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Government of Madras.

Judicial DEPARTMENT.

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240-241

Dated 27.5.1863 ~~19~~ .

64/65

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 27th May 1863.

No. 240. Read the following letter from GEORGE ELLIS, Esq., Session Judge, Cuddalore; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Cuddalore, 8th May 1863, No. 76.

On the 7th February 1863 Mr. Blair, Acting Session Judge, submitted for the orders of the High Court, Case No. 6 on his Calendar for 1863, with a letter in which he stated that the verdict of the Jury was directly opposed to the evidence.

The High Court in reply intimated to Mr. Blair that though it was not within their province to interfere with the verdict of a Jury, he could, if he thought the verdict opposed to the evidence, apply to Government for a remission of the sentence under Section 54 of the Code of Criminal Procedure. Mr. Blair quitted the station before the orders of the High Court were received, and no further steps appear to have been taken in the matter.

I have now the honor to submit, for the consideration of His Excellency the Governor in Council, a translation of the proceedings held before the Officer who committed the case for trial, the notes taken by Mr. Blair at the trial, in accordance with the provisions of Section 196 of the Code of Criminal Procedure, a copy of the Calendar in the above case together with a copy of Mr. Blair's letter to the High Court above referred to, and to request to be favored with the orders of Government on the subject.

NOTE.—The prisoners were also convicted and sentenced on another charge, and in that verdict Mr. Blair concurred.

(Signed) GEORGE ELLIS,
Session Judge.

From J. H. BLAIR, Esq., Acting Session Judge of Cuddalore; to C. F. CHAMIER, Esq., Registrar of the High Court of Judicature at Madras, dated Cuddalore, 7th February 1863.

I have the honor to submit for the consideration and orders of the Chief Justice and Judges of the High Court of Judicature the Calendar in Session Case No. 6 of 1863, in which the verdict of the Jury is distinctly opposed to the evidence.

The case is one of robbery and dacoity, and the evidence as to the identity of the prisoners is full of the grossest contradictions, the 1st and 5th witnesses were the parties said to have been robbed, the 2nd and 3rd witnesses being present at the commencement of the robbery which occurred about 5 P. M. These 4 persons do not agree in their statements as to the number of the robbers; 1st, 2nd and 3rd saying there were 8, whereas 5th says there were only 2. The witnesses did not point out the same persons as the particular thieves who attacked the 1st and 5th witnesses separately, and 5th pointed out prisoners in the Court as having committed certain acts during the robbery which she had accused others of committing before the Sub-Magistrate. The evidence was carefully summed up to the Jury, and they were directed not to convict the prisoners unless they were perfectly certain that they were the thieves.

The Jury brought in a verdict of guilty against 3 prisoners, and I was consequently obliged to adjudge a sentence suitable to the crime. I am, however, so convinced of the prisoners' innocence, that I conceive it to be my duty to address the High Court on the subject and to request they will pass such orders thereon as they think fit.

(True Copy.)

(Signed) GEORGE ELLIS,
Session Judge.

Calendar of persons tried before J. H. BLAIR, Esq., Session Judge of Cuddalore.

No. of the Case.	2 Name of the accused.	3 Copy of the charge or substance of the complaint.	4 Name of the complainant.	5 Name of witnesses for the prosecution.	6 Name of witnesses for the defence.	7 Summary of the facts proved or confessed.	8 Finding and sentence.	9 Date of offence.	10 Date of complaint.	11 Date of apprehension or appearance.	12 Date of commencing trial.	13 Date of sentence.	14 Explanation of delay.
6 of 1863.	1. Jadabillay Goorovadoo. 2. Gengala Moonygadoo. 3. Eroola Moonygadoo 4. Condagoor Moonygadoo 5. Condagoor Thimmadoo. 6. Congala Gengadoo. 7. Condagoor Appoodoo. 8. Mungala Colladoo.	Under Section 392 of the Penal Code. — Robbery. That they on the 10th December 1862, robbed Veerasamy Naik and Ellummal of their property in the limits of Pattanoor and that they have thereby committed an offence punishable under Section 392 of the Penal Code and within the cognizance of this Court of Sessions. Under Section 395 of the Penal Code. — 2nd Count.—Dacoity. That they to the number of 5 or more to wit to the number of 15 committed dacoity by robbing Veerasamy Naik and Ellummal of their property on the 10th December 1862, in the limits of Pattanoor, and that they have thereby committed an offence punishable under Section 395 of the Penal Code and within the cognizance of this Court of Sessions. The case was committed by Goolam Hyder Saib, 2nd Class Subordinate Magistrate of Nancor.	Queen.	1. Veerasamy Naik. 2. Chinnapien *alias* Tolooven. 3. Nagappa Cowaden. 4. Ellumma. 5. Goolam Cader.		After the evidence for the prosecution had been summed up the Jury were directed that they should first of all decide as to the proof of the robbery and having taken place, and secondly as to the identity of the prisoners, as there appeared to be several discrepancies in the statements of the witnesses on this point, they having pointed out differences as to the evidence as to the identity of the prisoners as having done certain acts spoken to by all of them both before the Sub-Magistrate and before the Session Court. The Jury are unanimous in finding that Judabillay Goorovadoo, Eroola Moonygadoo (3) and Gengala Gengadoo(6) are guilty of the offences specified in the charge, namely that they committed robbery and dacoity and have thereby committed offences punishable under Sections 392 and 395 of the Penal Code, and the Court sentences Jadabillay Goorovadoo (1), Eroola Moonygadoo (3) and Gengala Gengadoo (6) to four years' rigorous imprisonment in the Zillah Jail under the above Sections, and directs that Gengala Moonygadoo (2), Condagoor Moonygadoo (4), Condagoor Thimmadoo (5), Condagoor Appoodoo (7) and Mungala Coolladoo (8) be released. (True Copy.) (Signed) GEORGE ELLIS, *Session Judge.*	10th December 1862. " " 5th February 1863. " " 5th	10th December 1862. " " 10th February 1863. " "				

(Signed) J. H. BLAIR,
Acting Session Judge.

No. 241. ORDER THEREON, 27th May 1863, No. 820.

His Excellency the Governor in Council has carefully considered the record of Case No. 6 on the Calendar of the Session Court of Cuddalore for 1863, and the other papers submitted with the above letter; and he does not see sufficient grounds for disturbing the finding of the Jury before whom the case was tried.

2. There is no doubt that the robbery was committed, and that the prisoners were in the neighbourhood at the time. They were identified by the Prosecutor before the Police very shortly after the attack, and they have been convicted by both Judge and Jury of apparently a similar offence committed about the same time and place.

3. There are discrepancies in the evidence, as often occurs in the evidence given by Natives of the lower walks of life, whose ideas and testimony are often confused on points where precision is desirable. But these discrepancies were pointed out by the Judge to the Jury, who had the advantage of hearing the evidence delivered and noting the bearing of the witnesses, and who may be supposed to be able to decide on the general truth of the story; and as they have *unanimously* found the three prisoners guilty, the Governor in Council is not prepared to interfere with their verdict.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

and 35 witnesses being pro[illegible]

Cuddalore Session Court
7th February 1863

From,

J. H. Blair Esqre
Asst Session Judge of
Cuddalore.

To, C. F. Chanicer Esqre
Registrar of the High Court
of Judicature
at Madras.

Sir,

I have the honor to submit
for the consideration and orders of the
Chief justice and judges of the High
Court of Judicature the Calendar in
Session Case No 6 of 1863 in which the
verdict of the jury is distinctly opposed
to the evidence -

The case is one of robbery
and Dacoity, and the evidence as
to the identity of the Prisoners is
full of the grossest contradictions
the 1st and 5 witnesses were the parties
said to have been robbed, the 2nd
and 3rd witnesses being pre[illegible]
the

the commencement of the robbery - which occurred about 5 P.M. These 4 persons do not agree in their statements as to the number of the robbers 1st 2nd and 3rd saying there were 3, whereas 5th says there were only 2. The witnesses did not - point out the same persons as the particular thieves who attacked the 1st and 5 witnesses separately, and 5th pointed out prisoners in the Court as having committed certain acts during the robbery which she had accused others of committing before the Sub Magistrate. The evidence was carefully summed up to the Jury, and they were directed not to convict the prisoners unless they were perfectly certain that they were the thieves.

