M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 248 Press ~~Mis.~~

442-43

Dated 23.2.1861 -19 .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
23rd February 1861.

Read again letter from MADAR BEE, recorded in Proceedings 12th February 1861, No. 186.

No. 142. Read also the following letter from C. F. CHAMIER, Esq., Registrar of the Sudder Court, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th February 1861, No. 19.

I am directed by the Judges, with reference to the Proceedings of Government, dated the 12th instant, to enclose copy of the remarks of the Session Judge on Case No. 35, on the Chittoor Calendar for 1860; and to state that no appeal has been made against the Session Judge's sentence.

Calendar of persons committed for trial before the Session Court of Chittoor.

No. of Case.	Names of the parties.	Designation of the offence, the charge, and date of complaint.	Date of Apprehension.	Date of Arrival.	Date of Disposal.	How disposed of.	Explanation of delay.
35 of 1860.	*Prosecutor.* Regina. *Versus.* 1. Oossain Saw. 2. Baday Saw. 3. Shaik Emam. 4. Shaik Meerah. 5. Emam Saw. 6. Chendrayadoo alias Chenna Dasary.	Highway Robbery and possessing stolen property. That on the 20th March 1860 the Prisoners, together with others not apprehended, armed with swords and sticks, did, by open violence, attack and beat Vencatapa Naidoo and Kistnapa on the high road within the limits of the village of Rungumpetta in the Talúk of Satghur and Zila of Chittúr, and did forcibly take, steal, and carry away in their presence and against their will, property worth Rupees 44-0-10. That the 1st, 2nd, 3rd and 6th Prisoners did also unlawfully receive each a portion of the said property, then lately before stolen, well knowing the same to have been stolen. Complaint made on the 20th March 1860.	From 26th to 27th March.	2nd May 1860.	31st May 1860.	1. The Prisoners plead not guilty. 2. The Mahomedan Law Officer, on a second question, convicts the Prisoners of the crimes charged. 3. The first five witnesses were journeying together about 9 A.M. when they were stopped by a gang of robbers; all were robbed, and the 1st and 2nd witnesses received wounds at the hands of the robbers. They each recognize one or more of the Prisoners. The first four witnesses had seen the 2nd, 3rd, 4th and 6th Prisoners before. Certain property lost at the robbery by the 1st and 3rd witnesses was discovered in the houses of the 1st, 2nd and 3rd Prisoners (brothers), and of the 6th Prisoner. 4. In his defence the 1st Prisoner cited witnesses to prove that the injury which the witnesses for the prosecution alleged he had received at the hands of the 1st witness at the time of the robbery, was the effect of an accidental fall from a bullock bandy; but their testimony is inconclusive. 5. The 2nd and 3rd Prisoners called witnesses to prove that the silver bangle was found in their house in a certain position which showed that it was surreptitiously placed there. 6. The record shows that the authorities objected in the first instance to the house being searched in the absence of a Search Warrant, and that thereupon the house was sealed up and a guard put over it. When search was made a bangle was found on the floor not far from an opening in the wall.	

7. If the testimony of the persons who were robbed relative to the part taken by the 1st, 2nd and 3rd Prisoners at the robbery and their recognition of them had been open to suspicion, I should have doubted the *bond fide* character of the search at their house; but I see no good grounds for calling the former in question.

8. The 6th Prisoner called witnesses to prove that the chunam holder found in his house was his own property. Two of his witnesses denied all knowledge of the matter; the testimony of the third is at variance with the Prisoner's statement.

9. I concur with the Mahomedan Law Officer in convicting the Prisoners of the crimes charged, and sentence them each to 14 years' imprisonment with hard labor in irons, and to receive 100 lashes with a cat-o'-nine, tails. The Prisoners are fined in the sum of Rs. 42-8-9.

Clause third, Section IV, Regulation XV of 1803.
" fourth, " II, Regulation I of 1825.
Act XVI of 1850.

(Signed) G. A. HARRIS, *Session Judge.*
(True Copy.) (Signed) C. F. CHAMIER, *Registrar.*

Proceedings of the Madras Government, Judicial Department, 23rd February 1861.

No. 143. ORDER THEREON, 23rd February 1861, No. 248:

Mudar Bee will be informed that her Memorial to the Right Honorable the Secretary of State for India will be forwarded by the Government.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

Proceedings of the Madras Govt.

Read again letter from Madar Bee - Recorded in Pros. 12th Feb. 61 No. 186.

Read also letter from the Sudder Court - Enter 16th Feb. 61 No. 19.

Order - 23rd February 1861. No 218.

Madar Bee will be informed that her Memorial to the Rt. Honble the Secretary of State for India will be forwarded by the Govt.

To Madar Bee, residing at Bangalore - 25-2-61