrishnan, Famine charge Officer. The cost given in the list is accessible to the prices of books. I beg to state

P.T.O

that ~~to~~ 130/
There is no fee collection in stds I to V, in our school. The cost list of books is herewith submitted.

Thanking you,
I beg to remain,
Your most obedient
servant,
C. Thulasi
8/1/48
H.M. in charge of
V.M.M.G.H.E.S.
Udpt.

Cost list for books Etc of Santhi V Class.

No	No	Text books	price
1.	1	தமிழ்	0-9-0
	2.	கணக்கு	0-12-0
	3.	பூகோளம்	0-11-0
	4.	சரித்திரம்	0-7-9
	5.	சித்திரம்	0-8-0
	6.	இயற்கை	0-5-3
	7.	இலக்கணம்	0-4-0
	8.	உ. செய்யுள்	0-1-3
	9.	வாய்பாடு	0-2-0
		[illegible]	
			3-12-3

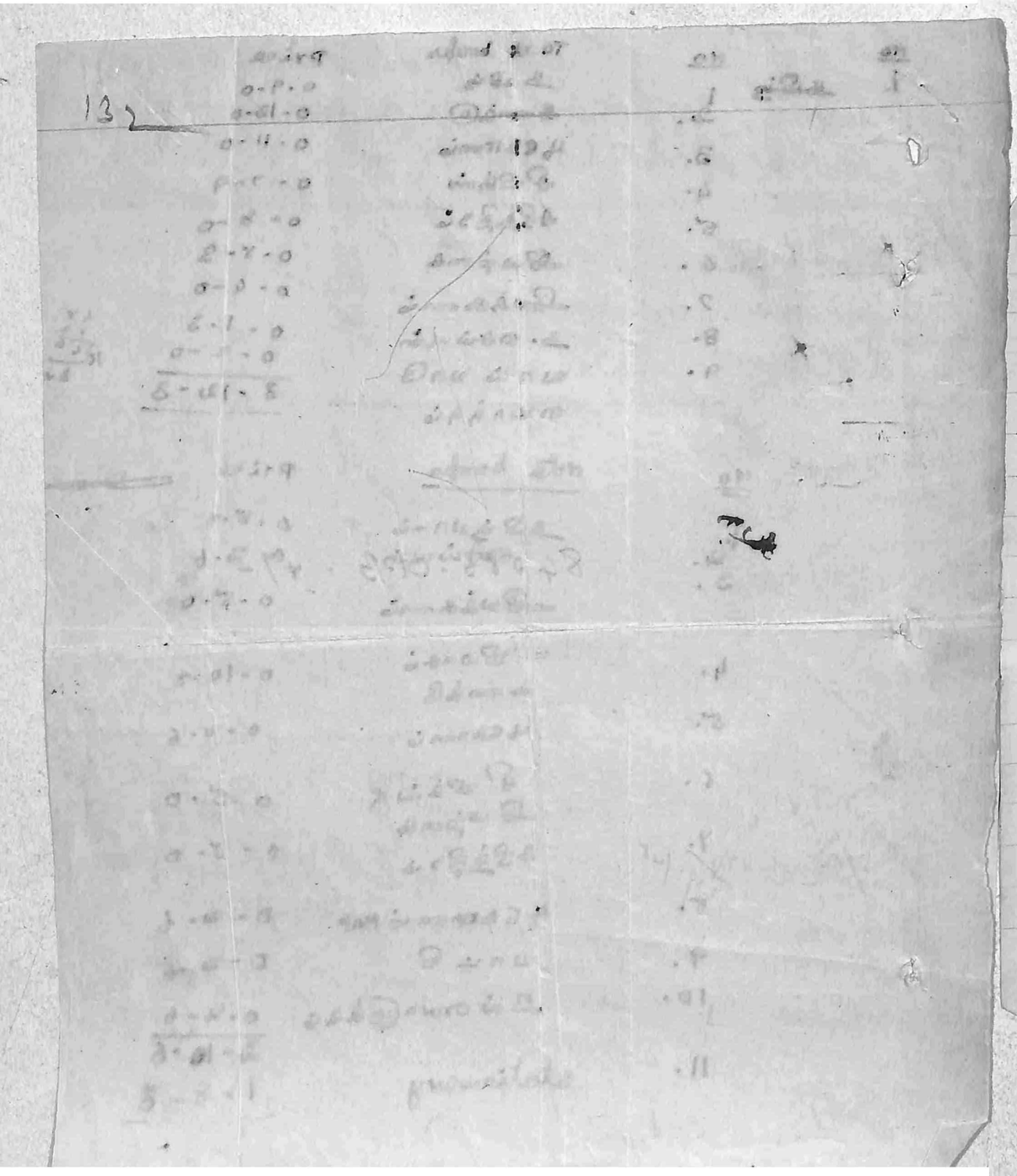
No	note books	price
1.	தமிழ்பாடம்	0-5-0
2.	செய்யுள்	0-2-6
3.	இலக்கணம்	0-5-0
4.	வியாசம்	0-10-0
	கணக்கு	
5.	பூகோளம்	0-2-6
6.	[illegible] இயற்கை	0-5-0
7.	சரித்திரம்	0-5-0
8.	பூகோளம் map	0-2-6
9.	பாட்டு	0-2-6
10.	[illegible]	0-2-6
		2-10-6
11.	stationary	1-8-0
		4-2-6

4-2-6
3-12-3
7-14-9

97-8-0
48-12-0
146-4-0

Total 3-12-3
4-2-6
Rs. 7-14-9

[signature] 11/1/48.