The Jury brought in a verdict of guilty against 3 Prisoners and I was consequently obliged to adjudge [illegible] sentence suitable to the crime

I am however so convinced of the prisoners' innocence, that I conceive it to be my duty to address the High Court on the subject and to request they will pass such orders thereon as they think fit.

I have &c
Signed J. D. Blair
Sessions Judge

Cuddalore
Sessions Court
7th February 1863.

True Copy
[illegible]
Sessions Judge.

Translation of Magisterial
proceedings in Sepion case
No 6 of 1863

July Sheet

	Before the Sub Magistrate	Before the Sessions Court
Deposition of Veerasawmy Sick (Prosecutor 1st Witness before the Sub Magistrate)	18 — 25	6
Do of 2d Witness Simmappien alias Powen	26 — 28	
Do of 3d Do Nagappa Caundien	29 — 32	
Do of 4th Do Sengalanee	33 — 35	
Do of 5th Do Ellummal	36 — 39	
Do of 6th Do Coolam Caudan	40 — 44	
Do of 8th Prisoner Sadabillay Soorooadoo (1st Prisoner before the Sessions Court)	2 — 3	
Do of 9th Prisoner Congoola Mooneyadoo (2d Prisoner before the Session Court)	4 — 5	
Do of 10th Prisoner Coola Mooneyadoo (3d Prisoner before the Session Court)	6 — 7	
Do of 11 Prisoner Condayoor Mooneyadoo (4th Prisoner before Do)	8 — 9	
Do of 12th Prisoner Condayoor Thimmadoo (5th Prisoner before Do)	10 — 11	
Do of 13th Prisoner Congoola Cangoodoo (6th Prisoner before Do)	12 — 13	
Do of 14th Prisoner Condayoor Appoodoo (7th Prisoner before Do)	14 — 15	
Do of 15th Prisoner Murugala Colladoo (8th Prisoner before Do)	16 — 17	
List of property robbed	45	
Arrety Report	1	

away they had come - that as it was then evening & they could discovery [illegible]
Prisoners &

The 6 witness the Deputy constable deposes that he apprehended all the Prisoners
on the Criminations of the 3d Prisoner & that the 1st witness and others whom were beaten looked
at the Prisoners and accused them &

All the Prisoners denied the charge

20 Mangaly of Doondoodee

2d January 1863.

1st Prisoner on Sepoy Cond

8th Prisoner Jadabillay Goorooradoo, Son of Goorooroodoo, of Odda caste, Vishnoo sect, a merchant by profession, aged about 30, and a resident of Condapully a dependency of Inolagacollay in the Zillah of Bangalore is examined before Goolam Hyder sub 2nd class Sub Magistrate of Vanoor as follows.-

A. I did not beat and rob the prosecutor Veeraswamy Naik of Perochetthumbalum & others of their property on the highway, nor do I know anything of the matter. One day about 24 or 25 days ago, I and other Prisoners had halted in the vicinity of Moottandy Chavadie for 2 days, on our return from Cuddalore after selling a quantity of tamarind there. Of the Prisoners now present 1st Pr. Veerarador, 12th Pr. (5 Pr. in 1st Sepoy Cond) Candayoor Thimmadoo and Gongoola 13th Pr. (6 Pr. in 1st C.) Gengadoo and 6 others went back from that place to Pondichery Moottandy Chavady to sell bullocks there; but our bargain not being effected, we left Pondichary & on our return we

8th Prisoner

Sadahilley Coravandoo.

are travelled by Mauttoocarun Chavadee 1st the old road, crossed French Chaukee, and at length reached Moattandy Chavadee; from whence we all set out and when arrived at Catrambakum, we halted there one day, and on the following day we started from that place, and approached Vellemodoopettah through Tindivanum road and halted near that Village. Atta Verador 1P Atta Condedor 2P and Atta Venettador 3P who had remained at Cattrambakum, went back from that Village to Pondichary with their 3 bullocks for sale. This is what I had passed. The Prosecutor's witnesses have accused me of the charges. I have nothing to say in my defence. nor have I any witness to be cited on my behalf.

I have heard the deposition read. It is correct

Mark of Sadahilley Coravandoo.

Taken down in my presence bearing and contains accurately the whole statement of the accused.

(Signed) Coolam Ryder

2d class Sub Magistrate

2d January 1863.

10

9th Prisoner Conjola Moonegadoo Son of Jeseny of the Atta Caste, sect unknown, a merchant by profession, aged about 35, and a resident of Condapully attached to Moolaga Cutley Taluk in Bellary Zillah is examined before Goolam Hyder Saib 2d Class Sub Magistrate of Vavoor as follows

× 2d Pr. in Sepia case.

A. One day the exact date I dont recollect about 20 or 22 days ago I and others had halted on the northern direction of Morattandy Chavadee for 1 day, on my return from Cuddelore after selling a quantity tamarind there. On the following day we started from that place travelled through Kelyanoor road and arrived at Cuttrambakum - where I and others staid one day and next day we passed by Tindivanum road and reached the vicinity of Vellimodapettah. This is what passed. I did not beat & rob the Prosecutor Veerasawmy Naik and others of their property. I know nothing of the matter. The Prosecutor's witnesses have deposed against me that I beat and robbed them. I have nothing to offer in my defence, neither have I any witnesses to be cited on my behalf.

I have heard the deposition read

Lt

1ª Prisonier
Congoola
moongadoo.

It is Correct

Mark of Congoola Moongadoo

Taken down in my presence hearing
& contains accurately the whole statement of
the accused

Signed Evelam Wyder
2ª class Sub Magistrate

10th Prisoner Erroola Moongadoo.

12

6

2d January 1863.

10th Prisoner Erroola Moongadoo Son of Erroola Condadoo, of the Atta caste (last unknown) a merchant by profession, aged about 35, and a resident of Condapully, a dependency of Moolagapully, in the Zillah of Bengalore, is examined before Goolam Hyder, Sub Magistrate of Vanore as follows

* 5th Pr. in Separate Case

On my return from Cuddalore after selling a quantity of tamarind there, I and others had halted one day on the northern direction of Marattandy Chauadee. On the following day we left that place, travelled through Peleyanoor road, and reached Cauthrambakum where we staid that day. On the 3d day some of us went towards the north. The Prisoners, 1st Pr. Veerádoo, 2d Pr. Condadoo and 3d Pr. Vencattadoo alone went back from that Village to Pondicherry to sell their bullocks, but we left Cauthrambakum and staid in a certain place beyond Tindivanum. I did not Beat and rob the Prosecutor Veeraseamy Naik and others of their property on the high way; neither did I accompany them to Pondicherry. The Prosecutor deposed against me that I had beaten and robbed them of their property. I have nothing to

to offer in my defence, nor have I any witness
in my behalf.

I have heard the deposition read.
It is correct.

mark of Enola Moonegadoo

Taken down in my presence hearing
and contains accurately the whole statement
of the accused.

Signed Evelan Hyder
2d class Sub Magistrate

14

x 4 Prisoner in S. Core

1th Prisoner Condayar Moonegadoo, Son of Cundayar Moonegado of the Atta Caste, a Merchant by Profession, aged about 40 and resident of Condapully a dependency of Mologanelly talook in Bellary Zillah is examined before Goolam Hyder, 2d class Sub Magistrate of Vanoor as follows.

A About 20 or 22 days ago (the exact date I dont recollect) I set out from Cuddalore after selling a quantity of tamarind there, and while passing through Morattandy Cauady, we halted one day at Cauttrambakum, and on the following morning, we crossed Tindevanum and put up in a place beyond that Talook. But one Veerador, Condadoo and Vengattadoo who stopped at Cauttrambakum, we left back to Pondichary with their bullocks for sale. This is what passed. I did not beat and rob the Prosecutor Veeraswamy Naik and others of their property on the highway. The Prosecutor's witnesses have deposed against me that I had beaten & committed robbery. I have nothing to offer in my defence nor have any witnesses to be cited in my behalf.

I have heard the deposition read.

2h

1

11: P.S. Condegoor
moonegadoo.

