M.R.O. 1—29,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Judicial
Revenue **DEPARTMENT.**

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| **G.O. No.** | 379 | **Press** ~~Mis.~~ |
| 107-109 | | |
| **Dated** | 14 – 3. ~~19~~ 1876 | |

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***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Judicial Department,*
*14th March* 1866.

Read the following papers :—

No. 107. From the Secretary to the Chief Commissioner of British Burmah, to the Secretary to the Government of India, Home Department; dated Rangoon, 11th November 1865, No. 365.

I have the honor, by direction of the Chief Commissioner, to forward copy of letter, No. 126, from the Superintendent of Port Blair, recommending the release of a convict named Moonegadoo, No. 8079. Under the circumstances stated, the Chief Commissioner begs to recommend Major Ford's application, for the release of the above prisoner, to the favorable consideration of His Excellency the Viceroy and Governor General in Council.

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From the Superintendent, Port Blair, to the Secretary to the Chief Commissioner, British Burmah; dated Port Blair, 29th September 1865, No. 126.

I have the honor to recommend to the Chief Commissioner convict Moonegadoo, 8079 for release under the following circumstances.

2. The convict was tried in Case No. 45 of 1863 on the Calendar of the Session Judge of Chittoor, Madras Presidency, on the 21st July 1863, on a charge of "dacoity," when he was sentenced to transportation for 10 years; the prisoner was, after a few months' detention in Madras, forwarded to this Settlement, where, after the lapse of a year and a half, he suffered a severe accident, his leg being crushed by an iron girder that fell on it when engaged in discharging the same from a Settlement Lighter.

3. This accident rendered amputation of the thigh necessary, since when he has suffered much from the effects of the operation.

4. In consideration of the above circumstances; his good character on the Settlement; also of the fact of his being unable to work for Government, I beg respectfully to recommend this convict for the favorable consideration of the Madras Government for remission of his remaining sentence, of which more than three years will have elapsed before a reply is received.

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No. 4515.

Transferred to the Government of Madras for disposal.

FORT WILLIAM,
HOME DEPARTMENT,
*29th November* 1865.

(By Order.)
(Signed) W. E. WARD,
*Under Secretary to the Govt. of India.*

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Referred to the Magistrate of North Arcot for his opinion.

FORT SAINT GEORGE,
*19th December* 1865.

(Signed) C. G. WALKER,
*Under Secretary to Government.*

No. 108. From the Magistrate of North Arcot, to the Under Secretary to Government, Fort Saint George ; dated Gudiattum, 2nd March 1866, No. 8.

I have the honor, with reference to your Endorsement dated 19th December last, on a letter from the Chief Commissioner, British Burmah, respecting the release of convict Moonegadoo, who was sentenced to 10 years' transportation, in Case No 45 of 1863, on the Calendar of the Session Judge of Chittoor, to inform you that among the prisoners in that case (sentenced to various periods of imprisonment) were two, standing 2nd and 4th on the file, both bearing the name of Moonegadoo, and both alike sentenced to 10 years' transportation, as will be seen from the accompanying copy of the Session Judge's decision in the case. I am thus unable, in the absence of any "house name", or other distinction, to determine who of these two Moonegadoos is the convict of whom there is now question. Meanwhile, in order to avoid the delay of a further reference, I beg to furnish such information connected with both convicts of the name as may render further correspondence unnecessary.

2. The two convicts in question came from Nangali in the Mysore territory. The name of the 2nd prisoner's father is Chinnapen, and that of the 4th convict's father is Papadu.

3. The statement given by the inhabitants of Nangali respecting the character and antecedents of these two men before the Sub-Magistrate of Mulwagle, where the prisoners were apprehended, is enclosed. From this the Government will learn, that these convicts belong to a predatory tribe, viz., to the Boya caste ; that they were notorious dacoits and had been previously concerned in several robberies, for which they had been tried and sentenced to imprisonment.

4. I do not think that, in these times of scarcity and high prices, the release of such hardened and practiced ruffians, however disabled, would be expedient.

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*Case No. 45 of the Calendar for* 1863, *sent up by the Sub-Magistrate of Gudiattum.*

*Prosecutor.*

The Queen.

*Prisoners.*

1. Taliari Subbada.
2. Moonegadoo.
3. V. Chinna Venkategadoo.
4. Moonegadoo.
5. Gunnebunda Gungadoo.
6. Teroomalagadoo.
7. Boya Chinnegadoo.
8. Gopegadoo *alias* Yellugadoo.
9. Karnum Subbiah.
10. Nagacharie
11. C. Ragavandra Row.



SECTION 395 OF THE INDIAN PENAL CODE.

*Dacoity.*

That the prisoners 1 to 8, on the night of the 18th March 1863, in the Village of Mungapattu in the Taluq of Gudiattum and Zillah of Chittoor, committed dacoity, and that they have thereby committed an offence punishable under Section 395 of the Indian Penal Code, and within the cognizance of this Court of Session.

SECTION 412 OF THE INDIAN PENAL CODE.

*Receiving Stolen Property.*

2. That the prisoners 9 and 11 dishonestly received a shawl and 10 gold pieces, then being stolen property, knowing the same to have been obtained in the aforesaid dacoity, and that they have thereby committed an offence punishable under Section 412 of the Indian Penal Code, and within the cognizance of this Court of Session.

*Sentence.*

The Jury are unanimous in finding that the prisoners Taliari Subbadu 1st, Moonegadoo 2nd, V. Chinna Venkategadoo 3rd, Moonegadoo 4th, Gunnebunda Gungadoo 5th, and Teroomalagadoo 6th, are guilty of the offence specified in the 1st Count of the charges, viz., that Taliari Subbadu Moonegadoo, V. Chinna Venkategadoo, Moonegadoo, Gunnebunda Gungadoo and Teroomalagadoo have committed dacoity, and have thereby committed an offence punishable under Section 395 of the Indian Penal Code, and the Court directs that the said Taliari Subbadu, Moonegadoo, V. Chinna Venkategadoo, Moonegadoo, Gunnebunda Gungadoo, and Teroomalagadoo be subjected each to 10 years' transportation.

