

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1390	Press
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Dated	27-10-1918	1857

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 29th October 1857.

No. 20. 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 15th October 1857.

SIR,

* No. 6 of 1857.
Prosecutor Narla Vencatramana.

versus
1 Cumsala Moonigadoo.
2 Papadoo.
3 Chengulroydoo.

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

(Signed) G. A. HARRIS,
Commissioner.

No. 6 of 1857.
Narla Vencatramana.
Versus
1 Cumsala Moonigadoo.
2 Papadoo.
3 Chengulroydoo.

Prisoners plead *not guilty*.

Prosecutor states.—About 22 days ago, on a Saturday, I was asleep in my house with my wife and children, and at midnight, was awake by the noise of deen deen made by the robbers, and by the doors being beaten with stones, I awoke my wife, and went with her to the backyard. Some robbers entered, seized us both, dragged and beat me, stripped my wife and children of ornaments on their persons. I was beaten with sticks, and my house was robbed of property worth Rs. 760 and odd, as per list which I delivered at the talook. I did not recognize any of the robbers, nor did my wife and children. The robbers had swords and sticks and torches and spears. There were about 20 of them. My wife and children were not ill-used. I still suffer pain in my body and arms, from the blows received. About 4 A. M. the Monigar and others came, and I mentioned what had occurred. I deposed before the Police Ameen on the day after the robbery. I was not present when property was found with these prisoners. It was shewn to me at the Cutcherry. The property before the Court belongs to me, and was robbed on this occasion. It has no distinguishing marks. No. 2, a gold ingot, the 1st and 3rd prisoners said had been made by melting my bangles and beads.

The prisoners have no questions.

Solemnly affirmed before me, this 7th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

3rd Witness, Ramareddy, Monigar of Gollapully.—The 1st and 2nd prisoners admitted that they had committed a robbery, and from under a hedge 5 or 6 fathoms from the village of Gollapully, on the north-east side, they produced two silver pigment boxes, and a gold ingot, and from a bush in the jungle called Nullgootta, about 1 guddy distant from Gollapully, an upper cloth and two bodices, the former was buried in the ground, one span deep, and tied in a piece of cloth. The 1st prisoner showed the spot, he grubbed it up with his hand. The 4th witness, some prisoners and others were present. The cloths were at the bottom of the bush, and a stone was upon them. The prisoners said they had forgotten the place, and so they were looking about, one saying to the other to point out the place. At last the 1st prisoner found them, all delivered on the same day. The same persons were present when the cloths were found. The things found in the hedge were first delivered at 8 A. M., and the cloths about mid-day. The 1st prisoner said he had melted some property, and so made the ingot. The 2nd prisoner was first apprehended and the 1st prisoner the next day, on this latter day the property was delivered up. The 2nd prisoner is my uterine brother, but we live separate, we are an undivided family.

The prisoners have no questions.

Solemnly affirmed before me, this 7th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

Fort St. George, Judicial Consultation, 29th October 1857.

4th Witness, Taliary Chelladoo.—These prisoners were for some days absent from the village, which was reported to the head of Police. The peon Ramana and others accompanied me to Gollapully, and we apprehended 2nd prisoner first, about sun-set. He was kept in the Choultry, and next day 1st prisoner was apprehended at 7 A. M. On being asked, he admitted that he and the other prisoners and others had committed robbery at Peddarampullu, the 2nd prisoner was then near and heard, he made no remarks, but admitted the robbery also. The Duffadar Sheikh Hussain, and others were present. The 1st prisoner said he would produce the property, viz., some in the hedge near Gollapully, and some in the jungle of Nullagoota. The 2nd prisoner admitted having accompanied the 1st prisoner to the robbery, he told the 1st prisoner to produce the property from the bush. From the hedge north-east of Gollapully, 2 silver pigment boxes, and a gold ingot tied in a piece of cloth, was dug by the 1st prisoner with his hand. The cloths were wrapped up in an old cloth and were at the bottom of the bush, no stones on top. The 1st prisoner took them out, both the prisoners said these cloths had been got at the robbery, the 1st prisoner said the ingot had been made by him by melting up some of the perty. The prisoners were not ill-used. The 1st prisoner kept looking about for the cloths, and the 2nd prisoner was asking 1st prisoner in what place they had been kept, and then 2nd prisoner pointed the place out to the 1st prisoner. It was about 8 A. M. when the first things were found, and about mid-day when the cloths were found. The property before the Court, Nos. 1 and 2, were found in the hedge, and Nos. 3 and 4 in the bush.

The prisoners have no questions to put.

Solemnly affirmed before me, this 7th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

5th witness, Gunga Reddy.—The 3rd prisoner was apprehended at night, and I heard him tell the Duffadar and Monigar that he had been to the robbery at Peddarampullu, and that he would show where he had kept the garments under a bush in the limits of Gollapully. Next morning the Duffadar, Peon Ramana, Monigar, I and others, went with him and from under a bush the 3rd prisoner took a silk edged cloth and another without silk edge, with a red border. They were tied together. The place was about $\frac{1}{2}$ guddy from Gollapully, on the east side, and west of the 3rd prisoner's house, about $\frac{1}{2}$ guddy from this prisoner's house. Property similar to Nos. 5 and 6 before the Court, were produced by the 3rd prisoner. I was not present when 3rd prisoner was apprehended.

