M.R. O. 1—80,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1843 Press ~~Mis.~~

242-244 Dated 21-12-~~19~~1864

4/5

Not to be folded or roughly handled

One

Proceedings of the Madras Government, Judicial Department,
21*st December* 1864.

Read the following papers :—

TRANSLATION.

No. 242. From His Excellency M. BONTEMPS, Governor of the French Settlements in India, to His Excellency the Honorable the Governor of the Presidency of Fort Saint George; dated Pondicherry, 2nd December 1864.

I have lately received a deputation of influential Hindoos of Pondicherry, soliciting my intervention on behalf of one named Diaga Sambanda Moodelliar, a Mirasidar in the French Settlement of Karikal, who also possesses some landed property at Nagore, where he usually resides.

2. The great commotion among these gentlemen arose from a warrant issued by the Magistrate of Nagore against Diaga Sambanda Moodelliar, from which he has saved himself by flight.

3. It appears that this Mirasidar found that he was inquired for, on the occasion of a robbery of Rupees 200, and in consequence of some quarreling and fighting, on account of religion, between the Mussulmen and Hindoos of Nagore.

4. It is not my province to put forward an opinion on this affair, which is unknown to me, and which did not take place on our territory. But, Monsieur le Gouverneur, in consideration of the application that has been made to me by these respectable persons, and with regard to the rank of the French landed proprietor who is incriminated, I beg that I may be permitted to support their request that he be admitted to give security for his appearance, without being taken into custody, which would in effect be a punishment to a man of his condition and fortune.

5. I enclose his petition, with two papers which were presented to me by the respectable [Natives] of Pondicherry.

(True Translation.)

(Signed) J. W. LYONS,
French Translator.

Referred to the Magistrate of Tanjore for report.

7th December 1864. (Signed) A. J. ARRUTHNOT,
Chief Secretary.

No. 243. From W. M. CADELL, Esq., Magistrate of Tanjore, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Vallam, 16th December 1864, No. 337.

With reference to the orders of Government on the letter of His Excellency the Governor of Pondicherry, dated the 7th December, I have the honor to submit the enclosed report from the Joint Magistrate, Mr. Plumer.

2. I may be permitted to add that I have known the individual referred to for the past 12 years, and to s ›to that, although a large Mirasidar, a more mischievous and ill-disposed person is not to be found in the District of Tanjore.

From C. G. PLUMER, Esq., Acting Joint Magistrate, to W. M. CADELL, Esq., Magistrate of Tanjore; dated Vallam, 14th December 1864, No. 101.

I have the honor to inform you that the circumstances, attending the issuing of a warrant for the arrest of Thiyagasammanda Moodelliar, of Nagore, are briefly as follows.

in the due Execution of the

2. A charge of aiding and abetting a "theft in a building used for the custody of property," and of "dishonestly receiving stolen property, knowing, or having reason to believe, the said property to be stolen," under Sections 380, 109, and 411 of the Indian Penal Code, was preferred to me in the regular manner by charge sheet by Police Inspector Green, against the above-named, and at the same time application was made to me for a warrant to arrest the said Thiyagasammanda Moodalliar and others.

3. After taking statements on solemn affirmation from three persons, I, exercising the powers vested in me by law, granted the warrant applied for.

4. When the Police Inspector proceeded to execute my warrant, he found that Thiyagasammanda Moodelliar had, as His Excellency the Governor of Pondicherry states, "saved himself by flight," *i. e.*, in the words of the Code of Criminal Procedure, he had "absconded for the purpose of avoiding the service of the warrant."

5. I regret that His Excellency the Governor of Pondicherry should have thought it expedient to interest himself on behalf of Thiyagasammanda Moodelliar, he being, as His Excellency acknowledges, a fugitive from justice; I feel sure, however, that when His Excellency is aware that all the proceedings against Thiyagasammanda Moodelliar have been strictly in accordance with the law, as laid down in our Code of Criminal Procedure, he will at once give every assistance for the due execution of the warrant, which I have requested the Magistrate of South Arcot to forward to His Excellency, for the arrest of the said Thiyagasammanda Moodelliar.

6. I should mention that the parties who were charged at the same time as Thiyagasammanda Moodelliar, have been committed to take their trial before the Session Court of Tranquebar.

(True Copy.)

(Signed) W. M. CADELL,
Magistrate.

No. 214. To His Excellency M. BONTEMPS, Governor of the French Establishments in India; dated Fort Saint George, 21st December 1864, No. 1843.

In acknowledging the receipt of your Excellency's letter of the 2nd instant, I have the honor to transmit, for your information, the annexed copy of a letter from the Acting Joint Magistrate of Tanjore; from which you will observe that the warrant for the apprehension of Diaga Sambanda Moodelliar, to which you allude, was issued in due course of law, at the instance of the Police.

2. The Acting Joint Magistrate states that an application has been made to your Excellency for your assistance in the due execution of the warrant, with which I trust that your Excellency will comply.

(Signed) W. T. DENISON,

Ed. J. H. Burns.

Judicial Department

No 1843.

His Excellency M. Bontemps.

Governor &c &c of the French Establishts in India

Sir,

In acknowledging the receipt of your Excellency's letter of the 2d Instant, I have the honor to transmit for your information, the annexed copy of a letter from the Acting Joint Magistrate of Tanjore; from which you will observe that the warrant for the apprehension of Diaga Sambanda Moodeliar, to which you allude, was issued in due course of law, at the instance of the Police.

2. The Acting Joint Magistrate states that an application has been made to your Excellency for your assistance in the due Execution of the

The Warrant, with which
I trust that your Excellency
will comply. —

Fort Saint Jago.
21st December 1814.

Judicial 1664 Department

No 1643.

To

His Excellency

The Govr of the French

Establishment

in India

Dated 21 Decr 64

242 o 244