The Jury are unanimous in finding that the prisoners Boya Chinnegadoo 7th, and Gopegadoo *alias* Yellugadoo 8th, are not guilty of the offence specified in the 1st Count of the charge, namely, that Boya Chinnegadoo and Gopegadoo *alias* Yellugadoo have committed dacoity, and have thereby committed an offence punishable under Section 395 of the Indian Penal Code, and the Court directs that the said Boya Chinnegadoo and Gopegadoo, *alias* Yellugadoo be discharged.

The Jury are unanimous in finding that the prisoners Karnum Subbiah 9th, and Karnum Ragavandra Row 11th, are not guilty of the offence specified in the 2nd Count of the charge, viz., that Karnum Subbiah and Karnum Ragavandra Row have received stolen property obtained in dacoity, knowing it to be such, and have thereby committed an offence punishable under Section 412 of the Indian Penal Code, and the Court directs that the said Karnum Subbiah, and Karnum Ragavandra Row be discharged.

(Signed) G. A. HARRIS,
*Session Judge.*

*21st July* 1863.

*To the Acting Magistrate of North Arcot, for his information.*

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Translation of a Mahazurnamah, presented by the inhabitants of Nangali in the Mysore Territory, 17th June 1863.

Agreeably to the instructions of the Magistrate, communicated through Sheikader, we, the undersigned inhabitants of Nangali, beg to present this Mahazurnamah respecting the previous conduct of the prisoners Taliari Soobbanna (1), his younger brother Moonegan (2) *alias* Moonegadoo, Vitlapoorum Chinna Venkategadoo (3), Yiriki Mooga Mooniga (4) *alias* Mooga Moonegadoo, Boya Chinnegadoo (5), and Sonara Nagachari (6), apprehended in the matter of a torch light robbery, committed in the house of one Soondra Chari at Moongilpat in Gudiattum Taluq, in the District of North Arcot.

2. About a year and a half ago the 1st prisoner, Taliari Subbadu, robbed one Venkatarama Battoo and others when they were passing by a high road in the limits of the village of Tippa Doddy with their females. He confessed the crime, and was, on conviction, punished with imprisonment in the Bangalore Jail, and the value of the property lost was recovered from him, and given to the prosecutor.

3. His younger brother Mooniga, about 10 months ago, robbed one Chinna Veerish's (a merchant) son, aged about eight years, of a silver neck chain when he was gathering "Thoomba" flowers by the side of a river below a tank at Nangali early in the morning. He was punished for the offence, as it was proved against him.

4. The 3rd and 4th prisoners committed a torch light robbery in a merchant's house, in the village of Madiralla within the Government territories, and were, on conviction, punished with imprisonment in the Chittoor and Bangalore Jails.

5 The 5th prisoner Boya Chinnegadoo had come to Nangali about 15 years ago. It does not appear that he has since suffered any kind of punishment.

6. As his son was concerned in the said Madiralla robbery case, and was found in possession of stolen property, he was subsequently punished for these offences. His death occurred some time after.

7. Sonara Nagachari has been a resident of this village since long. He is a man of children and has honest means of livelihood. Yiriki Mooga Mooniga failed to report to the Circar the circumstance of his having purchased the gold piece which the said prisoner alleged he had given him. Besides this, there has been nothing against him.

This Mahazurnamah has been given of our free will and consent.

(Signed) NANGALI RAMA SOOBBA BATTU.
and 20 others.

(True Translation,)

(Signed) J. D. ROBINSON,
*Magistrate.*

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No. 109. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 14th March 1866, No. 379.

Referring to the letter of the Secretary to the Chief Commissioner of British Burmah to your address, dated the 11th November last, No. 365, and transferred by endorsement to this Government, for disposal, I am directed by the Governor in Council to state that the convict Moonigadu, whose release is recommended by the authorities in Burmah, was convicted of Dacoity by the Session Judge of Chittoor, and sentenced, on the 21st of July 1863, to 10 years' transportation, under Section 395 of the Indian Penal Code. It appears, from information now obtained from the Magistrate of North Arcot, that the convict in question belongs to a predatory tribe; that he was a notorious Dacoit, and had been previously concerned in several robberies for which he had been tried and punished; and that, in these times of scarcity and high prices, the release of such a hardened offender, however disabled, would not be expedient.

2. Under these circumstances, I am to state that the Governor in Council is not disposed to accord a pardon to the convict Moonigadu.

(Signed) A. J. ARBUTHNOT,
*Chief Secretary.*

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Judicial Department

No. 379.

To the Secretary to the Govt. of India.
Home Department.

Sir,

Referring to the letter of the Secretary to the Chief Commissioner of British Burmah to your address dated the 11th Nov. last. No. 365 & transferred by endorsement to this Govt. for disposal, I am directed by the Governor in Council to state that the convict Moonigadu, whose release is recommended by the authorities in Burmah, was convicted of Dacoity by the Session Judge of Chittoor & sentenced on the 21st of July 1863 to 10 years transportation under Section 395 of the Indian Penal Code

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scarcity & high prices the
release of such a hardened
offender, however disabled
would not be expedient.

2. Under these circum-
stances, I am to state that
the Governor in Council
is not disposed to extend
a pardon to the convict
Monaghan.

Fort St George
14 March 1866

E/B

Judicial 1866. Departt.

No 379

To

The Secretary to the Govt
of India

Dated 14th March 1866.

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