15

9

It is Correct

Mark of Condegoor moonegadoo

Taken down in my presence hearing
& contains accurately the whole Statement of
the accused

Signed/ Coolam Hyder
2d Class Sub Magistrate

† 5. P.W. in S. Case

12th Prisoner Candayar Timmador, Son of Condayar Coroovador, of the Atta Caste, a merchant by profession, aged about 40 and a resident of Candapully a dependency of Mootapaly ~~Candapully~~ in Bongalore Zillah is examined before Coolam Wyder Sub 2d class Sub Magistrate as follows

A. About 20 or 22 days ago (the exact date I dont recollect) we went to Cuddalore, and after selling a quantity of tamarind there, we set out and reached Morattandee Chavadee near which I and other Prisoners lodged one day. On the following morning we left that place, travelled through Tindivanum and arrived at a place near Vellemodoo, and halted there. I did not go back to Pondichary to sell bullocks, but while we had halted in the vicinity of Morattandy Chavadee I in company with the 8th Prisoner Sadabilla Goorooadoo 1st Witness before S. Court 9th Prisoner Congala Moonegadoo, 11th Prisoner Condayar Moonegadoo, 12th Prisoner Condayar Timmador and 13th Prisoner Ganga Goor 2d Witness before S. Court 4th Witness before S. Court 5th Witness in S. C. Gengadoo and some others went to Pondichary to sell bullocks and when we started from that place, we travelled through the old road called Mauttoveren Chavadee and arrived

12. Prisoner Condgor
Linmadoo

arrived at our cottage near Morattandy Chavadi
It was then evening - we passed that night
there, next day we set out and arrived at
Cattrambakum which we left the same
day; but 2 of us Viz^t 1st P.S. Veeradoo and 2d R.S. Condadoo,
went back to Pondichary to sell bullocks. This
is what passed - I did not beat the Prosecutor
and others nor robbed them of their property
on the high way - On my return from Pondichery
the 14th Prisoner and 6 of the Prisoners accompanied
me.

The Prosecutor's witnesses have deposed
against me that I had beaten & committed
robbery - I have nothing to offer in my
defence, neither have I any witnesses to be
cited on my behalf

I have heard the depositions read.
It is correct

Mark of Condgoor Linmadoo

Taken down in my presence hearing
and contains accurately the whole statement
of the accused

(Signed) Coolam Ryder
2d. Class Sub Magistrate

13th Witness Congoola Gengadoo.

12

7th January 1863.

18

* 6 Witnesses Examined Case

13th Prisoner Cannegoola Gengadoo son of Thimmathasa of the Atta caste, a Merchant by profession aged about 40 and a resident of Condapelly a dependency of Polacavelly Talook in the Zillah of Bellary is examined before Goolam Hyder, 2nd Class Sub Magistrate of Vaneore as follows

Having sold tamarind at Cuddalore about 20 or 25 days ago, I and other Prisoners left that place and when drew near Morattandy Chavadee we halted there one day. And afterwards I with the 8th Prisoner Jadalilly (1 Witness in S.C.) Gooroovadoo, Atta Veeradoo, (1 Witness) Atta Condadoo (2 Witnesses) Congela Moonegadoo, (3 Witnesses in S.C.) Erroola Moonegadoo (9 Witnesses) Condayoor Moonegadoo, (4 Witnesses in S.C.) Condayoor Timmadoo (10 Witnesses (5 Witnesses in S.C.)) Condayoor Appadoo, (11 Witnesses) Muryala Coolladoo (7 Witnesses in S.C.) (12 Witnesses) & some others went back to Pondicherry one day to sell bullocks, but our bargain was not effected there; we therefore on the afternoon of the same day set out & reached Manttoconen Chavadee through the old road and passed that night there in a cottage. On the following day we went to Cauttrambakum and lodged there. The third day we set out & departed through Tindevanum road. But Veerádoo, (1 Witness) Condadoo (2 Witnesses) and

13th Prisoner
Congoola Jengadoo.

19

15

and Vencattado went back from Cauttrambakam
to Pondichery with their bullocks for sale.
While we were put up in the vicinity of
Villemodoo, the Police Deputy Constables
and others came there, and having searched
our cottages, apprehended me and others.
I did not beat and rob the Prosecutor
Veerasawmy Naik and others nor rob them
of their property on the highway. But the
Prosecutors witnesses deposed against me that
I had beaten and committed robbery. I have
nothing to offer in my defence on the
subject - neither have I any witnesses on
my behalf.

I have heard the depostion read.
It is correct

mark of Congoola Jengadoo

Taken down in my presence hearing
and contains accurately the whole State-
ment of the accused

Signed/ Graham Hyder
2d Class dub Magistrate

2d January 1863.

×7 Wm S. cond.

×14th Prisoner Condayoor Appoodoo, Son of Condayoor Moonegadoo, of the Otta caste, a merchant by profession, aged about 45, and a resident of Cundapully a dependency of Mulagunty Talook in Bellary Zillah is examined before Gorlam Wyder, Sub. 2d Class Sub Magistrate of Vanoor as follows.

On our return from Cuddalore after selling Tamarind we had halted at Moattandy Chaultry on the road. This now a month or 20 or 25 days ago - We stayed there one day - At the Prisoners, Congala Moonegadoo (2 Wm S.C.) 2d Pr. Gona Goola Gengoodoo (2d Wm S.C.) 13 Ps. and some others went back from Moattandee Chauadee to Pondicherry and sold them 2 or 3 bullocks - On the following day we left that place and halted in the vicinity of Cattrambakum - On the third day we travelled through Tindevanum and put up near - Vellemodoo - Veerádoo, 1 Pr. Condadoo, 2 Ps. and Vencattadoo, 3 Ps. while at Cattrambakum went back from thence to Pondicherry to sell bullocks; While we were put up near Vellemodoo, the deputy Constables and others came and having searched our huts apprehended us - no articles robbed were found

14 Rs Condayon Appoodoo

found - I did not and rob the Prosecutor Veerasaw my Cook and others on the highway nor did I go with other Prisoners to Pondichery The Prosecutor's witnesses deposed against me that I had beaten and robbed the Prosecutor I have nothing to offer in my defence, neither have I any witnesses to be cited in my behalf

I have heard the deposition read & it is correct

mark of Condayon Appoodoo

Taken down in my presence hearing & contains accurately the whole statement of the accused

Signed Evelam Dyder

1st class Sub Magistrate

8 PS in S. Cane-

15th Prisoner Rungala Coollador, son of Cundayen Moneyador, of the Etta caste, a merchant by profession, aged about 45, and a resident of Condapally & dependency Mologacolly Talook in Bellary Zillah is examined before Lenlam Hyder, Sub 2d class duly Magistrate as follows

1. On our return from Cuddalore after selling a quantity of tamarind there we had halted on the northern direction of Mooattandu Chavadee- It was about 23 days ago I and Etta Condador, 2 PS Etta Vengattador, 5 PS Sadabillay (1 PS in S.C.) Goorumador, 8 PS. Congela Moneyador, (2 PS in S.C.) 9 PS. Coola Moneyador, (3 PS in S.C.) 10 PS Condayoor Moneyador, (4 PS in S.C.) 11 PS. Cundayen Limmador 12 PS (5 PS) Cane Goola Congador 13 PS Condayoor appoodoo 14 PS and some others went back from that place to Pondichery and having sold there 4 or 5 bullocks & back, travelled through Mauttoveeven Chavadee the old road- and halted there in a Cottage- next day, we passed by Keleyanoor road arrived in the vicinity of Cattoambakum & stayed there one day- On the following day I and some others went away towards the north- The 1st 2d & 3d Prisoners alone went back to Pondichery, with three bullocks for sale- We travelled through Tindivanum & halted in the vicinity of Pellemodoo where the

15th Prisoner
Mungala
Coolladoo.

the Deputy constables and others came and having searched the huts of Prisoners & apprehended us and carried us away to the station house. I did not beat and rob the Prosecutor and others on the highway The Prosecutor's witnesses deposed against me that I had committed robbery, but I have nothing to offer in my defence neither have I any witnesses to be cited on my behalf.

Mark of Mungala Coolladoo

Taken down in my presence having & contains accurately the whole statement of the accused

Signed Golam Hyder
2d class Sub Magistrate

27th December 1862.

