

MADRAS RECORD OFFICE.

Government of Madras.

Internal DEPARTMENT.

G.O. No.	13222	Press
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Dated	20 - 8	49-1867

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
20th August 1867.*

Read the following papers:—

No. 201. From the Commissioner of Police, to the Acting Chief Secretary to Government, Fort Saint George; dated Madras, 18th July 1867, No. 85.

I have the honor to forward a petition from one Janapareddi Naraidoo, a little boy, now a prisoner in the Penitentiary under sentence of transportation for life by the Sessions Court of Ganjam for murder.

2. The prisoner prays for mitigation of sentence, stating that he threw his play-mate into a well with no intention of taking his life. The little boy scarcely seems to be 13 years old. He is very quiet and well-behaved, and apparently of a good disposition.

To

THE RIGHT HONORABLE FRANCIS BARON NAPIER, K. T.,
Governor and President in Council.

The humble Petition of Janapareddi Naraidoo,
a boy of 13 years of age, and now a prisoner
in the Madras Penitentiary.

HUMELY SHEWETH,

That your petitioner was tried and convicted of murder at the Berhampore Session Court on the 6th November 1866, Case No. 78 of 1866, and sentenced to transportation for life, and that your petitioner craves that his case may be taken into your kind consideration on account of his tender age, and that the act for which he is transported was done not out of any ill-will or malice, but through ignorance and playfulness, and that your petitioner prays for a mitigation of his sentence; for which act of charity your petitioner, as in duty bound, shall ever pray.

MADRAS PENITENTIARY OFFICE,
18th July 1867.

The Mark + of JANAPAREDDI NARAIDOO.

No. 201A. From the Session Judge of Berhampore, to the Acting Chief Secretary to Government, Fort Saint George; dated Berhampore, 2nd August 1867, No. 76.

I have the honor, herewith, to forward a copy of the Calendar in Case No. 78 of 1866 on the file of this Court, as called for in your Memorandum of the 25th ultimo, No. 220.

Proceedings of the Madras Government, Judicial Department,
20th August 1867.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Number of the Case.	Name and description of the accused.	Copy of the charge or substance of the complaint.	Name of complainant.	Names of witnesses for the prosecution.	Names of witnesses for the defence, if any.	Statement of the evidence and grounds of conviction.	Finding and sentence.	Date of offence.	Date of complaint.	Date of apprehension or appearance.	Date of commencing trial.	Date of sentence.	Explanation of delay.
78 of 1866.	Janapareddi Naraidoo. Caste, Telugu. Calling, Cultivator.	That he, on or about the 25th September 1866, at Goodiyali, committed murder by causing the death of one Gouroo, and that he has thereby committed an offence punishable under Section 302 of the Indian Penal Code, and within the cognizance of the Court of Session.	Regina.	1. Jugga Booya, 2. Balunki Mahanti. 3. Kola Lutchiah. 4. K. Mootyaloo. Deposition read in evidence. 5. Mr A. Snaize, pensioned Apothecary. Deposition read in evidence.		The prisoner pleads guilty. The 1st witness states that he met specified in the charge, the prisoner and deceased going together viz., that he has committed a garden towards a garden to the west of the village in question on the afternoon of causing the death of the day on which the latter was missed. one Gouroo, and has been found in a well situated in a garden the Indian Penal Code; and the Court directs near the village, he sent for the 3rd witness that the said Janapareddi Naraidoo be trans- nessed (Deputy Constable), and they both ported for life.	The Court finds that Janapareddi Naraidoo is guilty of the offence specified in the charge, viz., that he has committed murder by causing the death of one Gouroo, and has been found in a well situated in a garden the Indian Penal Code; and the Court directs near the village, he sent for the 3rd witness that the said Janapareddi Naraidoo be trans- nessed (Deputy Constable), and they both ported for life.	25th September 1866.	26th September 1866.	26th and 27th September 1866.	6th November 1866.	6th November 1866.	6th November 1866.
had the body of deceased taken out of the well, and that it was at once identified by 4th witness as that of her daughter, who at once confessed that he had seen prisoner taking the deceased's nose, and had then pushed her into the well lest she should tell her parents, and that he had got the nose-rings in a box in his house; that deponent and 3rd witness took prisoner to his (prisoner's) house, where he produced a box from which he took out and gave up the nose-rings before the Court, which 4th witness identified as those worn by the deceased. He states that the prisoner's parents are in very reduced circumstances. He further states that the 4th witness is unable from severe illness to attend the Court. The 3rd witness (Deputy Constable) fully corroborates the statement of the 2nd witness. The 4th witness' deposition before the Sub-Magistrate was read in evidence (under Section 309 of the Criminal Procedure Code). She stated that she missed her daughter, the deceased, aged 5 years, on the evening in question and was told by 1st witness that he had seen prisoner taking deceased towards the garden, and that she afterwards saw the dead body of her daughter taken out of the well. She identified the nose-rings given up by prisoner as those which deceased wore.													

The examination of the Medical Officer before the Sub-Magistrate shows that the deceased's death was caused by drowning. The prisoner made a free confession of his guilt before the Sub-Magistrate. Before this Court he says that he took the nose-rings from the deceased's nose and then pushed her into the well lest she should tell her parents, and that he took her nose-rings in order to sell them and buy sweetmeats, as he had not enough to eat at home.

This case presents a frightful instance of juvenile depravity. The prisoner is said by the Sub-Magistrate to be 13 years old, but in my opinion, and in that of the Assessors, he is under 12 years of age; but at the same time I am quite convinced that he has attained ample maturity of understanding to judge of the nature and consequences of his conduct on the occasion in question.

I am unable to admit that there are any extenuating circumstances in this case, but as I feel sure that a Jury would have recommended the prisoner to mercy on the grounds of his youth, and that the execution of one so young would be repugnant to the popular sentiment, I have passed the alternative sentence of transportation for life.

BERHAMPORE SESSION COURT,
6th November 1866.

(Signed) E. B. FOORD,
Session Judge.

Proceedings of the Madras Government, Judicial Department,
20th August 1867.

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20th August 1867.*

No. 202. ORDER THEREON, 20th August 1867, No. 1342.

The Governor in Council has had under consideration the record of the case in which the petitioner was sentenced to transportation for life and sees no grounds for interference.

(True Extract).

Acting Chief Secretary.

To the Commissioner of Police.

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two points to have been
greatest for indifference.

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- began under Robinson - lasted 2 day 1/2, p. 6. 5
to 1342, date to August 1867
The Governor in Council has had under con-
- sideration the fiscal of the case in which the Attorney
was permitted to transact for life and was not
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With our orders