

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	15247	Press ~~Mis.~~
Dated	4 — 10	19 1866

26-27

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
4th October 1866.*

No. 26. Read the following letter from the Commissioner of Police, to the Secretary to Government, Fort Saint George; dated Madras, 26th September 1866, No. 101.

I have the honor to forward a petition, with enclosures, from the four persons named in the margin, prisoners in the Madras Penitentiary, awaiting transportation, sentenced, in Guntoor Sessions Case No. 29 of 1865, to transportation for life, for committing dacoity, &c.

1. Munni Cottappah.
2. Alaparthi Pedda Ramachendroodoo.
3. Moitheen Khan.
4. Cottamarazoo Venkanna.

2. They appealed to the High Court against this sentence, but the appeal was rejected.

3. They have been informed that it is quite useless to petition Government under such circumstances, but they still persist in requesting that their petition may be forwarded.

To

HIS EXCELLENCY THE GOVERNOR IN COUNCIL,

Madras,

Humble petition of MUNNI COTTAPPAH, ALAPARTHI PEDDA RAMACHENDROODOO, MOITHEEN KHAN, and COTTAMARAZOO VENKANNA, 6th, 15th, 17th, and 19th prisoners, respectively, for the injustice done in the Criminal Case both in the Session Court and in the High Court, bearing Calendar Case No. 29 of 1865, and Criminal Petition No. 33 of 1866, respectively,

SHEWETH,

There is no evidence on the record regarding the prisoners being guilty.

Though the 1st witness is the son of the deceased, and telling that he was an eye witness of the offence, still he did not propose all of the circumstances exactly, and the persons who were in the gang distinctly.

It is not proved by the witnesses that the property worth Rupees 400 had been stolen by 300 persons in Rapacola Appian's house, nor believable that 25 persons had cut and broke the deceased's skull into pieces with hatchets, and poked his temple with spears, 1 cubit in length, and was dragged here and there, and was severely beat at once at the same time, and was still alive and died next day, notwithstanding he was in good sense when he answered the questions put by all in the time of his agony, and he was far advanced in years, about 75 old. Consequently, it is a question that whether such an old weak man, who obtained so much deadly wounds, will stay alive so as to answer questions in good sense.

The 8th witness and others say that they were present when all of the transactions took place, and none asked him, the deceased, as if who beat him and broke his skull into pieces, and even Ramachendroodoo says that he did not ask anything, and he was unable to utter even a word, and quite senseless, and died immediately. Some of the witnesses, who are his (the deceased's) sons, wife, daughter, and daughter-in-law, and near relatives, state quite different to each other.

All of the witnesses did not mention all of the prisoners' names before the Magistrate.

Under all of these circumstances, we pray the Government to be pleased to go through the defence and records, and release the prisoners, and so to protect us and our family, and to stop them from shipping up to the time of conclusion be made.

For which act of charity, the petitioners, as in duty bound, shall ever pray.

(Signed) మున్నీ కోటప్ప రావు.

అలపర్తి పెద్దరామచంద్రుడు రావు.

మొయిదీన్ ఖాన్ కలంకుట్టిపేటాఫ్.

కోటమరాజు వెంకన్న రావు.

21st September 1866.

*Proceedings of the Madras Government, Judicial Department,
4th October 1866.*

In the High Court of Judicature at Madras, Saturday, the twenty-fourth day of February, one thousand eight hundred and sixty-six.

Present.

The Honorable Mr. Justice Holloway, and
The Honorable Mr. Justice Collett.

Criminal Petition No. 33 of 1866.

Munni Cottappah and 3 others, Appellants, 6th, 15th, 17th, and 19th prisoners.

Appeal against the sentence of the Court of Session of Guntur, in Case No. 29 of the Calendar for 1865.

Order.—This appeal coming on for hearing upon, perusing the petition of appeal on the record of the evidence and proceedings before the Court of the Session, and upon hearing the arguments of Mr. Mayne, Counsel for the appellants, it is ordered that the sentence of the said Court of Session be, and the same hereby is, confirmed, and this appeal dismissed.

By the Court.

(Signed) P. P. HUTCHINS,

Registrar, Appellate Side.

No. 27. ORDER THEREON, 4th October 1866, No. 1547.

The petitioners having been convicted by the Session Court, after full inquiry, and the High Court having, after perusal of the records and hearing of their Counsel, dismissed the appeal, the Governor in Council sees no reason for interference on behalf of petitioners.

(True Extract).

Secretary to Government.

To the Commissioner of Police, with three enclosures, returned.

Exd. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following
letter from the Commissioners of Police.*

(Recd. enter 28th Sept. 1866 No. 107)

Order thereon 4th October 1866 No. 1547.

*The petitioners having
been convicted by the
Sessions Court after full
inquiry, ^{and the High Court} their appeal to
the High Court was, after
perusal of the records and
hearing of their learned
counsel, dismissed the
appeal, the Governor in
Council fails to see any
reason for interference
on behalf of petitioners.*

*To the Commissioner of Police
with 3 Enclosures. 12/10*