The 3rd prisoner has no questions to put.

Solemnly affirmed before me, this 7th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

6th witness, Peon Ramadoo.—At mid-day of 24th September, the 3rd prisoner was apprehended by Papadoo Achigadoo and Chelladoo, (Cuttoobody peon and Taliary). His house was searched, but nothing found. The 3rd prisoner was apprehended because the 1st prisoner had implicated him. He was told that the 1st and 2nd prisoners had stated that he had some cloths of the plundered property. He said he had kept them in a bush of prickly pear, in the limits of Gollapully. I and the Duffadar, the 5th witness, and others went, but it could not be found. The prisoner said he had left it somewhere, but could not recollect. That his mother was absent, but after her arrival he could mention the place. We returned to Kolamashanapully. That night we sent the Taliary to bring the 3rd prisoner's mother. The Taliary took her to her village of Kullady, and sent word to us next day to that effect. We went there with the 3rd prisoner. We met the Taliary bringing her. She said to the prisoner on our questioning her, why do you implicate me, perhaps you put the property in a bush of prickly pear, near a Borugamana tree, go and see there. The prisoner went there, it was about 10 fathoms from where we were talking, and produced a silk edged cloth and one edged with red thread, they were tied together and were at the bottom of the bush. The Duffadar, Deloyet Balakrishnum Naidoo, peon Shekh Hyder, 7th

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witness, 5th witness Taliary and others were present. The 3rd prisoner said that he had received these cloths at the robbery and 2 $\frac{1}{2}$ Annas which he had spent. They were found east of Gollapully and west of Kullady village about $\frac{1}{4}$ mile from the 3rd prisoner's house and about 10 fathoms from Gollapully. The 3rd prisoner said he had put them there. The property before the Court, Nos. 5 and 6, were produced by the 3rd prisoner.

The 3rd prisoner has no questions to put.

(Signed) G. A. HARRIS,
Commissioner.

Solemnly affirmed before me, this 7th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

7th witness, Sheik Hyder.—On the 24th September, the 3rd prisoner was apprehended by the Cuttoobody peons at Kullady, they brought him to Gollapully at mid-day of that day, and on the Deloyet, and 6th witness asking him about the two cloths which the 1st and 2nd prisoners said that he had of that robbed at Peddurampully, he said that he had received 2 cloths and 2 $\frac{1}{2}$ Annas for his share, that he had spent the money and had kept the cloths in a bush. He took us to the bushes south of Kullady, but looked in vain, saying he had forgot the place, and that his mother should come. It became dark. He said his mother was absent at Doolapully. The toty was sent for her, and in the morning we went toward Kullady, and by the field near Kullady, met the toty with the 3rd prisoner's mother. The 3rd prisoner asked her where the property was kept, that he had forgotten the place. She said "don't you know where you kept it? why do you ask me." He then said that he recollected, and took us to a bush by Borugamana tree, about 8 fathoms off, and from the bottom of the bush he took up a silk edged cloth and one edged with red thread which were tied together. The 3rd prisoner said these had come to his share from the Peddarampullu robbery. The Deloyet Balakrishnum Naidoo, the Duffadar, Sheik Hoossain, Peon Rassool Khan, the 5th witness, 6th witness and others were present. The 3rd prisoner was apprehended because the 1st and 2nd prisoners implicated him. The property before the Court, Nos. 5 and 6, were delivered by the 3rd prisoner.

The prisoners have no questions.

Solemnly affirmed before me, this 8th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

1st witness, Seetaram Chetty.

I know the prosecutor's property, viz., 2 silver pigment boxes, a new silk edged cloth, an old ditto, a red thread edged cloth, two silk bodices. I used to frequent prosecutor's house, I live in the same village. The boxes I have seen since 10 or 11 years. The prosecutor's wife used to wear one, and his brother's wife the other. I do not know where they were procured. They have no particular marks on the cloths. When the prosecutor bought the new silk edged cloth about 2 or 3 months ago, he showed to me. The property before the Court marked Nos. 1, 3, 4, 5, 6, belonged to the prosecutor.

The prisoners have no questions to put.

Solemnly affirmed before me, this 8th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

2nd witness, Hunamuntloo.

I know the prosecutor's property. Two old bodices, one new silk edged cloth, 1 old ditto, two silver pigment boxes. I asked the prosecutor about 2 months ago, to sell me the new silk cloth, but he wanted it himself. I don't know when he bought it. I live about $\frac{1}{2}$ guddy from the prosecutor's house. I used to visit at prosecutor's, and carry on money dealings, and on these occa-

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sions saw the cloths in use with prosecutor and his wife. The silver pigment boxes I saw when a division took place between the prosecutor and his nephew about a year ago, since then one was worn by the prosecutor's wife, and the other by his brother's wife. I saw these boxes when division took place, not before. I have had dealings with prosecutor since 2 years. I don't know where the prosecutor got them. The property marked Nos. 1, 3, 4 and 5, belong to the prosecutor.

