

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.

187

Press
Mis.

31-22

Dated

2 2 1865

19

Not to be folded or roughly handled

13/6

Proceedings of the Madras Government, Judicial Department,
2nd February 1865.

No. 31. Read the following letter from J. FRASER, Esq., Officiating Magistrate, Godavery District, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Ramachundrapuram, 19th January 1865, No. 13.

I have the honor to report that the chief of Yanam forwarded, for my disposal, under date the 14th November last, No. 7, a complaint of house-breaking and theft on the property of one Maniem Canacaya, a resident of Yanam (French territory), said to have been committed by Toolasi Veeranna, and Sottaya *alias* Virabhadraya, inhabitants of Nilapilly in English Territory.

2. I inquired into the cases, and its circumstances are as follows:—

3. On the night of 21st October last, a house-breaking robbery was committed in the house of the complainant, and a betel box, some cloths, and toys were stolen.

4. Third witness Coorada Tummayah (a goldsmith), an inhabitant of Capulapalem, found the betel box, and other things, with the prisoners at Chiripalli; and suspecting them to be the complainant's stolen articles, and recognizing the betel box as he had repaired it before, he took the prisoners before the Moonsiff and Curnum of Tottaramudi.

5. First and Second witnesses, besides the 3rd, recognize the articles, Nos. 1 to 8, as the property of the complainant.

6. Moonsiff* and Curnum* of Tottaramudi depose that the 3rd witness brought the prisoners before them on the 26th October last, saying that the articles in

* 4th and 5th witnesses.

the bundle carried by the prisoners belong to complainant, and begged that they might be searched; and that on doing so, they found the articles Nos. 1 to 8 in the prisoners' bundle, and the prisoners were sent before the Sub-Magistrate of Amlapur, by whom they were sent to me.

7. Prisoners deny the charge, and say that the articles are theirs. They named two witnesses to prove this, both of whom failed to support their statements.

8. From the foregoing circumstances, it appears that the prisoners have committed an offence punishable under Section 457 of the Indian Penal Code, and under Act VII of 1854, I feel it my duty to lay the matter before you for orders, and beg to send herewith copies of depositions taken by myself, and the translation of the letter from the chief of Yanam to my address.

No. 32. ORDER THEREON, 2nd February 1865, No. 187.

Under the provisions of Section 4, Act I of 1849, His Honor the Governor in

1. Toolasi Veeranna.
2. Sottaya *alias* Virabhadraya.

Council authorizes the trial of the subjects of the British Government named in the foregoing letter, charged with having

committed house-breaking and theft in the territories of the French Government, to be had before a Court of competent jurisdiction in the Godavery District.

(True Extract).

To the Magistrate of Godavery District.

Chief Secretary.

December 1864.
Case No 60 of 1864.

Off Magistrate's file -

Charge - House Burglary
theft of Rs 457 J. P. C

Pro - tor }
Maniem } Property of the
Kuyah } 21st Dec 1864
I broke in the garden,
into

to his scilicet
of a box contain
property taken through
this window. There were no
footmarks below the window as
the ground is covered with rubbish
which they would not appear.
The window was broken away and
the box missing, consequently I
considered that it was thus
abducted. In the box were
some clothes and children's toys
altogether to the value of Rs 60 or
80 Rupees. The box contained
articles 1 & 3 the C wa
I can seize them the

2,4, & 5
George

7th December 1864. 1st Witness

Karmoor
Sectapally
Swoon -

I cannot state the exact day but about two months ago a box of clothes was stolen one night from Prosecutors house in Yanam. On the night that it was stolen I was not in the house. I was at Melpilly when I went back to the house in Yanam next morning, Prosecutors son told me the box had been stolen. The box contained clothes and some brass things and some toys. I have looked at the articles before the Court. I recognize Nos 1 to 8 as the property of the prosecutor. I bought No 1 myself for him in Melpilly two months ago. I have been in the habit of seeing the other things constantly.

Ans - No 1
Question by
2nd Prisoner

I paid no duty on cloth No 1 on bringing it into Yanam and therefore there is no chap on it.

(Signed) Kar Kapati

This evidence was given to the Court in Telugu which language he understood and he acknowledged the same to be correct.

(Signed) J. Teaser
Magistrate

(True Copy)

J. Teaser
Magistrate

thoughtful, like the were stolen in the box & are in the toys. My son is a boy, I recognize them. The last named is a single article only. I accuse the prisoners of the breaking & theft because I was informed by a goldsmith, a habitant of Kapulapalem, Koorada Tammangam, that they had committed the crime when the crime was in the village of Melpilly. I am told that the prisoners had committed the crime & it was proved.

This deposition was read over to the defendant in Telugu which language he understood and he acknowledged the same to be correct.

(Signed) J. Teaser
J. Teaser
Magistrate
(True Copy)

J. Teaser
Magistrate

7th December 1864.

2nd Witness.

Vamoor
Branchaya
Sungum-
Soodn-

I am a servant of Prosecutors. I heard that some property of his has been stolen from his house in Ganam on the night of 21st October. In that night I was in my own house at Nilapally. I am recognizing and swear to article No 3 as belonging to Prosecution. it is a betel box. I have often seen it in his house. I do not know any thing about the other articles.

Prisoners ask no questions.

(Signed) Vamoor Branchaya Sungum

This evidence was read over to the witness in Telugu which language he understands and he acknowledges the same to be correct.

(Signed) J. Fraser
Magistrate

True Copy

J. Fraser

Magistrate

Koodada } golden with
Tummayya }
Sworn. } - lot + Kuppapala. car ganam.