24

(1. Witness) Prosecutor Veeraswmy Raik, son of appanoo Raik, of the Commaravar caste, Sevadeck, & cultivator by profession, aged about 51 and a resident of Therovechitumbalum attached to Vanoor is examined on solemn affirmation before Coolam Ryder Sahib 2d class Sub & Magistrate of Vanoor as follows

A. On the morning of Wednesday the 26th Carthey or 10th December of the present year I was at Pondichary and on the evening of the same day, I, accompanied by one Ellummal S.W. wife of my brother-in-law Paroomal Raik of Ponchamadame as well as my sister's daughter Loyemmal 10 years old, started from Pondichary, and while we were passing on the Aboad through Mauttoeoren & Chanadee a dependency of Puttanoor, we saw 203 Individuals of Pakkodayambut near a Chauke attached to French territory; where, one Atta Veerádo 1st P., Atta Condádo 2d P. and Atta Vencattádo 3d P. were offering to them 3 bullocks for sale. The said Inhabitants then looked at me and said that the said Boldero had been bargaining with them about the bullocks since that afternoon. but that they would not speak

to

Prosecutor (Pitchaya
Veeras amy paid

to him the exact value thereof - I told them
to take the bullocks for a sum Quarter Rupee more or less
than ~~1/2 a Rupee~~ and went away - when the 1st
and 3d Prisoners finding their bargain ineffectual
followed us towards the west - while the 2d
Prisoner pursued the 1st and 3d calling to them -
One Pappalcoa Simmappyen then found us
while going through the old road, close to
Narroyanen's cottage, situated 4 or 5 cawnies
distant South of banion tree belonging to
Maureyemmen pagoda 1/4 mile distant west
of Mauttoocoreen's Chavadee - Morattandee a
Chavadee - Nagappa 3d Counden was 2 coles off
behind him - Ellumma 5th and Loyemmal a
female child and myself were coming 1 cole
behind Nagappa 3d Counden - It was then 1 1/2
Indian hour before Sun set - when the 15th
Prisoner Conjeeada Jengadoo (6th Pr. in Sessions case) & 8th Prisoner
Dadabillay 1 Pr. in S.C. Goorovadoo, both came from
a northern quarter and attacked & frightened
Nagappa 3d Counden, Ellumma 5th, Loyemmal 1 Pr. in S.C.
and myself, while the 8th Prisoner called
to some one by whistling - but 1st 2d & 3d
Prisoners who were following us concealed
themselves in a bush - On hearing the cries
set up by 8th Prisoner, 4 others (whom I have
point

(Prosecutor) 1st Witness
Veeras[illegible] my brother

(3 Pr. in S.C.) 26 20

point out Wife Eroola Moonegadoo, Condayer
(4 Pr. in S.C.) 11 Pr Moonegadoo and Condayer (5 Pr. in S.C.) Temmadoo 12 Pr & Munzala
(8 Pr. in S.C.) 15 Pr Coollador appeared there and surrounded us.
The 9th Prisoner (2 Pr. in S.C.) Congela Moonegadoo and 14th
Prisoner 7 Pr. in S.C. Condayer Appoodoo Came there at
the same time, and joined the gang. Of the
8 Prisoners who there surrounded us, the 13th
Prisoner 5 Pr. in S.C. Congadoo Cengadoo seized hold
of me by my throat, and the 8th Prisoner
whom I now point out caught hold of my
legs & threw me down with my back to the
ground. The 10-3 11-4 12-5 & 15-8 Prisoners pulled
my brother in law's wife 5th Witness Ellumma by her
hair knew her down and was pressing her down, when the
2 Pr. 9th and 14th 7 Pr. in S.C. Prisoners robbed the woman
of her Jewels which I have specified in
a separate list. The 8th 15 & 13th 5 Pr. in S.C. Prisoners
whowere holding me fast beat & kicked
me & also pinched me on my neck. The
10th 3 Pr. in S.C. Prisoner Eroola Moonegadoo and the
11th 4 Pr. in S.C. Prisoner Condayer Moonegadoo whowere
beating my brother-in-law's wife came to me
and were throwing stones at Tapaleara 2d Simapyen
and Rajappa 3d Counden to prevent their approach.
Tapaleara 2d Simmapyen and Rajappa 3d Counden
then called out to 2 or 3 Bandy men who were
going a-

(Prosecutor) 1st witness
Veer as aw my
saick.

going on the new road with their carts, but they did not come to our assistance - But one Para Sengalanee who was tending his cattle in a field on the north side came running but his cattle having strayed into a field, he ran after them to drive them off; when Nagappa 3.W. Caunden sent for and told him to go and report the matter to the Lawyer Chaukee & went himself there. In the meanwhile, Doyemmal a female child was afraid at their sight and ran weeping towards the west - when nagappa 3rd Caunden took up the child and carried her with him to the Lawyer Chaukee, but Simapyen remained 2.W. on the same spot. The robbery perpetrated by these Prisoners lasted for 1 or 1½ Indian hour - In short, they (all in No 8) fled towards the north. At their departure the 8th Prisoner 1 Pr. in S.C.
Jadabelley, Eeroovadoo and 11th Prisoner Condeyen 4 Pr. in S.C.
Mooneyadoo, carried off my Lomen Cloth &c. The value of property thus robbed by them is Rupees 120 — 14 — — which I have specified in my list - we were not robbed of any other property - Shortly after their departure, we heard certain noise in the east side - On

our

our enquiry we were informed that they had beaten and robbed one Mootoopalanepandaram of his property- As I was beaten and pull down by robbers, my body was all over swallens and I felt pain, but now I find myself some what better- The skin on the neck was taken off by being scratched by the nails of thieves, but that part is now healed. I had likewise slight wounds both on the right knee and elbow by being rubbed on the ground. They were also in a healed state- I asked the robbers for my cloth at their departure, when Condagoon Simmadoo 5 P. in L. 12 P. threw stones at me- which hit me on my left breast and hurt me- The spot where the robbery was perpetrated is one cawny distant from the new road; and more attandy Chavadee is 1/4 mile distant from the scene of robbery. Ellumma 5th received no wounds- The Prisoners had no sticks nor weapons in their hands- The pd 2d & 3d Prisoners who followed us subsequently concealed themselves behind a bush- and did not appear at the place where the robbery was perpetrated- I saw the 4th Prisoner Irungala Theroomalee- 5 Prisoner Irungala Thimmadoo 6 Prisoner Atta Thimmadoo and the 7th Prisoner Atta Lengadoo, while passing near the Ground

Interpreter

Rose. (1. Witness
Verasawmy
naick

Sawyer Chaukee - I did not see these 4 Prisoners
at the scene of the robbery, neither did they
appear there - But all the 8 Prisoners whom
I now point out Viz. the (1 2 3 4 5 6 7 & 8 & 9
8, 9, 10, 11, 12, 13, 14 & 15
Prisoners beat and robbed me and others of
our property - After their departure, we got up and
went towards the Sawyer Cutchery - we met
on the road Sawyer peons who were coming to
our assistance and then we all assembled
together, went to the Sawyer Cutchery and
having reported the circumstance there,
returned to our Village - which is in the
neighbourhood of the Chaukee - On the night
in question, the Deputy Constables of Vanoor
and others received news, came and enquired
of me; I told them what had passed - I also
took them with me and showed the place
where the robbery was perpetrated - The Police
Inspector also went and inspected the place
On the same night they went in quest of
robbers but they were not to be found - But
as the 1st 2d & 3d Prisoners were alone found,
they were brought and confined in Sawyer
Cutchery - It was afterwards the Deputy
Constable and others went and apprehended
~~these~~ the Prisoners on the descriptions given by
me - As these Individuals put up in Cottages
at

at Vellemodoo, they were searched but no articles were found. Most of the Prisoners aforesaid talked Telugoo while the rest spoke that language mixing tamil words. The robbers had white cloths on their waists and heads. One of them seized me by my lock of hair and pressed me down. I then pulled him by his "Jada" when it came off with my hands but I could not know from whose head it came off. The same Jada is now before the Cutcherry under trial. As the robbery was perpetrated before dusk I could identify all the Prisoners aforesaid. Sapalee 2d W. simapyen, Rajappa 3d W. Caunden & Para 4th W. dengalane are aware of the fact of robbery. I have no other witnesses to prove them. The 8, 9, 10, 11, 12, 13, 14 & 15th Prisoners are the very individuals that beat and robbed me and others of our property. I was not present when the huts of Prisoners were searched. I remained at home as I was suffering from the ill treatment of robbers. I heard the Deputy Constables say that none of the robbed articles were found. When the 8th & 13th Prisoners called out to some one in the first instance, the 10, 11, 12, & 15th Prisoners came three from Cawny distance north of the place and the 9 and 14th Prisoners appeared there from the southern part of road

† A long entangled & plaited hair

1 Pr. in Sp. Case. 5 Prs in S.C. (3. 4 5 8th in S. Case) 2 Prs 7 Prs in S.C.

+ a long entangled hair

road side. The Saddey now before the Cutchery came off with my hands when I pulled the lock of hair. It appears that they used to tie up their lock of hair with the same Saddey. there were neither trees nor bushes on the road side through which the 3 4 5 8 15th 7 Cau.
10, 11, 12, and 15th Prisoners came. As it was an open place, I could see them distinctly.

