M.R.O. 1—29,000—15-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1874 Press Mis.

152-158

Dated 19—12— ~~19~~ 1865

3/3

Not to be folded or roughly handled

No. 157. Read the following letter from the Magistrate of Nellore, to the Chief Secretary to Government, Fort Saint George; dated Nellore, 9th December 1865, No. 47.

Darla Narsadu, Prisoner in case No. 144 of 1865 on the file of the Acting Head Assistant Magistrate of this District, who was kept in custody in the Zillah Jail, pending his trial, in accordance with Government Proceedings, Judicial Department, No. 1456, dated 12th October 1865, having been pronounced by the Zillah Surgeon to have recovered, and to be capable of making his defence, his trial was resumed, and he has been found by the Acting Head Assistant Magistrate to have committed the offence* charged, but acquitted, upon the ground that, at the time of commission of the offence, he was incapable, by reason of unsoundness of mind, of knowing the nature of his acts.

* Theft in a building.—Section 380, Indian Penal Code.

2. I have the honor, therefore, to enclose copy of the finding of the Acting Head Assistant Magistrate, and, under Section 394 of the Code of Criminal Procedure, to report the case, for the orders of the Local Government.

3. With reference to Section 397 of the Code, the Acting Head Assistant Magistrate states that two persons, whom the prisoner named as willing to give security for him, have been examined, but they both decline to give security for the prisoner.

4. The prisoner appears to be prefectly sound in mind now, and is confined in the Zillah Jail.

Case No. 144 of 1865 on the file of the Court of the Head Assistant Magistrate of Nellore.

Finding and Sentence.

The Court finds that Darla Narsadu has committed the act, but is not guilty of the offence specified in the charge, namely, that Darla Narsadu has committed the offence of theft in a dwelling house, and has thereby committed an offence punishable under Section 380 of the Indian Penal Code; and the Court directs that the said Darla Narsadu be confined in the Jail, pending, the orders of Government.

(Signed) J. B. PENNINGTON,
Acting Head Assistant Magistrate.

NELLORE, *2nd December* 1865.

(True Copy).

(Signed) J. W. B. DYKES,
Magistrate.

No. 158. ORDER THEREON, 19th December 1865, No. 1814.

Under the circumstances, the Governor in Council directs that the prisoner Darla Narsadu be released.

(True Extract).

Chief Secretary.

To the Magistrate of Nellore.
" Superintendent of the Jail at Nellore.
" Inspector General of Jails.

Exd. J. H. Burns.

Order thereon 19 Decr 15 Dr 1814.

Under the circumstances
the Governor in Council directs
that the prisoner Darla
Narsadu be released.

GP WH

Magistrate of Nellore.
Supdt of the Jail at Nellore } dcsps 20/12
Asst Surgn of Gaols.