A month and ten or so
a. Sub. turning from Umlapin
to my village. On the way in
passing through the village of
Chirupilly I saw the two defendants
were on the bank of a channel
outside the cage. They were
by the river. Other
box No 3 and
it at. as it had
once before been brought to me
for repair about a year ago and
I repaired the hinge - it belongs
to Procentor. I asked the
Prisoners where they got it.
They said what is that by you.
I said I thought they must have
stolen it and that they must
come with me before the village
authorities of Tottaramudi -
for they objected and would
not come till I said I would
follow them wherever they went.
I took them to Tottaramudi
because it is a large village.
I

then took them to the Munsiff
and Curman and asked them
to search them what they did.
When the rest of the articles
before the Court were found
in the bundle carried by 2nd
Prisoner. - in addition whose
the articles came & beside, no 3
are. Prisoners said the things
were theirs. The Munsiff and
Curman sent the Prisoners
and property at once to the
Sub Magistrate at Amulur.
It was on a Friday day that I
saw no 3 in their possession.
I sent word to Prosecutor the
same evening that I had seen
his article box in the prisoner's
possession.

Prisoners ask no questions.

(Signed) Kovada Jammayal.
The evidence was read over to
the witness in Telugu which is
language he understands
and he acknowledged the same
to be correct.

(Signed) J. Fraser

Off Magistrate
(True Copy)

J. Fraser
Off Magistrate

14th December 1864

4th Witness.

Advooby
Lutchme.
nursos,
Curman of
Jottaramoody.
Kooda -

State that one Kovada Jammayal,
a goldsmith brought the Prisoners
before himself and the Munsiff on the
26th. Whether understood that some property
Prosecutor had been stolen four
or five days before. that he suspected
the prisoners of being concerned
in the crime and begged that they
might be searched. On being searched
the property 168 before the Court was
discovered in the bundle carried by
the 1st Prisoner. does not know
whose the property is. sent to him and
Munsiff sent the property and
prisoners to the Amulur Sub
Magistrate. The prisoners said
the property was their own.

Prisoners ask no questions.

(Signed) Advooby Lutchmenarao
This evidence was read over to the witness
in Telugu which language he understands
and he acknowledged the same to be
correct.

(Signed) J. Fraser
Off Magistrate

(True Copy)

J. Fraser
Off Magistrate

14th December 1864. J. H. M. M. M.

In Lagedda
Lingamall
Village Morn-
diff of Tot
ramooddy
word -

States that witness Kooda
Tamm brought two de-
fendants before him in the village
Totturamooddy, saying that they
had in their possession stolen
property belonging to the prosecutor
high the articles 1 to 8 now before
Court.

at the the C.
the two defendants with the property
to the Sub Magistrate at Amba-
pur. The articles were tied up in
a bundle which was with the pri-
soners which 2nd Prisoner was
carrying. They said it was their
own property.

Prisoners ask no questions.

1st of Lingamall.

The evidence was given to the
witnesses in the court
he understands and he understood
the same to be correct.

(Signed) J. H. M. M. M.

(True copy)

J. H. M. M. M.
Magistrate

Dec. 20th 1864.

Statement
with
copy
Vera

2. Q. ... who Plaintiff
and witnesses have said ...
you with regard to the property
before the Court that ever
name ... is the charge of
having ... in the
hon. of the Prosecutor.

A. I know nothing whatever about
the burglary. The property is all
in ... and I can prove it by witnesses.
The witnesses are

1. Duddy Lutsammah.
2. Pundiala Ramammah.

They are both inhabitants of
Cooyeroo.

The examination was taken in my
own hand writing and contains
accurately the whole of the statement
made by the accused ...

/signed/ ... Magistrate
/True Copy/

J. Trass
Offs Magistrate

statement of
2^d Prisoner.
Jodasa Lotta
-gah alias
Veerabha-
draya.

December 20th 1864.

2 You have heard what the Plaintiff
and witnesses for the prosecution
have stated against you - what do
you wish to state in reply.

I know nothing about the burglary
in Plaintiff's house. The property
belonging to my father's
(1st Prisoner) which I saw from
by witnesses vizt.

1 Pendaia Ramamah.

2 Dooty Latsayal.

both inhabitants of Coorgu.

The statement taken from my
own writing contains
the whole of the statement
made by the accused person.

(signed) J. Fraser
Offs. to the

(True Copy)

J. Fraser
Magistrate

May 6th 1878

Dear Sir,
I am
1st of
for defence.
Crown-

It is both the for news.
the last on 14
caste
in himself (i.e., Brahmins) they
and 1st of June
they are no relation...
know any thing about how they
live. He does not go to their
house or they come to his. knows
nothing of the property they
possess. Does not know where
the articles are now or where
before the Court.

Prisoners ask no question.

[Signed] Doory Lateamab
This was read over to the
witnesses. I sign which language
he understands and he acknowledges
the same to be correct.

[Signed] J. Fraser
[True Copy] J. Fraser
Magistrate

J. Fraser
Magistrate

May 1865-

Has the knowledge of
the new...
unsubstantiated of his... Does
not know to
the articles of property before
the Court he being.

Prix 91 thms.
Signed/ Bendiana Ramannia
This witness was read to the
interest in Seluq which I guess
he can... knows
the... correctly.

Signed/ Fraser
Offs Magistrate
(True Copy)

Fraser.
Offs Magistrate

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from the Magistrate of *the*
very District
He e enter 19 *Sawyer*.

ORDER THEREON *2*

1. Too la
Teer
2. Kott
ya.
Under the provisio *Honor* of 1849, His
the Governor in Council authorizes the trial of the
of the *Case* in
charged with
ries of the
Government, to be had before
petent periodical
District.

(True

/Chief Secretary.

To
The Magistrate of

District.

