M.R.O. 1—77,005—8-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 1795 Press Mis.
179-180.
179-180
Dated 26-10- 1876.
6/7

Not to be folded or roughly handled

No. 179. Read the following letter from Major the Hon. E. R. BOURKE, Postmaster-General, Madras, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Ootacamund, 15th October 1874, No. 1522-3676 :—

I deem it my duty to bring to the notice of Government, for such action as they may see fit, the apparently inadequate sentence lately passed by the Sub-Magistrate of Arcot in the case of an individual convicted before him of having used a postage stamp knowing it to have been used before. This offence is, I fear, not an uncommon one, but the difficulty in bringing home the crime to the culprit is very great, and the detection of the previously used stamp in the hurry of closing the mails before obliterating the stamps is difficult by reason of the necessary celerity used in obliterating.

2. Judging from the number of recent trials of offenders for similar crimes and the conviction of others for selling washed stamps, I am under the belief that the crime of using previously used stamps is on the increase.

3. It appears to me, therefore, that the punishment awarded by the Sub-Magistrate, Arcot, of five days' imprisonment with an option of 5 Rupees fine, is not an adequate one for so serious an offence, and one which, if not checked, may entail most serious loss to Government.

4. I beg to enclose for information a copy of the Proceedings in this particular case.

No. 180. ORDER THEREON, 20th October 1874, No. 1795.

The Postmaster-General is instructed that in such cases he should apply to the Magistrate of the District, on whose report the High Court is authorized to pass a proper sentence, if it considers that the sentence is inadequate (Sections 296 and 297, Code of Criminal Procedure).

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To the Postmaster-General.
,, Magistrate of North Arcot.

Exd. J. H. Burns.

Govt. of [1874] Madras.

FINANCIAL.

To

THE POSTMASTER-GENERAL,
&c, &c.,

Dated October, 20th.

Rect.

G.O., 20th October 1874, No. 1795.

OCTOBER.
Nos. 179-180.

Postal.—The Postmaster-General instructed that in cases where inadequate sentences have been awarded by Sub-Magistrates, he should apply to the District Magistrate, on whose report the High Court is authorized to pass a proper sentence if it sees fit.

Calendar of persons tried before C.R. Vardarajan
the Taluq of Arcot in the District of North A

1	2	3	4	5	6	
No. of the case	Name and description of the accused.	Copy of the Charge or Substance of the Complaint.	Date of Commitment	Name of witness for the prosecution	Name of witness for the defence	Statement and grou
180/1874	Vijiaragava Charri, Brahmin Cultivator	That on about the 5th day of Aug/74 at Thos-ma-Pamma Indoor did use a Stamp, knowing it to have been used before and that Section thereby Committed an offence punishable under Sec: 262 of the I.P. Code and within my Cognizance.	Reported	1. Vaamboram Mudelly Jaffpet Police 2. Innoonoo Savery Naiker Peon. 3. Ragava Chari, Village Magistrate	1. Appala Charri. 2. Vasthia Iyengar. 3. K.A. Sesha Iyengar. 4. Chinna Ammatha Charri.	1st Witness de written Statement on the 5th Aug/74 at in preparing Sum came there in and dropped a l that he Suspe made the 2d W there open the it & he found h

loose of which one was bearing an attached with one half Cattachee with tents had been already used and in asking the prisoner he admitted hav in the house and requested that he s that the witness thereupon sent the prisoner and the lett Stamp which has been once before used to the Village Magistr that by the act of the prisoner the Government have incurred stamps in question partly bears obliteration in words and partly the defaces of its having been used before and he identifies the lette

The 2d Witness states that he was not pres
In other words he corroborates the 1st Witness

The 3d Witness deposes that he is the Village M
him the prisoner and the letter in question, stating that
ago and when receiving Enquiries prisoner confessed to having
the letter aforesaid that he posted the letter in the loose, b
the letter.

The prisoner pleads not guilty and says that he p
loose one month ago, that the letter was written to one
request the prisoner post the letter in the loose. Pro

1st Witness for defence states that he wrote the l
and gave it to the prisoner and followed him that
took the letter in the loose, the witness states that he

…ler Reddiar, Subordinate Magistrate of the 2d Class in …ect.

2

7	8	9	10	11	12	13	14
…of the Evidence …ts of Conviction	Finding and Sentence	Date of Offence.	Date of Conviction	Date of application for withdrawing Case	Date of withdrawing Case	Date of Sentence	Explanation of delay.
…ner that he is a …nd over Post Office that …ter, he was engaged …ace cents when prisoner …ceived a manner …tter viz the Post boy …ked the Act and …thers asked how come …ose and on Examining …o letters viz the …d the other being …n half anna Stamp …nsequence an …ing pick the 2 letters …g & he succeeded …ing the …te with a letter …e loose of half annas and the …Office mark which are the …before the Court as the one put in the Letter box by the prisoner …at when the prisoner put the letter in the Box but he came afterwards	The Court finds that Viziaragaon Charri is guilty of the Offence specified in the Charge, viz that he used a Government Stamp knowing it to have been used before and that he has thereby committed an offence punishable under Section 262 of the Indian Penal Code and the Court directs the said Viziaragaon Charri do pay a fine of Rs 5, in default to be kept for 5 days Simple imprisonment	5-8-74	12-8-74	12-8-74	13-8-74	11-9-74.	The prisoner was for some time kept in the Sub Jail and then held to bail at the request of the prisoner the case was adjourned until the 5th for adjournment & then closing a final adjournment

