M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1681 Press Mis.
17-18

Dated 3. 11 —— 19 18 5

Not to be folded or roughly handled

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No. 17. Read the following letter from G. F. FULLERTON, Esq., Officiating Register to the Court of Fouj laree Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated Madras, 21st October 1859, No. 27.

1. With reference to Section III, Act IV of 1849, I have the honor by direction of the Judges of the Foujdaree Udalut to submit for the consideration of Government the case of Tandavaroya Padiachee, tried for horse stealing by the Moofty Sudr Ameen of Chingleput and acquitted on the special ground of insanity.

2. The prisoner was proved to have stolen the horse and to have been found in possession of it.

3. Several witnesses deposed to his having been insane for upwards of a year and a half before the offence was committed, and the Zillah Surgeon under whose observation he was placed states in his certificate, and also in his deposition given upon oath, that, in his opinion, the prisoner has been suffering for some time from mental derangement and is a monomaniac.

4. The prisoner does not appear in any way to be a dangerous character, but from his habit of pilfering and appropriating any property that may come in his way, as remarked by the Zillah Surgeon whilst under his observation, is likely to be the cause of trouble and annoyance to his neighbours, if unconditionally released; and the Judges would suggest that he be forwarded to the Magistrate, who will take security under Act XXXVI of 1858, from his friends or relations for his being kept under sufficient restraint.

5. The Judges would take this opportunity of suggesting that in cases, where from the nature of the offence, the subordinate Courts have final jurisdiction, references to Government under Act IV of 1849, should be made *direct* by the Officers presiding in such Courts, as by this course much unnecessary correspondence will be saved.

No. 18. ORDER THEREON, 3rd November 1859, No. 1481.

The Government concur with the Judges of the Foujdárí 'Adálat that the prisoner, Tandavaroya Padiachee ought not to be released unconditionally, and direct that he be forwarded to the Magistrate, who will take security from his relatives or friends for his being kept under sufficient restraint in accordance with the provisions of Act XXXVI of 1858.

2. The Government approve the suggestion in the last paragraph of the Acting Register's letter, and request that the Judges will instruct the subordinate Judicial authorities accordingly.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1491 - 3d November 1859 -

The Govt. concur with the Judges of the Faujdári Adalat that the prisoner, Tandavaraya Pudiachee, ought not to be released unconditionally, & direct that he be forwarded to the Magistrate, who will take security from his relatives or friends for his being kept under sufficient restraint in accordance with the provisions of Act XXXVI of 1858.

2. The Govt. approve the suggestion in the last para of the Acting Register's letter — and request that the Judges will instruct the Subordinate Judicial authorities accordingly.

The Judges of the
Foujdari Adalat
Magistrate of Chingleput

Dispd 5th

Registrar's Office
2nd October 1869

Sir,

Your most Obedt Servant

Wm F Fullerton
Officiating Registrar

Esqr
&c &c &c