

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1308	Press ~~Mis.~~
17-18	
Dated 9-10-1887	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 13th October 1857.

No. 17. Read the following letter from G. A. HARRIS, Esq., Commissioner of Chittoor; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 29th 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.

No. 4, 1857.

Prosecutor Grundy Chinna Moonasawmy,

Versus.

1st. Coraba Moonigadoo.

2nd. Hyder Sahib

Prosecutor—On Amavasya (new moon) (18th September,) I was going alone from Goondukul-loo to Punganoor, and at 3 p. m., I reached Bunkala bunda, when these two prisoners attacked me, and pelted stones. I ran and then stopped, being unable to run, and through fear of being injured. Then the 2nd prisoner took my dooty and put round me and dragged me towards the jungle, but I opposed, and then he snatched my head cloth and bundle, and both ran off towards the jungle in the east. He also snatched my waist amulet. The 1st prisoner was by him all the time. I called out, the 3rd witness and another man came, and I told them, and as I was calling out, the 1st and 4th witnesses and the 3rd witness pursued, I followed. The 1st witness seized the 1st prisoner about 1 guddy from where the robbery took place. The 2nd witness had come there on his way from Punganoor. The 1st prisoner confessed and said that the 2nd prisoner was concealed in the jungle, and on searching for him, he was found about 10 fathoms off in the jungle. I did not see him seized. He admitted the charge, and said that he had given the property to the 1st prisoner, who said that he had kept it in a hut, but on search, it could not be found. It got dark, and they were taken to Vellagaton choultry. The prisoners saying they would produce next day. They took us to a few places and when we told them to tell the truth, the 1st prisoner said that he had given the property to Yata Moonigadoo, who stood near, and he had gone off with it. Yata Moonigadoo was apprehended, and he acknowledged having taken the bundle and had given to the 1st prisoner's mother, &c. Afterwards the 2nd prisoner was sent to the Zemindar, and I went also and we were examined and warrant was issued. On searching prisoner's house, nothing was found. When I was taking my meal at 1 p. m., on the same day, at Goody-gulloo, in Chengana's house, the 1st prisoner came and entered into conversation, asking me if I was not a resident of Punganoor, and if I was alone, and I said, yes. I had no previous acquaintance with either of the prisoners, and had not seen them. The prisoners did not strike me. The 2nd prisoner laid hold of my neck to drag me. I lost property valued at Rs. 17-14, according to the list I delivered to the Police. Chengana gave me 2 cloths to give to his nephew, and these were also taken. I was not present when 1st prisoner was seized, I came afterwards to the spot. The 1st, 2nd, 3rd and 4th witnesses and others were there.

The prisoners were not armed nor disguised. They had waist cloths, and the 1st prisoner had head-cloth too.

The 2nd prisoner was seized about $\frac{1}{2}$ guddy after the 1st prisoner had been seized. The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

1st Witness. On the Friday, day of new moon, my son Moosillegadoo, a child of 6 years old, was tending cattle, and heard the cry of a robbery having been committed, and came and told me as I was at the village pyal. I went with my sword—telling the Toty, 4th witness, to tell all the ryots

Fort St. George, Judicial Consultation, 13th October 1857.

—towards the place where prosecutor cried out and fell in with prosecutor and 3rd witness and another Talary Trimulgadoo, an old man, he is my cousin, about 1 guddy from my village. The prosecutor said he had been robbed by two persons who had ran off eastward. Therefore I ran in that direction about 1 guddy, and saw a man running. I called out to him to stop or I would cut him. He did so, and I seized him, and then discovered him to be the 1st prisoner. The 2nd witness came on my seizing the 1st prisoner, he was on his way from Punganoor to Shenkaryalpettah. He was going by the road to Madras. It was 5 or 6 fathoms distance. The prosecutor, and 3rd and 4th witnesses also, the 4th witness first. The prosecutor recognized the 1st prisoner as one of the persons who had robbed him. On questioning the 1st prisoner, he admitted and said that 2d prisoner had joined and was concealed in the jungle. We went to look for 2nd prisoner and found him hiding about 20 fathoms off, in a hollow, he was lying with his face to the ground. We told him to come out, and on his doing so, we seized. On being questioned, he admitted having been a party to the robbery. They said the property had been concealed in the trees, but on search, we could not find. Being evening, we took them to the choultry. Next day we again searched without effect, and the 2nd prisoner said that the 1st prisoner had given the bundle to Yata Moonigadoo. The 2nd prisoner was sent to the Zemindar on the third day. I also went and was examined.

The prisoner when apprehended had waist-cloth on. The 2nd prisoner also head cloth. They were not armed. The prosecutor was bare-headed when I first met him. I knew the 1st prisoner, but not the 2nd prisoner before. When the prosecutor saw the 2nd prisoner he stated he was the man who had robbed him.

The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

No. 4 1857.

2nd Witness.—I was going from Punganoor to Shenkaryalpettah on Friday, about 10 or 11 days ago, and about 4 o'clock P. M., when I reached the pagoda of Gungama in the jungle of Yellagaton, I heard a cry that a prisoner was running and to catch him, and on looking, I saw some one running eastward, about 4 or 5 chains off. I followed, and 1st witness who had a sword, came and seized him, and I joined them, I then knew it was the 1st prisoner. He admitted having taken part in the robbery. As soon as he was apprehended, the prosecutor, 3rd and 4th witnesses, and others came. The prosecutor said 1st prisoner and another had robbed him: and mentioned what property he had lost. The 1st prisoner said another man had been with him who had staid behind in the jungle. I can't be sure if he mentioned his name or not. We went to search for him and found the 2nd prisoner lying under a tree, hiding himself. This was about 2 chains from where 1st prisoner had been seized, we made him come out and apprehended. The prosecutor recognized him and he also admitted having robbed the prosecutor. On asking where the property was, he said he would point out, and took us to different places to no purpose. As evening, we took to the choultry. Next day, we again went and looked for the property, but could not find. Then 2nd prisoner said that 1st prisoner had given the bundle to Yata Moonigadoo. Next day the 2nd prisoner was sent to the Zemindar, and was examined, and warrant was issued. On searching the prisoner's house, nothing was found.