I have heard the deposition read. It is correct

(Signed) Veerasawmy

This deposition given on solemn affirmation was read over to the deponent in Tamil & he admitted it to be correct.

(signed) Coolam Wyder
2d class sub Magistrate

2d Witness Sinnapyen alias Poovan

14th Margatty of Doondoobee
27th December 1862

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2d Witness Sinnapyen alias Poovan, son of Coppereaon, of the Paria caste, Vellaloo cultivator & cart driver, aged about 32 and a resident of Sinna Valavan in the Talook of Tindivanum is examined on solemn affirmation before Veolam Wyder Sub Magistrate & Poovan as follows

A. One Evening about 10 or 12 days ago (the exact date I don't recollect) I with one Morattandy Chavadee Rayappa Counden left Pondichery and arrived at Morattandy Chavadee through the old road. There was a hut between the said Chavadee and Pondichery. As I was approaching it, I saw the Prosecutor Veerasawmy Naik of Erovichittumbalum and a woman with a female child going before. I joined them and went on a short distance. but as I had to procure some post bullocks I left them and walked before, while Rayappa Counden and the prosecutor and others were behind me. I then met 2 persons resembling Coravers with nailsaw on their heads, but I did not see their faces. After I had gone a short distance, I heard certain cries and turned. I saw at about ½ a Cawny of distance, the Prosecutor and others in

2P. with Sp Ninapayen
alias Poouen

in the hands of dont 7 robbers, of whom 3 Individuals caught hold of the woman who accompanied the prosecutor, pulled her down and were stripping her of her Ornaments both on her ears and the neck. The prosecutor & others then cried out. I called to certain Bandy men going along the road with their carts. When 4 of the 7 robbers ran and stood on a high ground on the road side. But the Bandy men did not come to our assistance. I ran to the spot where the robbery was perpetrated when 2 of the robbers threw stones about to prevent my approach. a female child then ran weaping. Rayappa 3rd Counden took her up and ran towards the Sawyer Cutchery. In short the robbers having robbed the property fled towards the east. The prosecutor was then found naked. I gave him my cloth and brought him to Sawyer Chanadee. This is what I know. I have looked at the Prisoners now before the cutchery, but I did not identify them. The robbers were beating the prosecutor. I saw it. All the robbers who were there were of atta caste. They could not speak Tamil distinctly. They had no sticks or other weapons &c. they were engaged in committing robbery for half an

Inside

Indian hour - Of the Prisoners now before
the Cutcherry Congola Moongadoo & Condayon
2 P (2 Rupees & C.)
12 P (5 Rupees & C.)
Linnadoo resemble the men who were there
I could not positively say that they are the
very men that robbed the woman of her
ornaments

I have heard the deposition read.
It is correct

Mark of Linnapyen

The deposition given on Solemn
Affirmation was read over to the Deponent
in Tamil and admitted to be correct

(Signed) Coolam Ryder
Sub Magistrate

27th Dec. 1862

3d Witness Ragappa Counden, son of Vencatachella Counden, of the Pallee caste, Vellaloo sect, a cultivator by profession, aged about 45 and a resident of Morattandy Chavadee a dependency of Perochittumbalum is examined on solemn affirmation before Coolam Hyder, Sub 2d class sub Magistrate of Valoor the aforesaid Talook as follows

One evening about 16 days ago, I and Papalcora Simnapyen (2 W.) went to Pondichary and from thence while we were passing by the old road, near Karayanen's hut in order to go to Morattandy Chavadee, the prosecutor Perochittumbalum Veeraswamy Naik, a woman and a female child all joined me on their way from Pondichary - we in all 5 persons travelled together and when we passed ¼ miles distant on the west side through the old road Papalcora Simnapyen (2 W.) went in front & I and the prosecutor and others followed him. It was half past 5 before sun set - when Jadabillay (8 P. 10 V.) Coormadoo & Congela (13 P. 5 R. ni S. C.) Pengadoo, both came towards us from the north side. The 13th Prisoner (15 P. 12 ni S. C.) set up a cry standing on the north side; I asked him who he was; he said "Dont yaw know that I am Atta chetty? The aforesaid took

took his upper cloth and tied it round his waist
4 other persons then came up from the north
side on hearing the cries of 13th Prisoner - the
13th Wit. (5th Wit. in S.C.) seized hold of the woman who stood by the
prosecutor by her hair, and threw her down -
I and the Prosecutor then crying Adah!
Adah! went close to him - The 8th Prisoner
whom I now point out then held fast the leg
of the Prosecutor and pushed him down -
A young female child who was behind the
Prosecutor was afraid of this and ran away
weaping towards the east - Tapalcora Linna 2d
-pyen who was going before heard my cries and
returned to the place where the robbery was
perpetrated - I then saw 4 or 5 Bandy men
going to Pondichary from the west and
called out to them, but they did not come
to assist us - I took up the young child who
ran crying and turned behind - About 7 or
8 persons were then surrounding the
Prosecutor and others - when Linna 2d pyen
~~then~~ who looked at me said "they were
beating" "come running" He likewise called
to the Bandy men who were going along
the road - As I proceeded a little further
I could not see the other robbers who were
then assembled there, neither did I see
among

among the gang who committed robbery -
As I was running towards Sawyer Chavadi
with the child, I saw one Para Sengalan
of my Village tending cattle in a field
north of the spot where robbery was
perpetrated - I called to him for assistance,
he said "how could I come leaving my cattle"
I then told him to go and report in the Sawyer
Cutcherry and myself ran there - The
aforesaid Sengalan who looked at the
crowd ran before me to Sawyer Cutcherry
and on his information certain people
came from Sawyer Chavadi - I left the
child in the Sawyer's when I was returning
to the Scene of robbery and met on the road
the Prosecutor and others whom I joined
and went back to the Sawyer Cutcherry -
Papaleara Simnapyen knows all that had
happened - The place of robbery is 1 Cawny
distant from the old road - Moreattandi
Chavadi is about 3/4 mile from the place
where the robbery was perpetrated - The
8th or 13th Prisoner or others had no weapons
I could not identify the other robbers as
I had run away from the place before
they could arrive - I could distinctly identify
the 8th and the 13th Prisoners - since they are
the

P. Muthuppa Rajappa
Coumdem

the very people that had seized hold of the Prosecutor - I recognized only these 2 Prisoners and not others - On my returning from Sawyer Chaukee after having left the child there & the Prosecutor and others (who met me) told me they had been beaten and robbed of their property - next morning I went about my own business - When I saw the Prosecutor the third day after the robbery he had bruises and wound on his person from blows &

I have heard the deposition read. It is correct &

/Signed/ Rajappen

This deposition given on Solemn affirmation was read over to the Deponent in Tamil and he admitted it to be correct

Signed/ Coolam Ryder
2d Class Sub Magistrate

1st December 1862. 39

4th Witness Sengalance, son of Pongoon, of the Paria caste, Sona Seik, a Sanan by profession aged about 28, and a resident of Morattandy Chavady attached to Vanoor is examined on Solemn affirmation before Evolam Wyder 2d asst. 2e class Sub Magistrate of Vanoor as follows

