M.R.O. 1—29,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 1970 Press ~~Mis.~~

130-131

Dated 18-12- ~~19~~ 1886

4/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
18th December 1866.

No. 130. Read the following letter from W. ROBINSON, Esq., Inspector General of Police, to the Secretary to Government, Fort Saint George; dated Madras, 17th November 1866, No. 1910.

A prisoner, on a charge of breach of Abkarry Law, escaped from Police custody, at Kaup, in the Canara District.

2. He was convicted under the Abkarry Law by the Sub-Magistrate, and then sent to the Head Assistant Magistrate's Court, for trial for escape, charged under Section 224 of the Indian Penal Code. The charge was dismissed, with the following remark on the Charge Sheet:—"It appears that the prisoner was arrested for an "offence against the Abkarry Law, an offence not punishable under the Indian Penal "Code; and he cannot be punished, under Section 224 of the Indian Penal Code, "for escaping from such arrest. The complaint is dismissed, under Section 67 of "the Criminal Procedure Code."

3. I beg that the opinion of the Law Officers may be taken on the point, as it is of great importance to the Police.

No. 131. ORDER THEREON, 18th December 1866, No. 1970.

Mr. Robinson is referred to G. O., 28th September 1865, No. 1406.

(True Extract).

Chief Secretary.

To the Inspector General of Police.

Exd. J. H. Burns.

Office of Inspector General of Police,

My dear Sir 22/6

With reference to my letter about escape from custody on a charge of breach of Ahkari rules in Canara - I send for Collect that the matter is at this moment before the High Court - & we shall have a ruling in our favour within hours/days short. So the Govt need not move in the matter as present - Yours sincerely

Judicial 1866 Department

Prisons

The Inspector General of Police

To the Secretary to Government Fort Saint George

Dated 17th November 1866

Recd 18th Do

Read 19th Do

No 2511 C No 1910

Requests to obtain the opinion of the Law Officers as to whether a prisoner in Police Custody on a charge of breach of Abkary Law cannot be punished under Sec. 224 of the I.P.C for escape.

With enclosure

To the Secretary to Government Fort St. George

Police Office Vepery 21st November 1866.

Sir

I have the honor to request that you will be pleased to obtain the opinion of the Law Officers of Government as to whether a prisoner in Police Custody on a charge of breach of Abkary Law cannot be punished under Sec. 224 of the I.P.C for escape.

I have the honor to be Sir Your most obedient Servant

Illegible

Superintendent of Police

130-131