G. O. 1—80,000—15-10-29

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 872 Press ~~Mis.~~

37 38

Dated 19 — 5 — ~~19~~1887

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 19th May 1857.

No. 37. Read the following letter from GEORGE ELLIS, Esq., Register to the Court of Foujdaree Udalut; to the Chief Secretary to Government, dated 8th May 1857, No. 24.

SIR,

1. With reference to the Extract from the Minutes of Consultation, dated the 14th Ultimo, No. 311, I am directed by the Judges of the Court of Foujdaree Udalut to forward the accompanying copy [illegible] a letter from the Acting Magistrate of Malabar dated the 18th Ultimo, with its enclosure, submitting a report on the Criminal lunatic Moideen.

2. It appears from the above report, that the lunatic's father and other members of the family are subject to fits of insanity, and that the lunatic has had several fits, the lucid intervals apparently becoming shorter, and that his relatives are poor and unable to take due care of him during his occasional aberrations of mind, or to give the necessary security for his peaceable conduct. The Judges are therefore of opinion that he cannot safely be released, and accordingly beg to recommend that he be kept under restraint for the further period of two (2) years, as suggested by the Acting Magistrate of Malabar.

(Signed) GEORGE ELLIS,
Register.

From W. ROBINSON, Esq., Acting Magistrate of Malabar; to H. D. COOK, Esq., Acting Session Judge of Calicut, dated Tanore, 18th April 1857.

SIR,

With reference to the Extract Proceedings of Session Court, Calicut, under date the 1st Instant, and its enclosure,* I have the honor to submit a report† by my Special Assistant on the subject of the Criminal lunatic Moideen. He comes, it will be observed, of a father who is subject to fits of madness and other members of the family are similarly diseased. Moideen has had several fits and the lucid intervals are apparently becoming shorter. Under these circumstances, I do not consider that he should be under surveillance for a period shorter than 2 years. His release from custody could not be otherwise than a dangerous experiment.

* Extract Minutes of Consultation No. 311. dated 14th March 1857.

† Dated 9th April 1857, No. 150.

His connexions have expressed a wish to take charge of him. They are poor creatures of lunatic tendency, and no respectable person will stand security for him, even in the sum of 100 Rupees for one year.

I have seen Moideen, and though now sane, he has an unsatisfactory appearance, and is probably partially feigning the sickness under which he represents himself in an ostentatious way to be suffering. In my presence he did not even keep his nakedness covered, which is generally a bad sign, I think.

(Signed) W. ROBINSON,
Acting Magistrate.

From E. G. THOMAS, Esq., Special Assistant Magistrate; to W. ROBINSON, Esq., Acting Magistrate of Malabar, dated 9th April 1857, No. 150.

SIR,

I have the honor to acknowledge the receipt of Memo: No. 976, with enclosures, regarding Illataparambil Moideen.

I have had an enquiry made in the Talook, and have examined personally two neighbours likely to be acquainted with the circumstances.

It appears from these papers (forwarded herewith) that during the last 10 years, Moideen has been mad about 4 times, the 2nd time about 4 years ago, when it lasted for 4 or 5 months, he was then well for 2 years, had another attack, recovered for a few months, and was again attacked this last time when he committed the crime which has brought him before the Court; as mentioned by the Adhigary, he has on one other occasion been violent, having once bitten a man; with the exception of these two instances, he does not appear to have been dangerous while under the affliction, and at other times was a hale powerful, industrious man; when these recurring fits of madness came on him, he used to sing, strip himself of his clothes, and refuse to eat or sleep, usually perfectly happy, but sometimes sullen, not liking to be spoken to, complaining of a burning pain in the stomach, and striking his own head with any thing he could put his hands on. He and his relations being poor, he was usually unguarded and unattended, and during his fits of madness, wandered where he liked, living on charity, and though hitherto generally innocuous was, as a stark-naked, powerful, unrestrained mad man, regarded as not altogether a pleasant person to approach on the high road. Moideen's father, brother, and father's sister have all been mad in the same way.

It seems clear that madness is a disease in the family, that Moideen is occasionally attacked with it, and that hitherto his relations have not taken proper precautions for the safety of the public, though probably they could without difficulty do so.

(Signed) E. G. THOMAS,
Special Assistant Magistrate.

(True Copies.)
(Signed) GEORGE ELLIS,
Register.

(True Copies.)
(Signed) H. D. COOK,
Acting Session Judge.

No. 38. ORDER THEREON, No. 572; dated 16th May 1857.

Under the circumstances represented in the foregoing letter, and agreeably to the provisions of Act IV of 1849, the Right Honorable the Governor in Council authorizes the detention in custody, for a further period of two years, of Illatha Parambil Moideen, Prisoner in case No. 52 of 1856, on the file of the Session Court of Calicut, who was tried on a charge of inflicting wounds with intent to do grievous bodily harm, but acquitted on the ground of insanity.

(Signed) E. MALTBY,
Acting Chief Secretary.

Exd. F. Cattledge.

Judicial Department

No. 572.

Extract from the Minutes of Consultation

Dated 16th May 1857

Read the following Letter from the Register to the Court of Foujdaree Udalut

(Here enter 8th May /57 No. 24)

Under the circumstances represented in the foregoing letter, and agreeably to the provisions of Act IV of 1849, the Right Honble the Governor in Council authorizes the detention in custody, for a further period of two years, of Illatha Paramlil Moideen, prisoner in Case No. 52 of 1856, on the file of the Session Court of Calicut, who was tried on a charge of inflicting wounds with intent to do grievous bodily harm, but acquitted on the ground of insanity.

Copy to Court of Foujdaree Udalut. } desp. 21
2 Spare Copies }

Judl. L. to Engd. d/20th Octr. No. 26
of 1857 Para. 26.

Repd. to in No. 5 of 1858 P.25

J. C. No. 33-36

19-3-57

In Dy Frns: 19 May

Judicial 1857 Department

No. 572

Extract Mins of Cons

d/15th May 1857

Fet No. 871 of 1859.

Authorize the detention in Custody for a further period of two years of Illatha Carambil Moidan prisoner in Case No. 52 of 1856 on the file of the Session Court of Calicut.

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