A. One evening about 16 days ago (the exact date I dont recollect) while I was tending my cattle in a field in the vicinity of Morattandy Chavadee north of the old road and of my Village, the 10th Prisoner Evoola Reoneyadoo and the 11th Prisoner Condayoor Reoneyadoo (whom I now point out) got upon the road and thence went towards the east. After this 6 others came by the field of horse gram from the direction of Pondichary and then joining with the other 2, walked off towards the East. As the aforesaid 6 persons were at a certain distance, I could not identify who they were. A short time afterwards, I heard a certain noise near the old road. but could not see any thing. There is a grove of palmira trees between the place where I was and that whence the noise arose. meanwhile, Nagappa Caunden of my Village 3d Wit

came

came in front of me with a female child
and telling me that thieves were beating the
prosecutor and others, desired me to go and
inform the circumstance in the Sawyer
Cutcherry - I did so - The peons and others
who were there ran in a crowd - I also ran
after them - When we were running we
met the Prosecutor Veerasawmy Naik &
and others who were beaten by robbers - The
Prosecutor was found naked - a woman
accompanied him - The Prosecutor told
me that he had been beaten and robbed
of all his property - He had swellings over
all his breast and other part of his body
by being bidt with stones - He had also
wounds on his arm - In short, all the
people arrived at the Sawyer Cutchery -
I went away to drive back my bullocks -
It was 1½ Indian hour before sun
set when the robbery was being perpetrated
This is what I know, I did not see other
Prisoners excepting those Nos. 10 and 11 (3 & 4 Wm. & Cand)
I have heard the deposition read. It is
correct. The 10th and 11th Prisoners had
no weapons when I saw them - I have
heard the deposition read. It is correct.

Mark of Lingalanee

This

4 Lieutenants
Mugaldanee

This deposition given on Solemn affirmation was read over to the Deponent in Tamil and he admitted it to be correct.

/Signed/ Evelam Ryder
Sub Magistrate

5th Witness
Ellummal

7th January 1863.

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5th Witness Ellammal, wife of Paroomal ka[illegible]
of the Cramma or caste, Vishnoo sect maintained
by her own labor & a resident of Pindamadavee
attached to Villaporum Talook is examined
on solemn affirmation before Coolam-
Ayder, 2nd Class Sub Magistrate, as follows.

A. As the Prosecutor Veerasawmy Naik
of Teroochittumbalum is my relative, I went
to see him, but as he had gone to Pondich[illegible]
before my arrival there, I went to Pondichary
one morning (the exact date I do not recollect)
about 20 days ago. I saw the Prosecutor Veerasawmy
Naik there - I and he left Pondichary with
one Loyemmal the daughter of my husband's
brother's wife and while we 3 persons were
passing by Mattoocaren Chavadee, one
Pullee and a paria joined us on the road
and were following us - It was then 1½
Indian hour before Sun set. The 9th Prisoner
Congela Moneyadoo now before the Cutcherry
the 12th Prisoner Condyoor Simmadoo and
the 15th Prisoner Muniyala Coollador met
us on the road; when they having tied their
cloths round their waist, set up a sort of
cry - On hearing which, the 8th Prisoner
Jadabilly

5th Pr vs in S. Case

Sadabilley Coroonadoo, 13th Prisoner Gongoola
3d Pr vs in S. Case
Gengadoo, the 10th Prisoner Evoola Moonegadoo
4 Pr vs in S. Case
the 11th Cundagoor Moonegadoo & the 14 Prisoner
7 Pr vs in S. Case
condagoor Appoodoo were running in front
of us - All the 8 Prisoners whom I now point
8 Pr vs in S. C:
out attacked us - The 15th Prisoner Mungala
Caddadoo caught hold of me by my hair and
2 Pr vs in S. C:
pulled me down - while the 9th Prisoner
5 Pr vs in S. Case
Congala Moonegadoo and the 12th Prisoner
condagoor Timmadoo seized hold of my hand
and gave me a slap on the face - I cried out
Iyoh! Iyoh! The Prosecutor Veerasawmy
Raik and a pullee came up to me - the 8.
1 Pr vs in S. Case.
Prisoner Sadabilley Goroonadoo and the 13
5th Pr vs in S. Case.
Prisoner Gongoola Gengadoo whom I
now point out then caught hold of the
Prosecutor and beat him - The robbers while
beating the Prosecutor often came and
troubled me too on hearing my cries - A
female child named Tayemmal who
was there ran away from that place on
seeing these men - A pullee then took
up the child, while another person stood
at a little distance - In short, the 9th 12th 14th
2d 5th 7th
and 15th Prisoners robbed me of my ear
8 Pr vs in S. Case
ornaments, as well as addegay, & Tauley
on my neck together with a bracelet on my
hands

hands. They are the very men that robbed me of the above property. All the aforesaid 8 Prisoners remained there for one Indian hour and having beaten and robbed us of our property fled towards the north. These 8 Prisoners beat me and the 1st Witness Prosecutor and robbed us of our property. They had no sticks or other weapons. When I saw the 8 Prisoners in the first instance, they had cloths on their heads and some cloths on their shoulders but subsequently they tied the said cloths about their waists. The 9th Prisoner whom I now point out was throwing stones at me to prevent my approach. I was robbed of no other property than those specified in the List. They amount to Rupees 107—6—, they are my own; no other property of mine was robbed. After the departure of robbers, I and the Prosecutor were going to the Lawyer Chawdee of Moratandy Chawdee. We then met the Lawyer Peons, and others to whom we gave an account of the robbery & returned to Terrochittumbalum on the night in question. All the 8 Prisoners whom I now point out Viz. 1, 2, 3, 4, 5, 6, 7, & 8, and 15 Prisoners have perpetrated the robbery. but I did not see Atta Veeradoo, Atta Condadoo and

1st Witness
Ellummal

and Vencattadoo, 3d Deft Sub Mr. Mungala Veroomalay, 4 Deft Sub Mr. Mungala Timmadoo, 5 Deft Sub Mr. Atta Timmadoo & Atta Cengadoo 7 Deft Sub Mr. in the scene of robbery - They were not in the gang - I had no warning to see. As there was light in the evening I distinctly identified these 8 Prisoners - The Sun was then well shining - I have heard the deposition read. It is correct -

Mark of Ellummal

This deposition given on solemn affirmation was read over to the Deponent in Tamil and he admitted it to be correct.

(Signed) Goolam Hyder
2d Dep Sub Magistrate

D^r^ Witness
Goolam Cawder

1^st^ January 1863.

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6^t^ Witness Goolam Cawder, son of Syadoolla khan of Terochettumbalum, of the Mahomedan caste of Mahomedan sect, Deputy Constable N^o^ 627 of Vanoor station, aged about 40 is examined on Solemn affirmation before Soolani Hyder 2^d^ class Sub Magistrate of Vanoor as follows.

A. On the night of 10^th^ December last while I was in my station, Puttanoor Talery came to me at 11 Clock P. M. and told me that Terochettumbalum Veerasawmy Naik and others had been robbed on the high way while passing by oldroad behind Mattoocaren Chaudee on their way from Pondichery. I immediately took with me 2 constables to Terochettumbalum, inspected the prosecutor Veerasawmy Naik and others, and enquired about the robbery. He then informed me as stated above. and also said that he can identify the robbers & that he knows that they are of Otta caste. On the same night I in company with the prosecutor Veerasawmy Naik, repaired to Morattandy Chaudee where I saw the 1^st^ Prisoner Veerado, 2^d^ Condadoo and 3^d^ Vencattadoo whome confined in the Sawyer Cutcherry in the Custody of Sawyer Servants who

Dt. Lieut. Goolan Cawder -

who had apprehended them on suspicion - One Litchmee ammal and her husband Premiospa Cawden of Karayenaporum the dependency of Poodoopawkum who were near Lawyer Cutcherry then said that they had been robbed near a bridge in the vicinity of Topal Cottage - that one Mottoopalany Pundarum of Moottandew Chawadee was robbed on the old road while returning from Pondichery, and one Sadanapput Moottoodawmy and others near a banian tree on the road side - and that the robbery was thus perpetrated in 4 places from the evening to 8 Clock of the night of the 10th December - On my questioning the Prisoners who were confined there, the 3d Prisoner Veerattadoo now before the Cutchery admitted that people of his class had gone before, and that they might be the Individuals that had committed robbery on the high way and that he could point them out - The Prosecutor Veeraswamy Naik also said that he could recognize their features; but ~~that~~ as he was suffering from blows received by robbers, I thought it improper to take him with me but took with me the 3d Prisoner as well as certain prosecutors in other cases, on the night in question, and while we

