

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1621	Press <u>MIS.</u>
Dated	10-10-1986	

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
10th October 1867.

No. 86. Read the following letter from the Magistrate of Cuddapah, to the Chief Secretary to Government, Fort Saint George; dated Cuddapah, 26th September 1867, No. 34.

In submitting a letter, dated 20th September 1867, received from the Acting Joint Magistrate of Cuddapah, reporting the apprehension of certain persons, residents of the Mysore territory, charged with house-breaking under Section 457 of the Indian Penal Code, on warrants issued by the Sub-Magistrate of Chikkabalapuram of the Colar Division, I have the honor to request that you will be pleased to obtain the orders of Government for the delivery of them to the proper authorities in the Mysore territory, as directed in paragraph 2 of the Government Order, dated 22nd August 1866, No. 1299.

From the Acting Joint Magistrate of Cuddapah, to the Magistrate of Cuddapah; dated Madanapally, 20th September 1867, No. 32.

The Sub-Magistrate of Madanapally has referred to me, for orders, a case in which five men have been produced before him, apprehended under a warrant issued by the Sub-Magistrate of Chikkabalapuram, in the Mysore territory, Colar Division.

2. The warrant issued by the Sub-Magistrate of Chikkabalapuram contains the names of six men, as per margin, said to reside in villages of the Mysore territory.

1. Appogigah.	4. Vobigah.
2. Yerruga.	5. Nagah.
3. Temmugah.	6. Gangah.

3. The two Police Constables entrusted with the execution of the warrant have apprehended four of the men, and produced them before the Sub-Magistrate, with a view to obtain his orders for their production before the Sub-Magistrate issuing the warrant. They further request the assistance of the Police of this district in apprehending the remaining two, who as yet have not been found.

4. One man has been apprehended, whose name was not in the warrant, because he was the son of one named in it; I have ordered his release.

5. The men are all described in the warrant as residing in Mysore; they describe themselves as wanderers without any fixed place of abode. They cannot, however, be proceeded against under Act I of 1849.

6. The offence charged is house-breaking, under Section 457 of the Indian Penal Code.

7. The warrant has been executed under the provisions of Section 84 of the Criminal Procedure Code, but this course is illegal by the Orders of Government, dated May 26th, 1865, and August 22nd, 1866; the proper course for the Mysore authorities being to make a requisition under Act VII of 1854; this, however, has not been done. Although the apprehension of these men was therefore illegal, it does not appear necessary to order their release, as under the provisions of Section 19 of Act VII of 1854, they might be immediately apprehended again under my warrant.

8. Under that Section I have issued warrants for the apprehension of the two who are still at large.

9. I have, therefore, the honor to request that you will obtain the permission of Government to deliver up the persons at present in custody to the Mysore authorities.

10. The Deputy Superintendent of Colar has hitherto applied, through you, for the execution of warrants in similar cases to the present, and the Sub-Magistrate has apparently in this acted without reference to him.

No. 87. ORDER THEREON, 10th October 1867, No. 1621.

The delivery of the four persons mentioned in the Acting Joint Magistrate's letter, as having been apprehended on Warrants issued by the Mysore authorities, is sanctioned.

Proceedings of the Madras Government, Judicial Department,
10th October 1867.

2. The names of the four persons who have been arrested should have been distinctly specified.

3. The Magistrate of Cuddapah will transmit a copy of the Joint Magistrate's letter to the Superintendent of the Colar Division.
(True Extract).

Chief Secretary.

To the Magistrate of Cuddapah.

Ed. J. Tulloch.

23-9-67

Re
32

Joint Magistrates Office
Madanapally

20th September 1867.

From

J. R. Daniel Logan

Ag. Joint Magistrate of Cuddapah

To

V. J. Smith Logan

Magistrate of Cuddapah

Sir,

The Sub Magistrate of Madanapalli has referred to me for orders a Case in which 5 men have been produced before him apprehended under a warrant issued by the Sub Magistrate of Chikabhalapuram in the Mysore Territory, Colar Division.

2 The warrant issued by the Sub Magistrate of Chikabhalapuram contains the names of 6 men ^{as put down} said to reside in Village of in the Mysore Territory.

- 1 Appogiah
2 Gernaga
3 Immugah
4 Voligah
5 Nagah
6 Gangah

fastened
officers
received

5 The men are all described in the warrant as residing in Mysore, they describe themselves as wanderers without any fixed place of abode, they cannot however be proceeded against under act 1 of 1849.

Page 225-227
1865-1866
1865-1866

10 October 1867 No. 1621.

The delivery of the pris.
sons ^{mystical} ~~unconnected~~ in
the foregoing letter is
sanctioned -
in warrants
issued by the
Magistrate.

The names of the
persons who have
been arrested should
have been distinctly specified
by Mr. King & C. with a copy
of the Magistrate's letter & the list of the
names of the persons arrested.

This Magistrate at Cuddalore has been
instructed by the Mag. of Cuddalore to transmit
to the Secy of the Police Division, a copy of the
aforesaid letter.