

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1289	Press
57-52	~~Mis.~~
Dated 6-10-19	1857

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 6th October 1857.

No. 51. Read the following letter from G. A. HARRIS, Esq., Commissioner of Chittoor; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort St. George, dated 24th September 1857.

SIR,

I have the honor to forward the record of a case of highway robbery, disposed of by me, as Commissioner, for the information of Government.

(Signed) G. A. HARRIS,
Commissioner.

List of Packet in No. 3 of 1857, on the file of the Commissioner's Court.

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(Signed) G. A. HARRIS,
Commissioner.

No. 52. ORDER THEREON, No. 1289; dated 6th October 1857.

The Government concur in the conviction of these prisoners, but as no aggravating circumstances attended the robbery, and dangerous weapons were not used, they resolve to mitigate the sentence passed on the prisoners to five years' imprisonment with hard labor in irons.

(Signed) E. MALTBY,
Acting Chief Secretary.

Record of a case of highway robbery -
with the judgment of Mr. Justice Harris

Krishnama Chetty - Prisoner

Chittoor.

- Prisoners
1. Krishnan
 2. Ramasamy
 3. Narayan
 4. Venkatesan
 5. Rangan.

It appears the Prosecutor is a
Chayroot dealer. He resides in Gun-
toor & has dealings, among other
places, in North arcot. On 12th inst^o
he was passing up at a certain village
in the Tritanney division - & had
occasion to visit a neighboring village
about night fall. He was attacked
when he had nearly reached it by five
prisoners (whose names he did
not previously know, but whom
he can identify from their faces
being familiar to him, - he is con-
stantly in the neighborhood - &
from their coming close to him and
deride at daylight. They did not
ill treat him - they were not armed
with sticks - they merely took
him his turban & two canes he had
in his hands - & went off in the op-
posite direction.

Prosecutor, who had shouted loudly
when attacked by them, went on to the

village he was bound to - & reported
he willing to be deceased here.
Presently up came three respectable
people, who had travelled over the
same ground as Prosecutors - & it
appears that they took his cues
& met the five prisoners coming
away from the spot whence these
cues proceeded. These witnesses
mentioned the names of the party -
& upon his being apprehended
follows immediately.
All prisoners confessed before the
Police except the 2^d who moreover
is the only prisoner not implicat-
ed by the rest. Whereas he was
close by - a participant to the
extent of "principal in the second
degree" - keeping watch for the
rest or waiting - it is uncertain.
The three witnesses etc. who have been
mistaken in their statement that
he was with the others, so readily
as the Prosecutors, in his alarm may
have been as to the murder & ap-
prehension of his foes.
In trying to remember whether
there was any reason he should have
been attacked, he recollects he
said Prisoner was near him,
when he (Prosec.) had some money

paid him that day. 3

The Sentence - 14 years who
hard labor in prison is severe
enough! The Prisoners will wish
they had gone in for a good
Twilight Savoir at once.
All crimes are not of the same
scale of crime, & if no distinc-
tion is made in the punishment,
that portion of the Population
living by their wits will as lief
steal to an atrocious manner
as otherwise.

By
29-8-97.

- There is more audacity in this robbery than
in the last case when Govt mitigated the im-
prisonment to 3 years, if the Prosecutor was fairly
stopped on the high road. - But the prisoners
carried no dangerous weapons & the Prosecutor
was not injured - Seven years might appear
therefore an ample punishment, & perhaps the
Govt may consider five (5) years sufficient

The

Mr.
H
J

C^o 1289

Extract from the Minutes of Consultation
Dated 6th October 1857.

Read letter from J. A. Harris Esq.
Sepm Judge of the Court & Commissioner
under Act XIV of 1857

At The Court came in the conviction of
these prisoners, but as no aggravating
circumstances attended the robbery &
dangerous weapons were not used they
resolved to mitigate the sentence passed
on the prisoners to five years imp
with hard labor in irons

Me

W. J. Adams Esq. -
Comd under Act XIV of 1857 - Chittagong - } Disp^d 10th
with 26 orig. Enclosures.

Cons. 6th Oct 1835

Prudential 1837 23 Jan 94

No. 10089

Exh. of M. & J. of 1801.

2/6 October 1837

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