M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1676 Press ~~Mis.~~

194-195A

Dated 23 11 ~~19~~ 1925

5/6

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
23rd November 1865.

Read the following papers:—

No. 194. From the Acting Session Judge of Madura; to the Chief Secretary to Government, Fort Saint George, dated Madura, 14th August 1865, No. 244.

A boy of 12 years old having been sentenced by this Court to be kept in a Reformatory for the space of 10 years, I have the honor to request you will be good enough to obtain the sanction of Government for sending him to the Reformatory at Ootacamund or Madras.

No. 195. From the Acting Session Judge of Madura; to the Chief Secretary to Government, Fort Saint George, dated Madura, 6th September 1865, No. 270.

With reference to your Memorandum, No. 343, of the 31st August 1865, I have the honor to forward herewith copy of the Calendar of the trial of the offender referred to in my letter of the 14th August 1865, No. 244.

MADURA.

Calendar of Persons tried before the Court of Session, July Present C. N. POCHIN, Esq.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
No. of the Case.	Name and description 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.	Statement of the evidence and grounds of conviction.	Finding and Sentence.	Date of offence.	Date of complaint.	Date of apprehension or appearance.	Date of commencing trial.	Date of sentence.	Explanation of delay.
LIV of 1865.	1. Teroovumbala Nadan of Shanara caste gardener. 2, Sivalingum of Shanara caste, cooly.	That they, on or about the 3rd day of May 186[illegible], at Kamoody, committed murder by causing the death of one Ramasawmy, and that they have thereby committed an offence punishable under Section 302 of the Indian Penal Code, and within the cognizance of the Court of Session. From Narranien, 2nd Class Sub-Magistrate of Teroochooly Birkah.	Manikom Shervay.	1. Manikom Shervay. 2. Mooroogiah. 3 Toattena*alias* Mooneandy. 4. Aroonachellum Shervay. 5. Vellien Shervay. 6. Angappen. 7. Veerappen Shervay, dispensed with. 8. Kattaperoomall. 9. Nagalingum.	"	"	The Court differing with the Assessors finds that Teroovumbala Nadan and Sivalingum, are guilty of the offence specified in the charge, namely, that Teroovumbala Nadan and Sivalingum have committed the offence of "murder," and have thereby committed an offence punishable under Section 302 of the Indian Penal Code, and the Court directs that the said Teroovumbala Nadan be hanged by the neck till he is dead, and that Sivalingum, being a lad of 12 years old, be kept in a Reformatory for the period of 10 years. (Signed) C. N. POCHIN, *Acting Session Judge.*	3rd May 1865.	6th May 1865.	7th May 1865.	19th July 1865.	26th July 1865.	

This sentence is subject to the confirmation of the High Court of Judicature at Madras.

(Signed) C. N. POCHIN,
Acting Session Judge.

MADURA,
Session Court,
6th September 1865.

(True Copy),

(Signed) C. N. POCHIN,
Acting Session Judge.

Proceedings of the Madras Government, Judicial Department,
23rd November **1865.**

No. 195A. ORDER THEREON, 23rd November 1865, No. 1676.

There being, at present, no Reformatory in this Presidency, it is desirable that, until one or more such institutions are established, Judges and Magistrates should abstain from availing themselves of the provisions of Section 433 of the Code of Criminal Procedure.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

To the Civil and Session Judge of
" Magistrate of

Exd. J. Tulloch.

No. 270
1865

Madura Sessions Court
5th September 1865.

Sir,

C. N. Pochin Esquire
Acting Sessions Judge
Madura

To,

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort Saint George

Honorable Sir,

With reference to your Memo No. 343 of the 31st August 1865, I have the honor to forward herewith Copy of the Calendar of the trial of the offenders referred to in my letter of the 11th August 1865 No. 244.

I have the honor to be,
Honorable Sir
Your most Obedient Servant

C. N. Pochin
Acting Sessions Judge.

Received
Aug 9th

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Acting Session Judge of Madura (Rec'd Inter 6 Septr 1855 No 2270)

Order thereon No 1676 of 23rd Novr 55-

There being, at present, no reformatory in this Presidency, it is desirable that, until one or more such institutions are established, Judges & Magistrates should abstain from availing themselves of the provisions of Section 433 of the Code of Criminal Procedure

To The Cir. & Sess. Judges of all Distts
" Magistrates of —— do ——

dated 29/11-

§§

Mr Pochin should have ascertained the existence of such an institution before he passed such a sentence — Lessons Judges should be informed that no such institution exists — & the Boy must be sent to the Penitentiary at Madras — WD

Mr Registrar will have the kindness to write to the Judges of Circuit Courts & Sessions Judges who have imposed the Punishment of Whipping under Section 43 of Act XXV of 1855 as a mode of punishment for the various offences mentioned in the Schedule annexed to the Act, & request them to favor the Court with their opinions as to the expediency of retaining that punishment in the Statute Book, or of substituting for it any other punishment, & if so what other punishment;

(Sd) [illegible]

Cir 4 Dec 1855

Sept 1707.

Opinions of the Circuit Judges upon the expediency of retaining in the Statute Book the punishment of Whipping inflicted under Section 43 of Act XXV of 1855

1855 (1)

Judicial Department

Do

To the Registrar of the Sudr Adawlut

Do

Dated 6th Septr 1855 Recd 10th Do No 2270

Copy of the Circular Letter No 2270 dated 6th Septr 1855

Mr Registrar

Calling for opinions of the Circuit Judges & Sessions Judges who have sentenced Prisoners to Whipping under Section 43 of Act XXV of 1855 as to the expediency of retaining that punishment in the Statute Book, or of substituting for it any other punishment

C 14 Dec 1855 No 1

In answer to your letter of the 6th instant, I have the honor to report that I have sentenced no prisoners to whipping under Section 43 of Act XXV of 1855. I have suspended the execution of the sentence in one case, and have referred it to the Court of Sessions for confirmation. I am not prepared to express any opinion as to the expediency of retaining whipping in the Statute Book, or of substituting for it any other punishment.

I have &c

(Sd) [illegible]

Sessions Judge

Madura

6th Septr 1855

List 4 Dec

Nos. of Rows

Judicial 1865. Department.

No. 1676

PROCEEDINGS OF GOVERNMENT.

Ft. No. 659/68

Dated 23d. November 1865

194-195.