

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1619	Press
8-9		~~Mis.~~
Dated	1. 10. 1862	10

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
1st October 1862.

No. 8. Read the following letter from R. CHATFIELD, Esq., Session Judge of Mangalore; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 10th September 1862, No. 4.

Under the instructions conveyed in the letter from the Registrar of the High Court of Judicature, dated the 2nd instant, I have the honor to submit, for the orders of Government, copy of the Calendar in case 65 of 1861, forwarded on the 10th February last, to the Court of Sudder Udalut, regarding a Lunatic named Gangadar charged with culpable Homicide, who has been kept in custody in this Jail for the last seven months. I beg to state that under the impression that the Sudder Udalut was the proper channel through which reports under Section 394 of the Code of Criminal Procedure, are to be made to Government, I did not consider it necessary to submit any separate report direct on the subject.

Proceedings of the Madras Government, Judicial Department,
1st October 1862.

Calendar of persons tried before R. Chatfield, Esq., Session Judge of Mangalore.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
No. of the Case.	Name of the accused.	Copy of the charge or substance of the Complaint.	Name of the complainant.	Names of Witnesses for the Prosecution.	Names of Witnesses for the defence.	Summary of the facts proved or confessed.	Finding and Sentence.	Date of offence.	Date of appearance.	Date of commencement of trial.	Date of Sentence.	Explanation of delay.	
LXV of 1861.	Gangadar...	That the Prisoner on the 30th November 1861, at night time, while suffering from Lunacy, committed culpable Homicide by causing the death of the 4th Witness' mother Maniga, by dragging her to the distance of about 250 yards, and that he has thereby committed an offence punishable under the provisions of Regulation VII of 1802, and within the cognizance of the Court of Session.	Government.	1. Gowda Devu. 2. Parmai Hibara, (not examined.) 3. Malicarjuna. 4. Deyu. 5. Nagapa, (Police Private.) 6. Gopala, (not examined.) 7. Mundapa, (Police Private.) 8. Krishna, (Police Private.)		Prisoner denies the charge. 1st witness deposes that whilst going to a Devasthan he heard cries and saw the prisoner dragging a woman by the legs. Having heard that the Prisoner was insane, he went to give information of what he saw to the Patel who, immediately, set out with some others, but before reaching the spot Prisoner ran up and said he had thus dragged his wife or another woman and thrown her into the water. She was found with her head upon a stone senseless, but not quite dead. She died the next day.	The Court concurring with the Assessors finds that the Prisoner Gangadar has committed the act specified in the charge, but acquits him on the ground of insanity; and, under Section 394 of the Code of Criminal Procedure, directs that the said Prisoner be kept in safe custody in the Zillah Jail, pending the orders of the local Government.	30th November 1861.	Ditto.	8th February 1862.	Ditto.		

3rd witness confirms the preceding account.
4th witness (son of the deceased woman), states, that during a fit of insanity the Prisoner seized his mother, dragged her along the ground and threw her into a watercourse. There was no enmity between deceased and Prisoner who was mad and unable to control his actions.
Other witnesses attested the Prisoner's Talook statement from which it may be gathered that he imagined the woman he killed to be his wife who, from sleeping in the hut of an inferior caste person, was defiled and required to be thrown into the water for her purification!
At his first appearance before the Court, the Prisoner was in an unfit state to undergo his trial, and he was, accordingly, placed under the observation of the Zillah Surgeon, who now reports that he is harmless but of weak intellects. Some years since he seems to have had an attack of insanity, but was not then violent or required to be placed under restraint.

(Signed) R. CHATFIELD,
Session Judge.

(True Copy.)

(Signed) R. CHATFIELD,
Session Judge.

Proceedings of the Madras Government, Judicial Department,
1st October 1862.

No. 9.

ORDER THEREON, 1st October 1862, No. 1,619.

Under Section 394 of the Code of Criminal Procedure, the Government direct that the prisoner, Gangadar, be kept in the Mangalore Jail, until he can be received into the Lunatic Asylum at Madras, or into any other Lunatic Asylum that may hereafter be established in the Provinces.

(Signed) T. PYCROFT,
Chief Secretary.

N^o 1619 - 1st October 1862

Under § 394 of the Code of Criminal Procedure, the Govt. direct that the prisoner, is angadar, be kept in the Mangalore Jail, or until he can be received into the Lunatic Asylum at Madras, or into any other Lunatic Asylum that may hereafter be established in the Pro-

vinces.

The superior judges of
Mangalore.

" Inspector Genl. of
Jails.

" Principal Inspector in charge, Dept. of Jails.

JF