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(69) 133

Edn & P H.
C1.

Scholarship - ~~Children~~ daughters of the late Sri. M. S. Ramakrishnan - Famine Charge officer - ~~increase of Request~~.

Petition from Srimati M. S. Saraswathi Ammal dated 12-10-47. ~~for increase thereon.~~

Memo No. 84585-C1-3-47-Edn. dt. 25-2-48.

~~Srimati~~ M. S. Saraswathi Ammal is informed that the Govt: decline to accede to her request for increasing the value of the scholarships granted her daughters in G.O. No. 1665 dt. 28-8-1946.

163 CF

To
Mrs. M. S. Saraswathi Ammal.
(Address given on P. 3. Cb.).

EDUCATION AND PUBLIC HEALTH DEPARTMENT.(C1)

Subject: SCHOLARSHIPS - CHILDREN OF THE LATE SRI M.S. RAMAKRISHNAN- FAMINE CHARGE OFFICER- SIDDARAMAPURAM REQUEST FOR INCREASED AMOUNT.

Ref: From Srimati M.S. Saraswathi Ammal dated 12-10-47.
From A.Muthaiya Pillai, B.A.B.L. dated 18-10-47.

Please see the minute of H.M.(Education) on p.1 of the letter from Sri A. Muthaiya Pillai. Srimati Saraswathi Ammal, W/o Late Sri M.S. Ramakrishnan, Famine charge Officer, Siddaramapuram Famine Camp, Anantapur, who was murdered on 17-11-43, while discharging his public duty, petitioned the Government for the grant of extra-ordinary pension-~~ary help~~ and in G.O.No. ~~1665 Education~~ dated ~~28-8-1946~~, she was sanctioned a monthly pension of Rs. 34-4-7, tenable till her death or her re-marriage and in addition ~~to~~ a gratuity of Rs.480/- and a monthly pension of Rs. 5-2-3 for each of her five minor children tenable till the 18th year in the case of a son and till 21st year in the case of a daughter. In 1945, the widow again petitioned Government asking, among ~~th~~her things scholarships for the education of her children. The Board of Revenue recommended the grant of educational concessions to the 3 daughters. Accepting the recommendation, the Government sanctioned educational concessions to her children subject to the condition that deduction should be made from the amounts recommended, a sum equal to Rs.5-2-3 p.m. sanctioned previously as pension for each child ~~as pension~~.

The scholarships thus sanctioned to the 3 daughers were:-

	Concession recommended	Pension Amt.	concession
1. M.R. Vanajakshi	Rs. 290	185-1-0	= 104-15-0
2. Parvathavardhini.	Rs. 410	370-2-0	= 39-14-0
3. M.R. Savithri.	Rs. 450	555-3-0	= Nil.

Early this year Srimathi Savithri Ammal represented that the scholarship amounts sanctioned by Government for her daughters were insufficient and furnishing a statement of Accounts for the expenditure incurred on the education of her daughter, she requested that the entire amount of expenditure incurred by her for the education of her daughters might be paid to her as scholarships.

As the Government took into account the Special Pension of Rs. 5-2-3 granted to each of her children in passing orders in G.O.No. 1665 Education dated 28-8-46, she was informed that the Government were unable to increase the scholarship as requested by her.

135

~~-2-~~

pp 3-4 cf

She now represents that she has admitted her children in other schools where the school fees are higher than in the schools where they were studying last year and requests that the additional expenditure she has to incur might be paid to her. As far as her second daughter is concerned (No. 1 above) she reports that the additional expenditure involved is as follows:-

FEE IN NEW SCHOOL	FEE IN OLD SCHOOL	AMOUNT Rs. A. P.	INSTALMENTS	YEARS.
6.8.0	------5-4-0	= 1 4 0 X	10 X 2	(Rs.25/- for 2 years).

She has not stated what the additional expenditure is, in respect of ~~so far as~~ the education of her third and fourth daughters. ~~is concerned~~. She may be asked to ascertain and report the amount ~~fact~~ to ~~the~~ Government.

A draft memo is submitted.

/ Please see 'R' at p. 3 of [illegible] in [illegible] the school authority.

X for information.

[initials] 10.12.47

[initials] 13/12/47 S / [initials] 13/12 (under) ?

With reference to the orders of Secretary in the margin a revised draft is submitted.

