

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1466	Press
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<i>116-911</i>	Dated	11-9-1867

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
11th September 1867.*

No. 116. Read the following letter from the Agent to the Governor in Ganjam, to the Chief Secretary to Government, Fort Saint George; dated Chetterpore, 29th August 1867, No. 81.

Under Section 390, Code of Criminal Procedure, I beg to report, for the orders of Government, as regards the disposal of the accused person, Case No. 24 of 1867 on this Court's file (copy of record enclosed), where the prisoner Bandi, a Khond boy about 14 years old, has been declared of unsound mind and incapable of making his defence.

2. He stood charged with the murder of one Sattura, his own father. Two witnesses deposed before the Sub-Magistrate that, on hearing the old man's cries for help, they rushed into his hut and found him lying on the ground, with two severe wounds on his head, and before they could prevent him, the prisoner dealt a third blow; the weapon used was a wood chopper. The deceased never spoke again, and was dead in a few hours.

3. In answer to the Sub-Magistrate, the prisoner is made to state that he had no reason for killing his father; he did it because he felt impelled thereto. But before this Court he has not faculty enough to remember whether his father is alive, and cannot so much as tell us his father's name. It was, therefore, impossible to go on with the trial.

4. His friends indeed deny that he was different from other people before this transaction; but the signs of natural fatuity are so apparent in his case that I decline to credit that assertion, and shall be extremely surprised if the unfortunate youth is ever in a fit state to plead.

PRESENT D. F. CARMICHAEL, Esq., Agent to the Governor in Ganjam.
Case No. 24 of 1867, Sessions Court—Agency.

Regina versus Bandi, Khond, cultivator, committed by the 2nd Class Sub-Magistrate of Baliguda.

Charge.—That he, on or about the 28th day of July 1867, at Brodisozo, of the Khond Maliahs, committed murder by causing the death of one Sattura, and that he has thereby, &c., Section 302, Indian Penal Code, &c.

The prisoner is a lad apparently about 14 years old. He has a wild vacant look, like an idiot, and before calling upon him to plead, the Court resolves to test the soundness of his mind. The Medical Officer of the station is called in and desired to attend to the proceedings.

After a great deal of coaxing, the prisoner, who appeared quite scared at the question, gave his name. Does not know his father's name, nor the name of his village. Does not know whether his father is alive. "They have driven me away." Who? Does not know who. Says he has a bad pain in his chest. The Medical Officer puts his hand there, and observes that his heart is beating wildly from agitation.

James John Watts, on oath.—I am in Medical charge of Chetterpore. I am an Assistant Apothecary. I have been present in Court since the prisoner was brought in, and have attended to the proceedings. I think the prisoner is about 14. I think him an idiot. I judge from the size and make of his head, and from the vacuity of his countenance, also from his absent and incoherent way of answering the questions put to him. I think he will be an idiot for life.

(Signed) J. J. WATTS,

Asst. Apothecary.

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The prisoner here tosses himself about; beats the ground; takes off his *lungotee* (his sole covering), throwing it on the ground, and bites the Constable standing at his side, on that Officer trying to control him. As suddenly he then grows quiet and stares at the ceiling, chattering incoherently.

A special judgment is written up, that the accused person is of unsound mind and incapable of making his defence. The prisoner will be detained in safe custody, pending the orders of the Governor in Council, to whom a report will be made under Section 390, Code of Criminal Procedure.

CHETTERPORE, 28th August 1867.

(Signed) D. F. CARMICHAEL,
Agent to the Governor.

No. 117. ORDER THEREON, 11th September 1867, No. 1466.

Under the provisions of Section 394 of the Code of Criminal Procedure, the Governor in Council directs that the prisoner Bandi be forwarded to the Lunatic Asylum at Vizagapatam.

(True Extract).

Chief Secretary.

To the Agent to the Governor of Fort Saint George, Ganjam.
" " " " Vizagapatam.
" Inspector General of Jails.

Exd. J. Tulloch,

11th September 1867 No. 1466.
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to the Agent to the Governor
of Fort St. George
Ganjam - 25 Sept 1867
- " - " - of Vizagapatam -
- " - Inspector General of Jails -

Exd. J. Tulloch,