M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 292 Press Mis. 71-72

Dated 9 - 3 - 19 18.60

Not to be folded or roughly handled

MS

Proceedings of the Madras Government, Judicial Department, for the month of March 1860.

No. 71. Read the following letter from J. D. ROBINSON, Esq., Acting Magistrate of North Arcot, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 23rd February 1860, No. 13.

I have the honor to submit copy of a letter to my address from the Inspector General of Mofussil Police, in the earnest hope that in consideration of the grounds urged, Government will be pleased to sanction mitigations of punishment to the extent recommended in the cases of the 3 convicts therein named.

From W. ROBINSON, Esq., Inspector General of Mofussil Police, to J. D. ROBINSON, Esq., Magistrate of North Arcot, dated 16th February 1860.

I have the honor, with reference to the recent investigation in the Katpadi station robbery case, to request that you will submit with your support, a recommendation that Margasahayadu's sentence may be mitigated to the extent of 2 years, and that the entire corporal punishment may be dispensed with.

2. He is unquestionably a great criminal; but it is no less true that without his aid from first to last nothing whatever would have been ascertained. Certainly no convictions would have been got against persons concerned in that great crime. His evidence was of most material value, in convicting Sabapathi the cash-keeper, and we could not now in good faith, and without setting a very pernicious example, exact the full tale of punishment in his case. Justice will be best served by this degree of mitigation.

3. I beg further to recommend that mitigation to the extent of 4 years each may be permitted in the cases of Chinnabbu *alias* Chinnapyan and Sarayakara Chengan, both of whom were examined under Act 19 of 1857 and gave evidence as witnesses, which led to the conviction of the several ringleaders of the gang.

4. These convicts are mere striplings, the one especially pointed out as such by the first commission, and their whole demeanor and the manner in which they gave their evidence show that they had for the first time been led into crime. Mercy may safely and expediently be extended to these men.

(True Copy.)

(Signed) J. D. ROBINSON,
Acting Magistrate.

No. 72. ORDER THEREON, 9th March 1860, No. 292.

Resolved that the application for the mitigation of punishment in the case of the prisoners Margasahayadu, Chinnabbu *alias* Chinnapyan and Sarayakara Chengan, be referred for the opinion of the Judges of the Court of Faujdárí Adálat.

2. It is however observed that the application should have been submitted by the Inspector General, through the Session Judge who tried the case, not through the Magistrate.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Memorandum.

The Registrar to the Court of Foujdaree Adalut has the honor to inform the Chief Secretary that Maraga-sahayadu was sentenced on the 28th September 1859 to 14 years imprisonment with hard labor in irons, 195 lashes with a Cat o' nine tails a fine under Act XVII of 1850 and banishment to Trichinopoly Jail.

2. The prisoners Chinnaboo and Narayacara Chengan were sentenced on the 2d May 1859 each to 14 years imprisonment with hard labor in irons, 100 lashes with a Cat o' nine tails and a fine under Act XVI of 1850.

Foujdaree Adalut
5th March 1860

C. L. Chamier.
Registrar.

To The Chief Secretary
to Government.

Office of the Inspector General
of Mofussil Police
Madras 16th February 1860

From

W. Robinson Esqr
Inspector General of
Mofussil Police

To

J. D. Robinson Esqr
Magistrate of North Arcot
Chittur

Sir,

I have the honor with reference to the recent investigation in the Kalpadi Vellore Station Robbery case, to request that you will submit with your support a recommendation that Marzasahayadu's sentence may be mitigated to the extent of 2 years, and that the entire corporal punishment may be dispensed with.

2 He is unquestionably a great Criminal; but it is no less true that without his aid from first to last nothing whatever would have been ascertained - Certainly no convictions would have been got against persons concerned in that great crime - His evidence was of most material value - in convicting Sabapathi the Cash keeper

and we could not now in good faith, and without setting a very pernicious example, exact the full tale of punishment in his case. Justice will be best served by this degree of mitigation.

3 I beg further to recommend that mitigation to the extent of 4 years each may be permitted in the cases of Chinnabbu alias Chinnapyan and Sarayahara Chengan both of whom were examined under Act 19 of 1857 and gave evidence as witnesses which led to the conviction of the several ringleaders of the gang.

These convicts are mere stripplings, the one especially pointed out as such by the first commission, and their whole demeanor and the manner in which they gave their evidence show that they had for the first time been led into crime - Mercy may safely and expediently be extended to these men.

I have the honorable
Sir
Your most obedient Servant
(Signed) W. Robinson
Inspector General of
Mofussil Police

True

4

Order thereon 9th March 1860. No. 292.

Resolved that the application for the mitigation of punishment in the case of the prisoners Mungatahagadu Chinnabbu alias Chinnapyan & Sarayahara Chengain be referred for the decision of the Judges of the Court of Foujdaree Adawlut

JP

Foujdaree Adawlut 3 Sept 12th
Act 4 Mary & R Acts

the Express desire of the Court that no Sentence of Death or Transportation for Life be passed upon any person convicted before the Court of Session for any offence punishable with Death or Transportation for Life, but that in every such case the Sentence be recorded and submitted to the Court for the confirmation or other orders of the Court

JP

No 13

North Arcot
Magistrate's Office
Chittoor 23d February 16

From S. D. Robinson Esqr
Acting Magistrate of N.A.

To T. Pycroft Esqr
Chief Secretary to Govt
Fort St George

Sir,

I have the honor to
submit copy of a letter to my
address from the Inspector General
of Mofussil Police in the earnest
hope that in consideration of
the grounds urged Government
will be pleased to sanction miti
gations of punishment to the
extent recommended in the cases
of the 3 convicts therein named.

I have the honor to be
Sir,
Your most obt Servt

S. D. Robinson

Letter from

observed
2- His honour that the application
should have been submitted by
the Inspector General through
the Sessions Judge who tried the
case and through the Magistrate

JP

Mr Robinson
I have read
I received this letter to the
Sessions Judge
the Inspector General of Police
Chittoor for the Magistrate
I have read
your letter

In F.C. No. 408/60.
Sub. 1860 Despatch
10 March 1860
From J.D. Pohlman Esq
Ag Master
R.C.
To J. Pyemont Esq
Chief Sec. to Govt.
Hobart Town
dated 23 February 60
Recd.
Ans. Letter 13
With an order
Enclosure 1
No. 315
Forwards copy
of a letter from the
Inspector General
of Police requesting
to obtain the Sanction
of Govt. for inflicting
corporal punishment to
the extent recommended in the
cases therein referred to.

F.C. No. 438.

C.S. Branch
Reg.
71/872

C. 20 March
1926.