The prisoners have no questions to put.

Solemnly affirmed before me, this 8th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

6th witness re-examined.

I and the 7th witness were present when the prisoners deposed before the head of Police. They all stated they had joined in the robbery with some others of the prosecutor. They said they had delivered up certain property which came to their share, that one Ramadoo and the others had taken the rest. Their confessions were quite voluntary, no ill-usage. I was present the whole time. I signed their statements. The depositions read out are the same which those prisoners delivered before the head of Police, and bear my signature. The witness points it out. The deposition of the 2nd prisoner on the 27th September, was given before me, but does not bear my signature, for it was not given to me to sign.

The prisoners have no questions to put.

Solemnly affirmed before me, this 8th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

7th witness re-examined.

I and the 6th witness were present when the prisoner admitted to the head of Police, that they with others, had committed robbery at the prosecutor's house. I was present the whole time, they admitted that the property which they had produced had fallen to their share. The rest of the property they said Ramana and others had taken. Their confessions were voluntarily given, no ill-usage was resorted to. I signed the depositions. I have heard them read out, they are the same as the prisoners delivered, and bear my signature. The witness points it out. The deposition of the 2nd prisoner of the 27th September was not given to me to sign, but the 2nd prisoner gave it in my presence.

The prisoners have no questions to put.

Solemnly affirmed before me, this 8th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

3rd prisoner's 1st witness, Goorevy Reddy.

I am not acquainted with any of the prisoner's property. I am unable to identify any of his cloths. I did not see them.

The prisoner has no questions to put.

Solemnly affirmed before me, this 12th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

2nd witness, Arikay Soobadoo.

I am not acquainted with any of the prisoner's property, nor can I point out any of his cloths. I never borrowed any of them.

The prisoner has no questions to put.

Solemnly affirmed before me, this 12th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

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

3rd prisoner's 3rd witness, Chemoogadoo.

I do not know any of the prisoner's property, nor can I point out any of his cloths.

The prisoner has no questions to put.

Solemnly affirmed before me, this 12th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

1st prisoner's 1st witness, Nullapen.

I do not know any property of the 1st prisoner. I never borrowed a silver pigment box from the prisoner. I never saw such an article in the prisoner's possession: nor did I ever see a gold ingot in his possession.

The prisoner has no questions to put.

Solemnly affirmed before me, this 14th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

1st prisoner's 2nd witness, Sunjeevee.

I do not know any property of the 1st prisoner. I never saw a silver pigment box or gold ingot in his possession.

The prisoner has no questions to put.

Solemnly affirmed before me, this 14th October 1857.

(Signed) G. A. HARRIS,
Commissioner.

Sentence.

The prisoners are proved to have admitted before the Village Moonsiff and others, that they with others, committed the robbery, and to have delivered up certain articles of property belonging to the prosecutor, and which he lost on this occasion. The prisoners subsequently admitted the charge before the head of Police. The witnesses cited by the 1st and 3rd prisoners, denied all knowledge of the facts of which they were stated by the prisoners to be cognizant. The 2nd prisoner called no witnesses in his defence. The prosecutor appears from his deposition given the day following the robbery, before the Police Ameen, and from his statements before me, to have received some blows on his body from the robbers, and to have lost some of his teeth from a blow on the cheek. I convict the prisoners of the crime charged, and sentence each of them to 14 years' imprisonment with hard labor in irons, under the provisions of Clause third, Section IV, Regulation XV, 1803. The Magistrate's attention has been called to several irregularities in the Police proceedings, by Extract from the proceedings of the Court, under date the 8th October 1857, copy of which accompany the record.

(Signed) G. A. HARRIS,
Commissioner.

15th October 1857.

ORDER THEREON, No. 1390; dated 22nd October 1857.

No. 21.

With this letter, the Commissioner forwards his Notes and Sentence in a trial, No. 6 of 1857 held before him. Three prisoners were charged with a gang robbery committed at night with aggravating circumstances in the house of the prosecutor. The prisoners were convicted and sentenced to 14 years' imprisonment with hard labour in irons. The Commissioner's proceedings are approved.

(Signed) E. MALTBY,
Acting Chief Secretary.

Ed. F. Cartledge.

Extract from the Minutes of Consultation
Dated 22^d October 1857.

Read letter from J. A. Harris Esq. Judge
Judge of Chilton, & Commissioner under
Act XIV of 1857.

H - With this letter the Commissioner forwards
his Notes & Sentence in a trial, No 6 of
1857, held before him. Three prisoners
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The prisoners were convicted & sentenced
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are approved. The

To J. A. Harris Esq.
Com under Act XIV of 1857.
Chilton
with Subs. Nos 1 to 40. } Dispd. 29th

And to the Eng. & Am. Soc.
of 1858. Paris.

By the Council, 29th Oct.
Medical 1857 & 1858.

1857 & 1858.

Abstracts of the

of the 1857 & 1858.