The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

5th Witness.—Swears to the two prisoners having confessed before the Head of Police of having robbed the prosecutor. I attested both declarations, the 6th witness attested the 2nd prisoner and the 7th witness the 1st prisoner's declarations. They were both given voluntarily. I was present from beginning to end. I have heard the depositions read, they are the same as the prisoners made, they bear my mark. The witness points it out.

Fort St. George, Judicial Consultation, 13th October 1857.

The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

6th Witness.—I was present on last Sunday week, when the 2nd prisoner confessed before the head of Police that he had robbed the prosecutor. He said the 1st prisoner had joined him, he gave it voluntarily. I was present from beginning to end with the 5th witness. I attested the declaration. I have heard the declaration read, it is the same as made by the prisoner. It bears my mark. The witness points it out.

The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

7th Witness.—I was present when the 1st prisoner gave a declaration before the head of Police, five days ago. He admitted having joined in the robbery of prosecutor with the 2nd prisoner. The 5th witness was present. I signed the declaration. The 1st prisoner gave it voluntarily. I was present the whole time. I have heard the declaration read, it is the same as made by the 1st prisoner. It bears my signature. The witness points it out.

The prisoners have no questions.

Solemnly affirmed before me, this 29th September 1857.

(Signed) G. A. HARRIS,
Commissioner.

Sentence.—The prosecutor, on being robbed, raised the hue and cry, and it is clearly proved that the 1st prisoner was caught while running off in the neighbourhood of the place, where the prosecutor had been robbed, and then confessed the charge, implicating the 2nd prisoner who he stated was in the jungle, and then on search, the 2nd prisoner was found concealed, and also confessed. The prosecutor identifies both the prisoners as the parties who robbed him. He had seen the first prisoner that day at one Chengana's shop, and the 1st prisoner had put some questions to him, evidently to find out his plans. The prisoners are also proved to have confessed the charge before the head of Police. The prisoners plead not guilty, but in their defence their statements go to prove that all that the prosecutor and witnesses have stated is nothing but the truth.

I convict the prisoners of the crime charged, and under the provisions of Clause third, Section IV, Regulation XV of 1803, I sentence them each to 14 years' imprisonment with hard labor in irons.

29th September 1857.

(Signed) G. A. HARRIS.

No. 18.

ORDER THEREON, No. 1308; dated 9th October 1857.

Government approve of the Commissioner's sentence in this case.

(Signed) E. MALTBY,
Acting Chief Secretary.

Justice of the Peace & J. C. Black
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Not to be printed

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List of Packet in No. 4 of 1857 on the file of the
Commissioners Court.

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G. H. M.
Commissioner.

Case No 4. Cunningham's Couch

Chitson

Prison

Chennu Moonesawmy

Prisoners.

1. Coravan Moonga

2. Hyden Sahib.

About a fortnight ago, the
Prosecutor, on his way - about
3 o'clock in the afternoon -
from a neighbouring village to the
town of Punganoon, was sud-
denly attacked by two men, who,
standing a little way off the
road, began pelting him with
stones. He ran shouting 'Thieves'
as long as he could, but fear soon
deprived him of his voice.
The robbers then - whom he identified
as the Prisoners - came up to him
& eased him of his turban & upper
garments, making off towards
the jungle close by.

Meanwhile Prosecutor's cries had
come to the ears of a small boy of
the hamlet of Kunkala Banda,
(close to the scene) who was grazing
cattle, & who ran off to tell his
father, whom he found seated
on the pyal of the village choultry

Judges, Sir to Sir, 22. March
No 2 of 1858. Parang

& This is in the
Punpamoon country.
I am afraid none
of the Company's
Sailors have swords.

This man - the village
Wabekman, it appears - snatched
up his sword from his cottage
& ran off in the direction indi-
- cated by his sword. Learning from
the Prisoner the path the
others had taken, the Wabekman
& the villagers he had brought
with him, followed the track,
& soon came up with one Prisoner
& shortly afterwards with the
second, who was lurking hid
near his fellow. The clothes were
found on their persons, & in
short they confessed the crime
at once.

It appears one of the Prisoners
got into conversation with the
Prosecutor earlier in the day, & found
out the route he was taking.

It is a bad case - the Prisoners
had no arms or staves but they
were provided with knives,
and they attempted further,
it appears from Prosecutor's
statement, to drag him towards
the jungle. One Prisⁿ, it is noted, is
a Coravan.

D. H. G. 11/5/53

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No. 1308 of the
Govt. approve of the
Commissioner's sentence
in this case.
J. M.
Fort St George, S.
9 October, 1857.

To G. A. Harris Esq^r
Com^r under Act XIV of 1857. } Dispt^d 14th
Chittoor
with 30 orig. Enclosures

This man - he vid
Wabekman, it appears
up his sword from his

+ This is in the
Punguon country.

Sam
of the
Taliors

the record of a case of Highway Robbery

Have the honor to forward

Sir,

Acting Chief Secretary to Govt.
Fort Saint George

To
E. Maitty Esq.

From F. A. Davis Esq.
Commissioner of Customs

were provided with
and key attempted
it appears from Pro
statement, to drag him
the jungle. One Prisⁿ, it
a Coravan.

D. H. G. 11/10/55