

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1223	Press
		~~Mis.~~
	30-31	
Dated	6-8-	1918

Not to be folded or roughly handled

[Handwritten signature]

No. 30. Read the following letter from Colonel J. C. BOULDERSON, Commissioner of Police; to D. F. CARMICHAEL, Esq., Deputy Secretary to Government, Fort Saint George, dated 26th August 1858, No. 121.

SIR,

I have the honor to submit the information required in your Memorandum, bearing date the 17th Instant.

2. A person named Bhegaree Shah, a Fakeer, and stranger at Madras, was arrested as a vagrant on the 22nd of August 1857; on his entering Madras, he was called upon to give an account of himself and produce security for his good conduct. Failing to do so, he was detained in custody, and on the 22nd October of the same year, on his being discovered to be an inhabitant of Palamcottah, he was forwarded on from Talook to Talook, in order to procure his return to his native village. I have no recollection of Bhegaree Shah having mentioned that he came to Madras to lay a petition to the Board of Revenue, nor is there any record of that circumstance in this office.

No. 31. ORDER THEREON, No. 1223; dated 6th September 1858.

On the 4th June last, Government referred for the report of the Sessions Judge of Tinnevely, a petition from one Bava Saib, who prayed that his brother Bekaree Saib, might be released from the Jail at that station.

2. At first the Sessions Judge stated, that he knew of no such man as the alleged prisoner, but he subsequently reported that one Mahomed Esoff alias Bekaree Saib was delivered into his custody by the Magistrate on the 1st of December last. No copy of sentence, Descriptive Roll, or other paper was furnished by the Magistrate, who could only state, that the man had been passed on to him from South Arcot. The Sessions Judge applied for information in the quarter indicated, and also immediately laid the case before the Inspector of Prisons, but no result followed.

3. The man's own statement, as elicited by the Sessions Judge, is that some months ago he was seized by the Police at the Presidency, whither he had proceeded from Tinnevely for the purpose of prosecuting a claim to a certain Enam, before the Board of Revenue, as a seditious Fakir, and sent on board a ship for 2 months, whence he was removed by land to his own District.

4. Acting on this clue, the Government requested the Commissioner of Police to give the history of the case, if it was in his power to do so. Colonel Boulderson corroborates the petitioner's story adding, that on the 22nd October last, "on its being discovered that the man was an inhabitant of Palamcottah (Tinnevely) he was forwarded on from Talook to Talook, in order to procure his return to his native village."

5. It is clear therefore that the man is no longer an object of suspicion. He will be immediately set at liberty, and the attention of the Inspector of Prisons will be called to the circumstances attending his incarceration. The Government are entirely at a loss to understand how the petitioner has been suffered to remain in Jail for the last few months. It was the duty of the Head of the Prisons Department, to have sifted the matter to the bottom immediately on the report being made to him. He will now ascertain forthwith, whether there are any other individuals similarly incarcerated without cause in the Tinnevely Jail, or in any other Jails.

6. The Government cannot further but remark on the conduct of the Sessions Judge in having received the man and for so many months detained him in custody without any sentence, warrant, or legal authority whatsoever, or any notice of his case beyond a reference to the Inspector of Prisons.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Certfledge.

the Magistrate on the 1st of

Judicial Department

N^o 1223

Extract from the Minutes of Consultation
Dated the 6th September 1858.

Read the following
letter from the Commissioner
of Police Madras.

[Here enter 26th Aug 58 N^o 121]

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3. The man's own statement, as elicited by the Sessions Judge, is that some months ago he was seized by the Police at the Presidency, whither he had proceeded from Timmerelly for the purpose of prosecuting a claim to a certain man, before the Board of Revenue as a seditious Fakir, and sent on board a ship for 2 months whence he was removed by land to his own District.

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4 Acting on this clue, the Government requested the Commissioner of Police to give the history of the case, if it was in his power to do so. Colonel Boulberson corroborated the Petitioner's story adding that on the 22nd October last "on it being discovered that the man was an Inhabitant of Palamcottah (Timmerelly) he was forwarded on from Talook to Talook, in order to procure his return to his native Village."

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The Government cannot further but remark ~~strongly~~ on the conduct of the Sessions Judge in having received the man and for so many months detained him in custody without any sentence, warrant, or legal authority, whatsoever, or any notice of his case beyond a ~~reference~~ reference to the Inspector of Prisons.

J.P.

To the Inspector of Prisons }
" Sessions Judge of Annamalai } Sep. 10th

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