M.R.O. 1—60,000—18-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1220	Press / ~~Mis-~~
145-46		
Dated	21-9-	19 1860

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 21st September 1860.

No. 145. Read the following letter from P. GRANT, Esq., Magistrate of Malabar, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Calicut, 12th September 1860, No. 58.

In continuation of my letter of the 29th ultimo, I have now the honor to inform you, that on the 31st of August, Simàmu delivered himself up at my Office at this station.

2. He accounts for his absence by stating, that he left Kòttayam on the 10th Mitunom (21st June), that he went to Tellicherry, which he quitted on the 14th of the same month in company with tow Màpillas, who came with him on the same date to Calicut, from whence one* of them went with him to Cochin, where they parted, that he (Simàmu) then proceeded, after a delay of 3 or 4 days, to Aleppy, where he resided for about 10 days, to carry on trade, and then returned Northwards to Cochin, where he heard that a proclamation for his apprehension had been issued; that on receipt of this intelligence, he immediately repaired to this station, and gave himself up, that his object in going South, was to make money to enable him to pay for the thatching of his mother's house.

1. *Adima.* 2. *Màsa.*

* *Màsa.*

3. The obvious intention of Simàmu is to prove an alibi, and show that, at the time he was accused of assaulting his mother, her 2 daughters and grandson, and of pulling down his mother's house on the 8th July, he was absent at Aleppy in Travancore, distant nearly 200 miles. He states that he left home on the 21st of June, and that from that date to the 31st of August, the day on which he gave himself up, he was absent from North Malabar.

4. In support of his statement, he cites 2 witnesses, one a butcher from Tellicherry, and the other a seller of beads from the same town. They both depose that they accompanied him from Tellicherry to Calicut on some date between the 10th and 20th of Mitunom (21st June and 1st July;) but they deny having accompanied him any further South, whereas he (Simàmu) alleges that one of them (Màsa) went as far as Cochin.

Adima.
Màsa.

5. Granting that the evidence of these witnesses supported Simàmu's statement, that he was from home from the 21st June to 31st August, the evidence recorded in the case brought against him by his mother of having assaulted her and pulled down her house on the 8th July is so overwhelming, that there is no room left to doubt, that on that date, he was present and committed the aggravated assault, &c., of which he was accused.

6. It was subsequent to this date, that Simàmu and Kàdri conspired to accomplish the death of Chandrot Kannan, the Adigàri of Paduvilài Amsham. The evidence in this case shows that Simàmu was present in Kottayam Téluq at Vengat after the 8th of July, and proves beyond doubt that the alibi attempted is utterly false.

7. The truth of the case appears to be that Simàmu has been concealed in North Malabar by the Kottala family, and that he only gave himself up, on the appearance of the Special Assistant Magistrate in that part of the country, as it then became dangerous for the family to shield him any longer. The fact that a European Magistrate had gone Northwards, rendered it highly probable that Simàmu's place of concealment would be discovered, and that those who had given him shelter would be implicated. Being a creature of the Kottala family, he did what he was directed and gave himself up, as that course was least likely to implicate them—for, as long as he was at large, suspicion attached to Avula, one of the brothers, who, I before mentioned, shunned my invitation to meet me at my house, but got into his Munchil and went off to North Malabar, the reasons being, I believe, although I have no direct evidence to the fact, that Simàmu had accompanied him to Mallapuram, whilst the case was pending at the Special Assistant Magistrate's Office.

On being confronted with the Adigàri (complainant) and witnesses, Simàmu is unable to assign any adequate reason for their deposing against him. One witness only, he says, owes him a grudge, as his cow was constantly coming into his (Simàmu's) compound.

8. The additional examination of the case since Simàmu gave himself up, has still further confirmed the opinion expressed in para. 12 of my letter of the 29th August, that Simàmu did

intend to accomplish the death of Chandrot Kannan, Adigàri of Paduvilài Amsham. I therefore decidedly urge his removal from the District, under the provisions of Section VI, Act 20 of 1859, until such time as his return may be considered politic, with regard to the peace of the country, for, I would not consider the Adigàri's life safe, if he was set at large.

9. At one time I was afraid that the case was going to assume a serious aspect, for the Kottala family is wealthy, and very influential for evil, in the part of the country in which they reside, and the continued concealment of Simàmu, after my proclamation warning all parties against aiding him, and calling on any, who knew where he was, to make the same known, showed that he was supported by powerful friends, and sympathized with to a certain extent by his co-religionists, many of whom must have known where he was.

10. I request early instructions as to the future disposal of Simàmu; for he is now in gaol, where alone, I consider him safe. He is a powerfully made man, and ready, I believe, to commit any act at the beck of his patrons, the Kottala family.

11. If Government support the recommendation regarding the disposal of Kàdri and Simàmu, I fully believe that crime of the kind now charged against them, will henceforth be suppressed in Malabar. I have personally on several occasions, in different parts of the District, told the Màpillas plainly, that it was my anxiety to protect them, but that if any of them were ever implicated in outrages of the nature indicated in Act 20 of 1859, they would never be spared, but every endeavor to follow them up and bring them to justice, would be made.

12. Since my arrival in Malabar, now more than two years, I have only demanded security from one Màpilla, and that was in a case of theft. My object has been to show the class, that whilst there is no intention to harrass them on every petty complaint brought against them, the law must be upheld, and actual crime punished.

In the present case, the wealthy man (Kàdri) who instigated the creature (Simàmu) to the commission of a murderous crime, has been seized, and to my judgment, the proof against him and Simàmu is so strong as to justify a recourse to the provisions of Act 20 of 1859, in view to their removal from the province for a time at least.

13. The result of Kàdri's removal from the province, will be most beneficial, and tend more than any thing that has taken place, since the departure of the great Tangul, to convince the Màpilla population that Government is resolved to repress Màpilla fanaticism and outrage.

No. 145.

ORDER THEREON, 21st September 1860, No. 1,220.

In continuation of the Order of the 14th instant, the Government resolve, on the recommendation of the Magistrate of Malabar, to authorize the removal of Simàmu from that district. A Warrant for his commitment to the Zillah Jail at Tranquebar, will accordingly be issued.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1220. 21st September 1860.

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The Magistrate of Malabar. with Warrant.
Superintendt. of Jails.
Sessions Judge of Negapatam.

G. J. O.

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Warrant of Commitment.

To the Sessions Judge of Negapatam.

Whereas the Governor in Council, for good & sufficient reasons, has seen fit to determine, under the powers given by Act XX–1859, that Limanu shall be placed under personal restraint at Iraiyur; you are hereby required & commanded, in pursuance of that determination, to receive the person above named into your custody, & to deal with him in accordance with the orders of Govt, & the provisions of Regulation II–1819.

C.T.S.

Exd. F. Cartledge.