MR. O. 1—82,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1121 Press ~~Mis.~~

63-64

Dated 1—9— 19 87

Not to be folded or roughly handled

No. 63. Read the following letter from M. MURRAY, Esq., Magistrate of Cuddapah; to E. MALTBY, Esq.. Acting Chief Secretary to Government in the Judicial Department, Fort St. George, dated 19th August 1857, No. 28.

SIR,

I have the honor to forward for the information of Government, copies of the reports of the trial of cases* of alleged torture, held by the Acting Head Assistant Magistrate of this district.

*Five.

(Signed) M. MURRAY,
Magistrate.

TORTURE.

1. Moodom Gooriviagadoo, of Vellagala Cherla, in the Chitwail Talook.

Versus.

1. Mara Reddy, Village Moonsiff of Cod oor.
2. Oonam Vengatramia, Curnum.
3. Chenshee Reddy.
4. Togata Vencatah.
5. Penchooloogaudu.
6. Kichigaudoo Vetty.
7. Ragava Razoo.

The defendants are charged with having, in an Indigo vat in Codoor, tied the prosecutor's arms with ropes, burnt him with a cotton taper, and then having put a small beam on his chest and pressed heavily on it, in order to make him accuse certain persons of having committed a robbery.

This case was released by the Subordinate Court.

The case having been proved, was committed for trial to the Subordinate Criminal Court.

(Signed) J. W. REID,
Acting Head Assistant Magistrate.

(True Copy.)

(Signed) M. MURRAY,
Magistrate.

24th June 1857.

TORTURE.

1. Golla Chentsu of Rollamadoogoo, Chitwail Talook.

Versus.

1. Mopoory Naidoo, Village Moonsiff.
2. Gungadavee Siddoogadoo.
3. Pussa Gungooloo.

The defendants are charged with having, on the 16th November 1856, at 5 P. M., taken and tied the prosecutor under a tree, outside the village, beaten him, put a stone on his neck and exacted a bribe of 12 Rupees.

In this case, the prosecutor, when the parties appeared, wished to make a compromise. This, the Acting Head Assistant Magistrate did not allow. The witnesses denied all knowledge of the charge of ill-treatment; the case was therefore dismissed.

(Signed) J. W. REID,
Acting Head Assistant Magistrate.

(True Copy.)

(Signed) M. MURRAY,
Magistrate.

24th June 1857.

Magt Cuddapah. Dispd 7th

TORTURE.

1. Yerragola Soobbadoo of Tipparoyapully, Budwail Talook.

Versus.

1. Ramakristnapah.
2. Ramasawmy.
3. Shasha Reddy.
4. Gothum Rameegaudoo.
5. Wobiah.

The defendants are charged with having seized the prosecutor on a charge of robbery, on the 16th February 1857, and after sun-set, with a view to make the prosecutor confess, that he had engaged in the robbery, taken him to a Jonna field, tied his arms behind him with a rope, knocked him down and placed one plank on his back, and one on his chest, and afterwards with having called him to the 1st defendant's house, and burnt him on the back with a torch.

The Medical Officer gave his opinion, that the prosecutor had been burnt on the back, but as all the witnesses declared they knew nothing about it; the case was dismissed.

(Signed) J. W. REID,
Acting Head Assistant Magistrate.

(True Copy.)

24th June 1857.

(Signed) M. MURRAY,
Magistrate.

TORTURE.

1 Bodegadu of Choondoopully in Royachoty Talook.

Versus.

1. Soobbah Reddy, Village Moonsiff.
2. Adiapah Reddy, do.
3. Poolah Reddy do. of Ootkoor in Chitwail Talook.
4. Lingapah, Duffadar of Chitwail Talook.
5. Nagapah, late Police peon.
6. Sutwajee, Police peon of Chitwail Talook.
7. Someegaudoo, Cutbuddy.
8. Gerridigaudoo, do

The defendants are charged with having, in the month of November 1856, in the said village of Choondoopuly, in a hut attached to a temple in the same village, tied the prosecutor's arms behind him, kicked and beaten him, and broken his shoulder-blade bone, by poking him on the shoulders with a ferruled stick.

The prosecutor was apprehended on a charge of Burglary, and committed to the Sessions Court. In his defence there, he complained that he had been ill-treated; and the consequence was severe injury to his shoulder blade.

