

MADRAS RECORD OFFICE.

Government of Madras.

Journal DEPARTMENT.

G.O. No.	1840	Press
		~~Mis.~~
Dated	21-11.	19-1866

215-246

44

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
21st November 1866.

No. 215. Read the following letter from the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Ootacamund, 5th November 1866, No. 99.

With reference to paragraphs 233, 234, and 235 of the Jail Rules, I have the honor to submit, for the orders of Government, the case of a Criminal Lunatic, named Vencatasalaputty Chetty, now in confinement at Tanjore.

2. Two letters, in original, from the Superintendent of the Jail, are herewith forwarded, in which that Officer gives it as his opinion that the Convict was undoubtedly of unsound mind at the period of his admission, and it is, therefore, not improbable that he was so at the time of his trial; but, having been convicted and sentenced, his case comes within the provisions of Section 396 of the Code of Criminal Procedure, according to which an Insane Convict may be removed by order of the Local Government to a Lunatic Asylum. It does not appear, however, that the transfer of this Prisoner is necessary, and his sentence will expire in less than a month hence.

From Assistant Surgeon J. ROSS, M. B., Superintendent of the Jail at Tanjore, to the Inspector General of Jails; dated Tanjore, 15th October 1866, No. 193.

With reference to paragraph 235, Section XVIII, of the Jail Rules, I have the honor to report, for your information, that a prisoner who is of unsound mind was received into this Jail on the 5th instant.

2. He is somewhat deformed in body, and undoubtedly imbecile.

3. He has been sentenced by the 1st Class Sub-Magistrate, Combaconum, to two months' rigorous imprisonment, for theft.

From the Inspector General of Jails, to the Superintendent of the Jail at Tanjore; dated Ootacamund, 26th October 1866, No. 783.

With reference to your letter of the 15th instant, No. 193, and to paragraph 234 of the Jail Rules, I have the honor to request you will inform me whether there is any necessity to transfer the Prisoner to a Lunatic Asylum, for safe custody. His name should be specified, for the information of Government.

2. I infer that the Prisoner was of unsound mind at the time of his admission.

From Assistant Surgeon J. ROSS, M. B., Superintendent of the Jail at Tanjore, to the Inspector General of Jails; dated Tanjore, 30th October 1866, No. 199.

In reply to your letter, No. 783, of the 26th instant, I have the honor to inform you that the name of the lunatic prisoner referred to in my letter* is Venkatasalaputty Chetty, and that, at present, he is so quiet and harmless that his

* No. 193, dated 15th October 1866.

transfer to a Lunatic Asylum is unnecessary.

2. He was undoubtedly of unsound mind at the time of his admission into the Jail.

No. 216. ORDER THEREON, 21st November 1866, No. 1840.

As the Prisoner's term of imprisonment will shortly expire, and as he is reported to be quiet and harmless, the Governor in Council agrees with the Inspector General that the removal of the Convict to a Lunatic Asylum is unnecessary. The District Magistrate should satisfy himself, however, whether the Sub-Magistrate who tried the

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case took the necessary steps to ascertain, as required by Section 388 of the Code of Criminal Procedure, whether the Prisoner was of sound mind at the time of his trial.
(True Extract).

Chief Secretary.

To the Inspector General of Jails,
,, Magistrate of Tanjore.

Ed. J. H. Burns.

Turned
refuse the magistrate
to examine the
prisoner who
is the subject
of the case
of the 2nd
convict. I
shall have
the prisoner
examined
by the
magistrate
at the
next
session.

Ad. J. H. Burns
1866

21. Nov. 1866 R. 1860-
As the Prisoner's term
of imprisonment will
shortly expire and as
he is reported to be quiet
and harmless, the
Govt. agrees with the M.
Spectator that the removal
of the Convict to a Lunatic
Asylum is unnecessary.

To the Inspector General of Jails
J. H. Burns
7.0

should satisfy himself
however whether the Sub
Magistrate who tried
the case took the necessary
steps to ascertain, as
required by Section 38
of the Code of Criminal
Procedure, whether
the Prisoner was of
sound mind at
the time of his trial

The Chief of Police
Mysore 26/11/1866

Ed. J. H. Burns

Judicial B.B. Dept
from
The Insp. Genl. of Jails
The Chief Secy. to Govt.
For St. George.

Dated 5th
Feb. 1866.
No 99 202/16
Enclosures two
Refers the case of a
Criminal Lunatic at
Tanjore for order

C12-2/15
R15- 215-216.

With the order