Vakil and after the application of the Valid prosecution witnesses were again Examined and some documents were received in Evidence the Case was again adjourned for Defence Witnesses - on the 18 they appeared in Court and their Evidence taken and Cases disposed of on the 11th

…niff & Inamandoor. That the 18th Witness produced before …Comeara had put the letter in the box about a month …dropped the letter in the box that he, the Inamdar on asking …that he was perplexed to confess that he pasted the label and …asted a Genuine Stamp to the letter in question and put in the …Anantha Charri of Erramdram by one Appala Charri at whose …ner called four witnesses …ter for Anantha Charri of Erramdram about the End of Ali …the prisoner purchased one half anna Stamp, and pasted & …unable to swear whether or not the Stamp in question …ers

3d

No 1522 / 3676

Post Master General's Office
Octacammund. 15th Octr 74

From.

The Post Master General
Madras

To

The Chief Secretary to Government
Fort Saint George

Sir,

I deem it my duty to bring to the notice of Government for such action as they may see fit the apparently inadequate sentence lately passed by the Sub Magistrate of Arest in the case of an individual convicted before him of having used a Postage Stamp knowing it to have been used before. This offence is, I fear, not an uncommon one, but the difficulty in bringing home the crime to the Culprit is

was the Stamps that was attached to the letter at the time.

2d & 3d Witnesses for the defence State that the prisoner brought a letter but Cannot say whatever and put it on the letter box about the 8th or 9th Instant, that they do not know whether the prisoner has put any other letter in the box whether previous or Subsequent to the occasion nor do they know of any others putting letters in the box, that they never went to the place Except on the above occasion, one of them says the above Event occurred on the 5th Aug/74 and the other, Some time before 35 days.

The 4th Witness States that he in Company with Others in their way to Conference Room prisoner bring a letter, buy & paste a label to it. The Witness cannot identify the letter and cannot say whether the Stamp used by the prisoner one occasion was genuine or otherwise

Remarks. The letter and the old Stamp on the label prove clearly that it was once before used from the manner of its attachment to the letter and from Examining the place where the label is attached to the letter, it is impossible to think that an used Stamp was substituted for a genuine that had already Existed. As the prisoner has been Sent to the 3d Witness immediately after his dropping the letter in the box by the 1st & 2d Witnesses who Caused the letter to be taken out and Examined, it is impossible to think that another will have tampered with the letter. As the prisoner on being questioned by the 3d Witness has stated that he was perplexed to say whether or not the Stamps was genuine it may be presumed that he made Such Statement being afraid of the Consequence of the Act.

The Witnesses for the defence cannot be relied upon who State that they recognized Clement to the Post Office and Saw prisoner buy a Stamps, affix it and put a letter in the box; further they State that they knew only the fact of the prisoner putting a letter but Knowing whether he has put other letters or not more over they cannot identify the letter they saw or the Stamp used on the occasion.

Seeing it is established that the prisoner intentionally used a Stamp which had been used before and thereby occasioned a loss of Francs to Government. — Sdg Chs Vanderzypen
2d Class magistrate.

Arrest
11th Septr/74.

(True Copy)

W Brooke
Pt Master General.

Rec'd 21/9/74

is very great and the detection of the previously used Stamps in the hurry of closing the mails before obliterating the Stamps is difficult by reason of the necessary celerity used in obliterating.

Judging from the number of recent trials of offenders for similar crimes and the conviction of others for selling washed Stamps, I am under the belief that the crime of using previously used Stamps is on the increase.

It appears to me therefore that the punishment awarded by the Sub Magistrate Accot of 5 days' imprisonment with an option of 5 Rupees fine is not an adequate one for so serious an offence and one which if not checked may entail most serious loss to Government.

I beg to enclose for information a copy of the proceedings in this particular case.

I have the honor to be,

Sir,

Your obedient Servant,

[illegible]

Dpt Master General.

Judl. (1875) 1795 Deptmt.
From
the Post Master
General
Dated 15 } October
Recd. 16 } 1875
No. 1522
3676

15
No 2158

Reports notice [?]
the inadequate sentence
passed by the Dt. Magistrate
of [illegible] in the case of
an individual convicted
before him of having used
a postage stamp knowing
it to have been used before.

[illegible] 20 Oct /75 No 1795

The Post Master General is instructed (to apply) in such cases [that he shd apply] to the Magte. of the Distt., on whose report the High Ct. is authorized to pass a proper sentence, if it considers that the sentence is inadequate — (Sects 296 & 297 C.C.P.) [illegible] — 16/10/75

The P.M. General }
Magte. N. Arcot } desp[?] 29/10 27 80

C 18/19/a

Govt. of {1874} Madras.

Read

To,
The Post-master General,
&c &c

G.O. 20 Oct., 1874. No. 1795.

Nos. 179-180.

Postal. The Post-master General instructed that in cases where inadequate sentences have been awarded by Sub Magistrates, he should apply to the District Magistrate, on whose report the High Court is authorized to pass a proper sentence if it sees fit.