Dr Hettiaratchy
Goolam Cawder

we reached Kelyanoo station we took 2
other constables to assist us, and then went
to Sindawanum: where we visited the
Inspector and having told him the matter
I received 2 more constables from him and
left that place on the morning of the 11th
while we were passing in the vicinity of
Vellemodoo at half past 2 in the afternoon,
we saw 13 cattages on the road side occupied
by Addaro- The 3d Prisoner then pointed
out the said cattages saying that people
living in the said cattages were robbers-
I remained there and sent word to the
Officer of the station house at Vellemodoo
he arrived at 3 o'Clock P.M. with some constables
we both went together to the hut, and told
the 3d Prisoner to point out the theives;
when he pointed out the 4th Prisoner
Mungala Peroomalay now before the Catchery
the 5th Prisoner Mungala Simmadoo, the
6 Prisoner Atta Thimmadoo, the 7 Prisoner
Atta Cengadoo, the 8th Prisoner Sadabillay
Goroowadoo, the 9th Prisoner Congela
Moonegadoo, the 10th Prisoner Goola Moonegadoo,
the 11th Prisoner Cundagoor Moonegadoo, the
12th Prisoner Cundagoor Thimmadoo, the 13
Prisoner Con~~goola~~ Cengadoo, 14th Prisoner

Cundagoor

D^to hitherto

Goolam Caudeer

6. Wm 4. Cap

Condajoor Appoodoo and the 15th Prisoner Gungala Coollador, as having accompanied him and others - Streenivasa Caunden husband of the Prosecutor mentioned in the charge Sheet N^o 20, identified the 8, 10, 11, 12, & 13 (1st 3d 4 5 6th

6 Wm 4. Cap) Prisoners as having beaten and robbed him and others of the property - whereupon we searched all the 12 huts but no articles robbed were found - we, however, apprehended all the 12 Prisoners Heuders and confined them with the 3d Prisoner in the Station house at Vellamodoo for the night - On the night of 12th Idem we set out and reached Keleyanoor Station, and at length we produced the Prisoners to Vanoor Station on the 13th - When I examined Prosecutor Veerasawmy Naik and others, they told me that these very Individuals beat them on the highway, and robbed them of their property - This is all that passed - As a few of the witnesses cited in the case were absent, I sent for them & having prepared charge sheet on the 26th December on which they arrived, I forwarded them to the Sub Magistrate - After the apprehension of the Prisoners, I went and inspected all the 4 places where the robbery was

2nd hearing
Goolam Camder

was perpetrated. On my return, Dewas I informed that the Police Inspector on the morning of the 11th day after the robbery, had gone and inspected all the places where the robbery was committed. I have heard the deposition read. It is correct

/signed/ Goolam Camder

This deposition given on Solemn affirmation was read over to the deponent in Tamil & he admitted it to be correct

/signed/ Goolam Hyder
2nd Class Sub Magistrate

True translation.

/signed/
Sessions Judge.

List of robbed property given by the Prosecutor

Description of property robbed.	Rs	A	P
Property of Veerasawmy Saik Prosecutor			
1 Pair of white Putkala consisting of 2 pieces, 1 twelve & the other 6 Cubits	2	10	~
1 Verapatteo Lomen cloth of 12 Cubits - - -	2	~	~
8 Fuell Rs; 1 Quarter Rupee & 5 Double anas all amounting to	8	14	~
	13	8	~
His Brother-in-law's wife Ellummaya's property			
1 Pair of gold Cummals 7 Pagodas weight of 8 touches	25	~	~
1 Single Cappoo 7 Pagodas weight, of 8 touchs - - -	4	~	~
1 Addegay money with breast plate or Padackum including moy uppoo 17 Pagodas weight. 18 touches	60	~	~
1 Gold Talee pattoo weighing 3 Pagodas - - - - - - -	10	8	~
1 pair of Silver Jetty Cauppoos - - - - - -	7	~	~
1 Cevan Jodoothapalay - - - - - - - - -	~	14	~
Total	107	6	~
Grand Total	120	14	~

No other property was robbed.

(Signed) Veerasamy Saik (Signed) Coolam Hyder
2d Class Sub Magistrate

27th December 1862

(True Translation)

Sessions Judge

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1.

Enclosure
in a letter from
the Lefsion Jr.
of Pendadeniya
dated 8th May
1863.

Translation of
the Magisterial
Proceedings
in Lefsion Case
No. 6 of 1863.

From 27th May to 3 Oct. 820

Jud. Off.
No. 992

Session Case No. 6 of 1862

Robbery & Dacoity.

54

Present J. H. Blair Esquire Q.J. Sessions Judge

Foreman

Cooperatan Naidoo
Ramanna Chetty
Vencata Sobaya
Kuntan
Listria Cow

Jury

Witnesses

1 Veerasawmy Chetty
2 Ummia Cow
3 Nagapa Comdia
4. Sengalanda
5. Ettimmah
6. Joolam Kader

Prisoners

1 Jadaliby Soorroonadoo
2 Sengala: Soorroonadoo
3. Etoola Soorroonadoo
4. Cundacoo Soorroonadoo
5 & 6. Sengala Sengadoo
7. Cundacoo Cuppoodoo
8. Immjala Coolladoo

Prisoners plead not Guilty.

(1st wit.) Veerasawmy Chetty sworn. On Pudalem & to Pinchamkalaine on the 10th of December. I started at 4 P.M. Yelluvaval's wife & a girl were with me when I came near a chowtie of Pakadaeapuliah about the part & 3 wudders were offering 3 fullocks for sale. I came & then got & some women with them & 8 of them began to follow us they are not among the Prisoners the other man afterwards joined the two & came to a place where there are trees & jungle there 3 men stopped 2 & jungle towards us leaving the third.

[illegible] near [illegible] road to [illegible] a house from thence 2nd & 3d [illegible] followed with her [illegible] at 1/4 past 5. 2 people [illegible] 5th Prisoners. came [illegible] towards us from the said Dont. side path. they stopped us & 3rd wit. then we asked them why. x & the females withdrew [illegible] & the side 1st Pris. called out 5. 4. 5 & 8th Pris. came from a side path 1st & 8th stopped me & the others 4 stopped the females, and 5th wit was pulled down by her hair. the 8th Pris. gripped my throat. & 1st Pris. caught hold of my feet & threw me down they both beat me. immediately after the four came. 2 more came. 2nd & 7th they robbed the jewels of the 5th wit to then Pris. attacked us 2nd & 3rd wit. with [illegible] to call [illegible] handymen. & then returned the Prisoners threw stones & prevented them coming near. when we were caught by the thieves, she ran away with the cloths I had 9 lbs which were stolen, also 2 white waistcloths, and a white cloth I wore as a turban. the 5th wit. jewels were all stolen pr of kummul, adigai, Tali, koppu bangles: a brass drinking pot. the thieves then separated in two parties & left the place. I then went to Mooteandy Chowkie before my arrival I met a man & constable coming to my assistance. I told them all about the robbery & went home. I was sent for next day, or the day after & Vairoor where there were about 8 or 10 Prisoners brought before the Court. the child managed to run off when the 1st & 8th prisoners

x Ref. Sub. begins the [illegible] said 2nd 5th & 8th Pris. came first.

stopped us. 2nd & 3d wit ran away just when the 4. Prisoners came to join the 1st 2. The robbery lasted for about a qual. 55

Pris. attention called to the commencement of the evidence. Pris. admitted & the evidence read over & explained. C.S.J.

5th wit. Iyakkunal 5th in Talak.

