

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	982	Press
		~~Mis~~
	31-32	
Dated	3.8.1861	19

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Not to be folded or roughly handled

12.6.2017

Proceedings of the Madras Government, Judicial Department,

3rd August 1861.

No. 31. Read the following letter from G. R. SHARPE, Esq., Officiating Sub-Judge of Calicut; to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated 22nd July 1861, No. 164.

With reference to the Circular Proceedings of Foujdaree Udalt dated 18th November 1859, and Act No. IV of 1849, I have the honor to report for the consideration and orders of Government, the case of the prisoner in
• *Naragasherry Pulliakole Cadoogochan Nair*. No. 89 of 1861, on the Criminal File of this Court, charged with having, on the 4th June 1861, inflicted a wound on one Pethery Parambatha Krishna Nair, but acquitted on the ground of unsoundness of mind when the act was committed.

2. The Prosecutor and witnesses depose that the prisoner inflicted a slight wound on the former from irritation at his not being provided with food immediately upon his asking for it.

3. Prisoner denied the charge at first, but subsequently admitted the truth of his Taluq deposition, wherein he confessed his guilt.

4. The evidence of Prosecutor and his witnesses however clearly shews that the prisoner committed the offence at a time when, by reason of unsoundness of mind, he was incapable of knowing that he was doing an act forbidden by Law; and that evidence is moreover corroborated by the Civil Surgeon, under whose observation the prisoner was placed for some weeks, and who recommends that he may be made over to the care of his relatives, or others, willing to take charge of him.

5. The prisoner, in the meanwhile, is under safe custody in the Jail.

No. 32. ORDER THEREON, 3rd August 1861, No. 982.

The Government direct the Sub-Judge to transfer the prisoner to the Magistrate of the district, who will deal with the case under the provisions of Act XXXVI, 1858, Section IV.

(Signed) J. D. SIM,

Secretary to Government.

No 982 - 3rd August 1858.

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XXXVI-1858. § IV.

Ido

The Sub Judge of
Calicut.
Magistrate of
Malabar

supd