

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1464	Press
		~~Mis.~~
J-2		
Dated	11-4-	1945

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 17th November 1857.

No. 1. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Foujdaree Udalut; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 31st October 1857, No. 60.

SIR,

I am directed by the Judges of the Foujdaree Udalut, in reference to para. 3, of Extract from the Minutes of Consultation, under date the 5th Instant, to forward copy of the Return of the Session Judge of Tellicherry, to the Court's Precept, which Return appears satisfactorily to explain the conduct of the Principal Sudr Ameen in the case of the insane Moplah, referred to in the Government Minutes.

(Signed) C. F. CHAMIER,
Acting Register.

In Return to the preceding Precept, the Acting Session Judge has the honor to transmit a translate of the Police proceedings in the case alluded to, and would beg to observe that, it underwent no *formal* trial before the Principal Sudr Ameen, as that Officer, after a preliminary investigation, and before arraigning the prisoner on the somewhat confused charge preferred against him, pursued the course usual in cases of suspected sanity, of placing him under the observation of the Assistant Surgeon, who then submitted a certificate to the effect that "he was a religious fanatic or madman, perfectly harmless." The Principal Sudr Ameen, apparently at a loss how then to proceed, forwarded the certificate with a letter to the Acting Session Judge, who saw no sufficient grounds for disputing the opinion of the prisoner's insanity, which, on enquiry, he found was generally believed amongst respectable and loyal inhabitants, but very strong reasons for doubting his "harmlessness." As there was considerable local excitement at the time, it seemed most advisable the case should be at once disposed of in a summary and quiet manner, and without the ordinary process of a doubtful investigation, which would increase rather than allay anxiety. As the Principal Sudr Ameen seemed to concur with the Medical Officer in the derangement and "harmlessness" of the prisoner, and, probably from the unapt and erroneous wording of the charge, not to have any very clear idea of the nature or magnitude of the offence, the Acting Session Judge thought it best to forward the letter and certificate to the Acting Magistrate, who, acting with his usual promptitude, wisely removed the prisoner at once from Tellicherry, and, under Act XXIII of 1854, made a special reference to Government on the case, which, in the opinion of the Acting Session Judge, ought not to have been originally forwarded to the Court, as it was exactly of the kind to be dealt with under the summary and stringent enactments for "Malabar fanatics."

2. The Acting Session Judge regrets that in consequence of the Police proceedings having been forwarded to the Magistrate, they have not been returned in time to allow of a translation being made within the period limited in the Return.

Given under my hand and the Seal of the Court, this 21st day of October 1857.

(Signed) R. CHATFIELD,
Acting Session Judge.

(True Copy.)

(Signed) C. F. CHAMIER,
Acting Register.

No. 2.

ORDER THEREON, No. 1464; dated 11th November 1857.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

C. 6th Oct^r 1857. See H.O. 21746
B. 1279.

Jud^l. L^{to} Eng^d. 2^d. March

Ar 2 of 1858 Para 9

By. to Cons. 17th Nov 1857

Judicial Dept²

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From the Register of the
Fondance Attatus

To The Acting Chief Secretary
to Government

Dated 31st

Rec'd 29 October 1857

No 1796.

201796. H. No 643
Submitting, with reference.

to para 3 of the Ex. Minis of
Con: dated 5 instant, copy
of the Return of the Session
Judge of Tellicherry to the
Court's Pr^r relative to the
conduct of the Principal
Dor Ameen in the case of
the insane Moplah referred to
11 Nov 1857. ^{20 Nov 11} Recorded

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23 Nov-
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