The Zillah Surgeon was examined as to the extent of injury apparent, when he examined the prosecutor on arrival at the Jail. He deposed that the shoulder-blade was broken, but that the alleged ill-treatment, viz., poking with a stick was not likely to cause a fracture, unless made with very great force, and that it had probably been broken one or two months previously. Though looking at the circumstance of the fracture, the Acting Head Assistant Magistrate was inclined to believe that the prosecutor had been ill-treated; yet considering the medical officer's vague statement that it might have been caused one month or two months previously (the time elapsed between the apprehension of the prosecutor and the date of his delivery into the custody of the Sub Criminal Judge, seems, by the reports of the head of Police, to have been 20 days) and his opinion that the means alleged to have been employed were not adequate to cause so great an injury, and the character of the evidence which is full of discrepancies, and that of the

witnesses, 3 in number, of whom two are the brothers of the prosecutor (of which two, one was under suspicion at the time, and could not be found,) the Acting Head Assistant Magistrate dismissed the case.

(Signed) J. W. REID,
Acting Head Assistant Magistrate.

(True Copy.)

24th June 1857.

(Signed) M. MURRAY,
Magistrate.

TORTURE.

1. Beeheegaudoo.
3. Boya Soobadoo.
3. Appiah, inhabitants of Veerabully in the Royachoty talook.

Versus.

1 Chennakristnah Reddy, Village Moonsiff of Veerabully.

The defendant is charged with having, in the month of April 1857, seized the prosecutors, put in the choultry under a guard, put handcuffs on them, used them violently in order to make them give evidence to the effect, that a person called Chennapah Reddy, had murdered one Bogum Moonigadoo.

The 1st and 2nd prosecutors were witnesses in a case of murder, committed by the head of Police of Royachoty to the Subordinate Criminal Court, when examined by the head of Police, the 2nd witness in this case, who declares that they did thus depose before him, they gave a probable and natural account of the murder, or at least an assault on the deceased, of which they were eye-witnesses. However in the Subordinate Criminal Court, they entirely disowned the statements given before the head of Police, and declared that they had been handcuffed and ill-used and threatened in a tope in Cusbah Royachoty, in order that they might be induced to give evidence as required by the defendant, after which, they said they were taken to the Talook Cutcherry and the defendant seated them near the Police Vakeel, who asked them no questions, but wrote as the defendant dictated. In this case, the charge was dismissed, and the first and second prosecutors committed for perjury. The 3d accused the defendant of having ordered him to be handcuffed, and when he refused to allow this, having kicked him on the side. This was also dismissed, and the 3rd prosecutor was sentenced to be find 15 Rs. and in default of payment to be imprisoned in the Zillah Jail without labour for 15 days, under Section XXXV, Regulation IX of 1816, as, in the opinion of the Acting Head Assistant Magistrate, the complaint had been brought falsely and with a malicious litigious, intention.

(Signed) J. W. REID,
Acting Head Assistant Magistrate.

(True Copy.)

24th June 1857.

(Signed) M. MURRAY,
Magistrate.

Fort St. George, Judicial Consultation, 1st September 1857.

No. 64. ORDER THEREON, No. 1121; dated 1st September 1857.

The enclosures to this letter are certain Reports from Mr. Reid, late Acting Head Assistant, on five cases of alleged Torture in Police cases examined by him.

2. In enclosure No. 5—*Beebeegaudoo* and others, prosecutors, one of the complainants, it is observed, has been fined 15 Rupees under Section XXXV of Regulation No. IX of 1816, the charge appearing to the Assistant Magistrate to have been brought "falsely, and with a malicious, litigious intention."

3. If the above fine was levied, it must be returned, the provisions of the enactment quoted being strictly limited to the complaints specified in Sections XXXII and XXXIII, preceding. The Assistant Magistrate should have committed the man on a charge of perjury.

C. O. of F. U., 28th October 1823. B.

(Signed) E. MALTBY,
Acting Chief Secretary.

Exd. F. Cartlrdge,

Judicial Dept

No 1121
E. M. C.
Dt. 1st Sept 1857

Read the following letter from the Magistrate of Cuddapah } Rec'd entered No 28 Dt 19th August 57.

The enclosures to this letter are certain Reports from Mr Reid, late acting Head Assistant, on five cases of alleged Torture in Police cases examined by him.

2. In Enclosure No 5. Beebeegaudoo and others, prosecutors, one of the complainants, it is observed, has been fined 15 Rs under Sect XXXV of Reg. No IX of 1816, the charge appearing to the Asst Magt to have been brought "falsely, and with a "malicious, litigious intention."

3. If the above fine was levied, it must be returned, the provisions of the enactment quoted being strictly limited to the complaints specified in Sects XXXII and XXXIII preceding. The Asst Magt should have committed the man on a charge of perjury.

C. O. of F. U. 28th Oct/23. B.

To the Magt of Cuddapah. Dispd 7th

25/8/57.

In error: 1st September
Judicial 1857. Depart.

No 1121.

Ex Trins. Cons.

Dated 1st Sept 1857.

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