[initials] 16/12/47

[initials] 17/12/47

[Issued as Memo No. 84585-C1-1. Edn D. 18.12.47.] P 5 CF

From the Headmaster, Board High School, Udumalpet. D. 5.1.48. P. 7 CF

From the Headmistress, Victoria Memorial Girls School, Udumalpet. D. 8.1.48. P. 9 to 11 CF.

The heads of the two institutions where the third and fourth daughters are studying have reported the total cost per year for the education of each which is as follows.

	Fees.	Special fees.	Books.	Total for 1947-48.	
Parvadavardhini	27.8.0	1.4.0	20.0.0	48.12.0	P 7 CF
Savithri	Nil	Nil	7.14.9	7.14.9	P 11 CF

In passing orders in G.O. No. 1665 Edn dt 28-8-46 P. 63 of (t) the petitioner was informed that the scholarship sanctioned for her daughters in that order would be granted in addition to the pensions sanctioned in G.O. No. 195 Fin (Pen) dt 27.2.46 Not put up. The expenditure on fees, books for each girl was calculated PP 76 and for a year and the difference between that amount and 77 of (t)

Edn 3 (r)

P 3 CF

the amount of pension for the year was sanctioned as scholarship for each girl. Since the petitioner 137 claims higher rate of scholarship on account of the increased fees demanded from the girls for having changed over to other schools only the extra expenditure on schooling for each girl might be sanctioned now. The extra expenditure for 1947-48 would work thus:

		Fee. Special fee & Books for 1947-48	Amount of Pension sanctioned in G.O. 1665 20.8.46	Difference in 1947-48
Vanajakshi	V Form.	Rs. 113.4.0. (P 3 CF)	Rs. 61.11.0. (at Rs 5.2.3 P.M. for 12 months) (P. 63 of (t))	Rs. 57.9.0.
Parvadavardhini	II Form.	Q Rs. 48.12.0. (P 7 CF)	Rs 61.11.0. do	—
Savithri.	V class.	Rs. 7.14.9. P (P 11 CF)	Rs 61.11.0. do	—

From the above it would appear that only in the case of Vanajakshi there has been an increase in expenditure. According to the orders in G.O. No. 1665 Edn, D. 20-8-46, Vanajakshi is in receipt of an annual scholarship of Rs 35.00. She may now be sanctioned a scholarship of Rs. 57.9.0 for 1947-48.

P 63 of (t)

X [initials]

Finance may see for remarks.

[initials] 21/1/48

[initials] 26/1/48 S / [initials] 26/1/48 Fin..

EPH. Lo. 84585 C1-49-2 27.1.48

SECRETARY TO GOVERNMENT 5437 EC 28 JAN 1948 FINANCE DEPARTMENT

Fin (Exp 1)

Please see the notes on pp 1-3 above.

2 The proposal at X above may be agreed to in this Dept. (The extra expenditure involved for 1947-48 is Rs 16-9-0)

J Please see below [initials] 3.2.48

51-9-0
35-0-0
16-9-0

[initials] 2.2.48
[initials] 2.2.48

A similar request to enhance the scholarship of Rs. 35 per annum sanctioned to Vanajakshi was turned down recently - please see K on p. 85 and N and M on p. 121 of G.O. 1665 Edn dt 28.8.46. The

(t)

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ground on which the request was turned down was that in passing orders in G.O. 1665 Edn of 28-8-26, the Government have taken into account the special pension of Rs. 5-2-3 p.m. granted for each of the children. ~~This position does not~~ ~~obtain~~ This argument holds good even now and it does not seem necessary to agree to the proposal of E.&P.H. at X on page 3 above. E&P.H. may be informed accordingly.

(t) p63

[signature] 3-2-48

If we are working on the basis of the actual expenditure incurred by way of fees &c there seems to be no special reason why the excess on account of one daughter over Rs 61-11-0. shd be made good without taking credit for the amount by which the expenditure on account of the other children falls short of the amount. There do not .'. appear to be adequate grounds for increasing the scholarship. It is also generally undesirable to be varying the orders in such cases from time to time.

[signature] 4.2.48 E&PH. B

Edn &P.H. Dept.

Fin. No. 5437 Exp C-1 / 4.2.48

825

In view of the remarks of Fin above it is for orders whether the proposal to grant an increased amount of scholarship to Vanajakshi will be pressed. / Need not be pressed.

[initials] 6/2

[signature] 7/2/48 S

[signature] 7/2/48

M. (Edn.)

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPT. 7 FEB 1948

SECRETARY, EDN. AND P.H. DEPT. 23 FEB 1948 GOVERNMENT OF MADRAS

069

TSA 21-2-48

A draft memo is submitted for approval

[initials] 23/2/48

[signature] 24/2/48

P.T.O.

Sectt. II-27—45,006—19-10-39.

Edn. & P. H. (1941) Department.

R SERIES.

G.O. No. 341

Dated 11—10—1941.

[Despatch Abstract.]