

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1356	Press ~~Mis.~~
25.26	
Dated	16-10-1918

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 20th October 1857.

No. 25. Read the following letter from C. J. SHUBRICK, Esq., Magistrate of Chingleput; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort St. George, dated Sydapet, 6th October 1857.
 Sir,
 Agreeably with the instructions contained in Extract Minutes of Consultation, No. 761, of the 23rd July 1856, I have the honor to forward herewith, an Abstract of a case of Torture, disposed of by the Head Assistant Magistrate of this district.
 (Signed) C. J. SHUBRICK,
 Magistrate.

A.					in the month of October 1857.				
Report of persons apprehended in the Zillah of Chingleput, and sentenced by the Head Assistant Magistrate, in the month of October 1857.					Explanation of delay, remarks, &c.				
Names of prisoners.					Reasons for punishment or release, or date of commitment.				
Abstract of crime or charge.					Prosecutrix states, that her son-in-law borrowed a rupee from 1st defendant some time ago, and that he went to Madras, without paying the debt, and that in consequence of this, 1st defendant frequently annoyed her and her husband, by asking them for the money. She further more states, that she went to Madras in the month of Adi, and begged her son-in-law to pay his debt, and he promised to do so in 4 or 5 days. This she told to the 1st defendant, her son-in-law's creditor. A short time after this, the 2nd defendant came and called her, her husband and her father in the name of the 1st defendant, and they accordingly went to the house where he was, and found him standing under a tamarind tree near the house: he immediately asked for the money, and her husband stated that her son-in-law would bring it in a day or two from Madras. The 1st defendant thereupon said, that she ought to have brought it herself, and beat her about the back and legs with a chinkoo. She also says, that she, her husband and father were made to bend down, and the 1st defendant ordered the Taliar, the 2nd defendant, to put heavy stones on their backs. He obeyed his orders and put stones as large as a brick on their backs, after being kept in this position some time, she promised to get the money at once from Madras, and on this promise they were released from their painful constraint, and that her husband went that day to a carpenter, to beat rice for coolly hire, he returned home in the evening, and went to bed after being very sick, he died that night of cholera. 1st witness states that, about 2 months ago, he was returning home to his village, and he saw smoke coming from the burial ground, he enquired what it was, and was informed by one Arnachellum, that it came from the				
Assault.					23rd do.				
The 1st defendant is charged with having, on the morning of 18th July 1857, in the village of Perinjumbaukum, in the Manemungalum talook, assaulted and grossly ill-used the prosecutrix, her husband Coonden, and her father Vencatigan, by beating her with a chinkoo, and causing the 2nd defendant to further ill-use and assault her and the 2 others, by binding them down in a stooping posture, placing heavy stones on their backs and keeping them in this position for the space of 2 hours.					21st September 1857.				
Apprehension.					do.				
Leaving the talook.					do.				
Date of					do.				
Arrival.					do.				
No.					1st October 1857.				

Chingleput } Dispt 23rd

Fort St. George, Judicial Consultation, 20th October 1857.

burning of the complainant's husband, who had been ill-treated by the Village Moonsiff, who had put stones on his back that morning, and he died in the evening, but the cause of his death was not known, he was also informed by one Tondroyen that he had seen the prosecutrix, her husband and father ill-used in the way she described.

4 other witnesses clearly prove the fact of prosecutrix, and her father and husband being beaten by 1st defendant, and also placed stones on their back by his orders, by 2nd defendant.

They also assert that the deceased Coondun, died of cholera, and that he was attacked with severe vomiting after he returned from work with 6th witness. 6th witness proves that, the deceased Coondun, husband of the prosecutrix, worked for him on the day he died, after he had been ill-treated by the Village Moonsiff, and that he eat his meals in his, witness's house that day, and that in the evening, he was attacked with purging, and he heard that he died early next morning of cholera.

Defendants both confess the charge of ill-treating the prosecutrix and the 2 others, and admit the truth of her complaints. 1st defendant moreover asserts, that the reason he did not hold an inquest on the body of the deceased was, that he went away that afternoon to a neighbouring village, and did not return till the next day.

This is one of the worst cases of assault I have ever taken cognizance of. The defendant, a man well to do in the world, has grossly ill-treated 3 miserable chucklers, for the avowed purpose of receiving the trifling sum of 1 Rupee, which he had not lent to them, but to the *son-in-law* of the prosecutrix; and concerning which debt, they had nothing whatever to do. The prosecutrix did all she could to procure restoration of the trifling debt, and went to Madras to do so, and because she failed in her attempt, she is thus ill-treated and assaulted by the defendants. The crime of the first defendant is aggravated by his making use of, and ordering the 2nd defendant, a Government official, to aid him, and thereby preventing the prosecutrix from obtaining his (2nd defendant's) assistance in protecting her from ill-usage.

The 1st defendant is sentenced to 6 months' imprisonment with labor, under Section VII, Regulation X of 1816.

The 2nd defendant to 2 months' imprisonment with labor, under Section VII, Regulation X of 1816.

They are also both dismissed from their situations.

1st October 1857.

Chingleput District,
Head Assistant Magistrate's Office,
2nd October 1857.

(Signed) G. B. TOD,

Head Assistant Magistrate.

(True Copy.)

(Signed) C. J. SHUBRICK,

Magistrate.

ORDER THEREON, No. 1356; dated 16th October 1857.

The attention of the Court of Foujdaree Udalt will be called to the case* of ill-usage reported in the above letter wherein Moonichi is prosecutor, and Veerasawmy Naick, Village Moonsiff of Perinjumbaukum in the Talook of Manemungalum and Common men, Taliair, are defendants.

No. 26.

* No. 34 on the file of the Head Assistant Magistrate of Chingleput.

(Signed) E. MALTBY,

Acting Chief Secretary.

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to Court of Foujdaree } Disposed
Mag of Chingleput }

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Chingleput District,
Head Assistant Magistrate's Office,
2nd October 1857.

No. 26.

• No. 34 on the file of the Head Assistant Magistrate of Chingleput.

Judicial Department.

N^{o.} 1356

Extract from the Minutes of Consultation

Dated 16th October 1857.

Read the following Letter from
the Magistrate of Chingleput.

(Here enter 6th Oct/57 No 38.)

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apt. Magistrate of Chingleput

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to Court of Foydave. } Disposed 23rd
Mag of Chingleput }

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By 6 Con a 20th Oct

Actual 1837 & 1841

No 1358

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Actual 1837 & 1841

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