

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1067

Press
~~Mis.~~

5-6.

Dated

1. 8. 1865

19.

Not to be folded or roughly handled

4/5

1067

*Proceedings of the Madras Government, Judicial Department,
1st August 1865.*

No. 5. Read the following Proceedings of Government in the Revenue Department.

Referring, for consideration, the question
of apprehending a man against whom
a Warrant is issued, but who evades
justice by taking refuge in the French
Territory. (Dated 21st July 1865, No. 1696).

No. 6. ORDER THEREON, 1st August 1865, No. 1067.

The Government observe that in this case, Tiagasamuntha Moodelly, an influential Mirasidar of Nagore, was charged with aiding and abetting certain principals in a robbery, and with receiving the stolen property, which consisted of cash and a cash box. None of the property seems to have been traced, though evidence was adduced to show that the principals were seen to bring the cash box to Tiagasamuntha's house, he being then present, and that by his orders it was taken inside.

2. Warrants were issued against the parties, and the principals were arrested, committed for trial by the Session Court, and acquitted by the Jury.

3. The Warrant against Tiagasamuntha was not executed, as he was found to be in the French Territory, and the Collector of South Arcot declined to back the Warrant, or to require his extradition, after he had seen the papers.

4. Tiagasamuntha petitioned Government to save him from the disgrace of arrest, and from sequestration of his property. His petition was returned under the rules.

5. It, however, appears to the Governor in Council to be very questionable whether under the circumstances of the case the Joint Magistrate would not exercise a sound discretion in withdrawing the Warrant, inasmuch as the acquittal of the parties charged as principals would seem to render it very improbable that the charge against Tiagasamuntha can be sustained.

6. If, on further consideration, the Joint Magistrate should decide on withdrawing the Warrant, the property of Tiagasamuntha, which has been attached, will of course be released.

(True Extract).

Chief Secretary.

To the Magistrate of Tanjore.

Exd. J. H. Burns.

Show

To day

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

~~Read Pros of Govt in the
Revenue Deptt 27th June/65
No. 3421.~~

Read also Pros. in the Rev.
Deptt. 27th & 1st July/65. No. 1896.

order thereon. 1st August 1865 No. 1067.

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2. Warrants were issued against the parties and the principals were arrested, committed for trial by the Sessions Court and acquitted by the Judge.

3. The warrant against Nagasamuntha was not executed, as he was ^{found} to be in the French territory and the Collector of South Arcot declined to back the Warrant or to require his extradition after he had seen the papers.

4. Nagasamuntha petitioned Govt to save him

3 3
him from the disgrace of arrest and from sequestration of his property. His petition was returned under the rules.

5. It however appears to the Governor in Council to be very questionable whether under the circumstances of the case the Joint Magistrate would not exercise a sound discretion in withdrawing the Warrant inasmuch as the acquittal of the parties charged as principals would seem to render it very improbable that the charge against Nagasamuntha can be sustained.

6. If on further consideration

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consideration the joint
Magistrate should decide
on withdrawing the
Warrant; the property
of Yaga Samantha which
has been attached will
of course be released.

To the Magistrate of Tanjore
deposited
18/5

Pro: J. M. G.
Judicial 1863 Department.

No. 1064.

PROCEEDINGS OF GOVERNMENT.

27th Nov 1738.

Dated 1st August 1865.