I & my [illegible] 1st wit. & child. were on the road 2nd & 3rd wits joined us then was about 2 months ago, about 1/4 past 5 in the evening, 2 men x 1st & 3d. came towards us, went to 1st wit. & 3d wit called out & me to go on. those 2 men came after me. caught hold of my hair & pulled me down before this they had called out & 6 men came the place was a grain field. the 2nd & 3d wit ran away. & the child ran away two or seven all there men. the thieves took all my jewels / adigai Tali, bangles, koppu. & cummil. the other thieves were ill-treating the 1st wit & beating him, they were also beating the 1st & 3d were the men who caught hold of me. I did not see the rest, as I was held down on the ground. after robbing us they went. 2nd & 3d wit went away to the chowkie & got a distance. it was about 3 or 400 yds off we could see it. they did not come back till the thieves had gone off. the child also went away & did not come back. he went to the chowkie. 3d wit took her with him to the chowkie.

His deposition given on solem affirmation was read over to the wit in Tamil & admitted & be correct.

J Blair
A.S.J.

2nd wits.

As I was coming from Pondicherry on my way 3rd wit joined me one evening about 1/2 past 5 about 2 months ago. I saw 1st wit & 5th wit & joined them at the

road. while going with them I left
these people & was going about 60 yds
in front. I met 2 people. they passed by
me. I heard cries behind after they passed
I turned & saw one had caught hold of
1st cut & the other 5th cut. Friday the
I went towards them 3rd cut & a child came
running immediately after 3rd left the others
& nine men came & joined the other
2 they came after the other 2 had caught
the 1st & 5th. they came from the sides
where there were grass fields & plantyrans
trees. I went to call others when the thieves left
me I called some bandyans, but they did
not come. thieves after robbery 1st & 5th
cut of the jewels & cloths leaving 1st naked with
away. I had to supply 1st cut with a cloth
some of the thieves spoke to me. except to
threaten me. the chowkie is about 3 or 400
yds from the scene of robbery there are trees
between it is not visible. 2 men that robbed
the womans ornaments had beards, the 2nd
& 6th are like the men that robbed the woman.
This deposition given on solemn affirmation
was read over to the cut in Tamil &
admitted to be correct

J Blair
A.S.C.

3rd cutwal's - | I & 2nd cut were coming from Pondicherry
about 2 months ago. about an hour before
sunset we found 1st & 5th cuts after a
little while 2 men came towards us
when they came near they called out &
asked who they were, they said they were

Wuddeckettys. One of them then took
round & went & pulled the trompan.
2nd int was in front. I & 1st int at the
& seen 1st was caught by the other
man. there was also a child which
began & cry. I took her, and ran
towards some bandies. I only saw
2 thieves. The child had smeels
therefore I went away carrying her.
I went about a canny distance
& call the bandymen. they would
not come. I lent a Punch to the
sajer & went myself. & & gave
the alarm. peans & others came
to the place where the robbery
was going on. before that the others
were coming. so I know nothing
of what went on.
The 1st & 5th were the 2 thieves that
I saw. the 5th caught hold of the
both & 1st of 1st wit.
The Deponton given on solemn
affirmation was read over to
the wit in Tamil & admitted
& be correct.

J Blair
A. S. I.

8th inst. 1st wit. at 11 P. M. on 10th Dec. r. reports
came that V. Naick 1st wit had been
robbed that day about 5 P. M. he said
he could not go that night but could

Recognize the Pris. & averted
taking a Pros. w. and the case
I arrested a number of Coroners
about 15 & Sergt. Vanover taken
Client for 1st wit who pointed at
these & men now before the Court
as being the thieves who had robbed
him.

The Depositions given in evidence
affirmation was read over to
the Pris. w. Daniel & attested
be correct

1st Prisoners Defence.
I did not rob the 1st wit.

2nd Pris. Def.
Denies the charge.

2nd Pris.
Denies the charge

4th Pris.
Denies the charge.

5th Pris.
Denies the charge.

6th Pris.
The charge is not true.

7th Prisoner

I did not rob the 1st wit.

8th Prist

I did not rob the 1st wit.

Direction of the Jury.

After the Evidence for the Prosecution had been summed up. The Jury were directed that they should first of all decide as to the proof adduced to the fact of the robbery having taken place, and secondly that if they believed a robbery did take place, they should then consider the Evidence as to the identity of the prisoners. As there appeared to be several discrepancies in the statements of the wits, on this point, particularly they having pointed out different persons as having perform certain acts spoken to by all the wits of them both before the Sub Sheriff & before the Supreme Court.

2.

Enclosure

In a letter from

the Sessions judge

of Cuddalore dated

8 May 1863

Notes taken

by Mr Blair at

the trial in accord.

with the provision

of section 196 of the

Code of Crimina

Procedure.

Pros: 27 May 1863

No 820

Rd 1 P 2 P

No 992

Verdict

59

We Jury unanimously convict

the 1st 3rd & 6th Pris.rs of both counts

of the charge.

We Jury unanimously find the

2nd 4th 5th 7th & 8th Prisoners not

guilty.

Sentence

Re 1st 3rd & 6th.

Re Prisoners are sentenced

under Sec. 392 & 395 of the I.P.C.

to four years rigorous imprisonment

in the Gillah Jail. and the others

are released. —

W Blair

A.S.J.

Cuddalore.

Feb. 5th 1862.

Memorandum for Orders

This is an unsatisfactory Case. There are, doubtless, discrepancies in the Evidence & the identification of the Prisoners, as pointed out by the late Acting Recorder Judge, but not more than are constantly found in native testimony and on one point on which Mr. Blair adverts to an alleged discrepancy, his own notes show there is really no contradiction. The Jury convict the prisoners notwithstanding that the Judge charged for an acquittal; and [illegible]

appears, from the present
Session Judge's letter,
that they have been
convicted and sentenced
in another Case, apparently
for a similar offence.

The main point in
their favor, is, that none
of the property alleged
to have been plundered,
has been found; and
in this reference to the
very strong opinion
expressed by the Judge
who tried the case as
to the untrustworthiness
of the evidence, it may
be a question whether
the verdict of the Native
Jury should be allowed
to stand. —

I do not see sufficient
ground for disturbing
the finding of the Jury
in this case.

There seems no doubt
that the robbery was com-
-mitted, and that the
prisoners were in the
neighbourhood at the
time. They were iden-
-tified by the Prosecutor
before the Police very shortly
after the attack. They
have been convicted
by both Judge & Jury of
apparently a similar
offence committed
about the same time
and place.

There are discrepan-
-cies in the evidence
as often occurs in the
evidence given by natives
of the lower walks of
life whose ideas & lan-
-guage are often com-
-pletely at variance
precision is desirable.
But these discrepan-
-cies were pointed out
by the Judge to the Jury

who had the advantage
of hearing the evidence
delivered and noting the
bearing of the witnesses,
and who may be supposed
to be able to decide
on the general truth of
the story - and as they
have unanimously
found the three prisoners
guilty I would
let their verdict stand

J.P.

I see no reason for disturbing
the sentence

Verdict of a Jury
in a case of Robbery
and Dacoity tried
at Cuddalore

Memo for Order

63

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Sessions Judge of
Cuddalore.

(Recd enter 8th May 1863 No 76)

Order thereon 21st May 1863 No 820.

His Excellency the Govr
in Council has carefully con-
sidered the ~~proceedings of the~~ record
in case No 6 on the Calen-
dar of the Sessions Court of
Cuddalore for 1863 and
the other papers submitted
with the above letter, and he
does not see sufficient grounds
for disturbing the finding of
the Jury before whom the
case was tried -

2 There is no doubt
that the robbery was com-
mitted, and that the pri-
soners were in the neigh-
bourhood at the time -

They

they were identified by the prosecutor before the Police very shortly after the attack, and they have been convicted by both Judge & Jury of apparently a similar offence committed about the same time and place.

3. There are discrepancies in the evidence, as often occurs in the evidence given by natives of the lower walks of life, whose ideas & testimony are often confused on points where precision is desirable. But these discrepancies were pointed out by the Judge to the Jury, who had the advantage of hearing the evidence delivered & noting the bearing of the witnesses, & who may be supposed to be able to decide on the general truth of the story; and as they have unanimously found the three prisoners guilty, the Governor in Council is not prepared to interfere with their verdict. Stand.

To the Session Judge
of Cuddalore
dep'd 3

Judicial 186 2nd Department.

No. 820

PROCEEDINGS OF GOVERNMENT,

Dated 29 May 1863.

Council

2481241