

# MADRAS RECORD OFFICE.

Government of Madras.

*Insolvent* DEPARTMENT.

|          |     |                          |
|----------|-----|--------------------------|
| G.O. No. | 698 | Press<br><del>Mis.</del> |
| Dated    | 1-5 | 1918                     |

Not to be folded or roughly handled

14/10/30

*Proceedings of the Madras Government, Judicial Department,  
1st May 1867.*

No. 7. Read the following letter from the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Madras, 1st April 1867, No. 2.

With reference to the Order of Government noted in the margin, directing the detention of an under-trial prisoner, of unsound mind, named Saminaden, in the District Jail at Tanjore, until he should be in a fit state to be placed on his trial, I have the honor to submit, for the orders of Government, a correspondence with the Medical Officer in charge of the Jail, regarding the mental condition of the prisoner in question. It appears that Dr. Ross entertains no hope of his ultimate recovery, or of his ever being able to make a rational defence.

Judicial Department, 3rd September 1866, No. 1370.

2. It is stated that the prisoner's elder brother is willing to take charge of him, and to give security that he will be properly taken care of, and be prevented from doing injury to himself or to others.

From Assistant Surgeon J. ROSS, M. B., Superintendent of Jail, Tanjore, to the Inspector General of Jails, Ootacamund; dated Tanjore, 18th December 1866, No. 228.

Proceedings of the Madras Government, Judicial Department, dated 3rd September 1866, No. 14, and Order thereon, 3rd September 1866, No. 1370.

In Proceedings of the Madras Government marginally noted and Order thereon, it is directed that prisoner Saminaden Iyen be kept in the Zillah Jail, until he is in a fit state to be placed on his trial.

2. He has been under my observation for upwards of three months, and I would now beg to bring his case to your notice, for the information of Government; because, to the best of my judgment, he is never likely to be able to make a rational defence.

3. He is a silly, harmless creature, not exactly an idiot, but still one whose mental powers are much below the average.

4. Judging from what I have seen of him, I am of opinion that his mental defects are more or less congenital; and his present state holds out little prospect of improvement, particularly while he is in Jail.

5. Under these circumstances, I would venture to suggest that it would be better to make him over to the charge of his friends, than to keep him longer, fretting and pining as he does, in the confinement of a Jail.

From the Inspector General of Jails, to the Superintendent of Jail, Tanjore; dated Ootacamund, 26th December 1866, No. 1060.

In reply to your letter of the 18th instant, No. 228, I have the honor to state that the Section of the Code of Criminal Procedure, respecting the making over of insane prisoners to the care of their friends, is not applicable to the case of an untried prisoner, and that of Saminaden Iyen must consequently be treated specially. I, therefore, request you will be good enough to make another report of his state of health at the expiration of three months, and I will then submit the matter for the orders of Government.

2. It will be necessary to mention whether the man's friends or relations wish to take care of him, and also whether they are willing to give security that he shall be properly looked after, and prevented from doing injury either to himself or to others.

From Assistant Surgeon J. ROSS, M. B., Superintendent of Jail, Tanjore, to the Inspector General of Jails, Madras; dated Tanjore, 21st March 1867, No. 47.

As requested in your letter, No. 1060, of the 26th December 1866, and in continuation of my letter, No. 228, of the 18th December last, I have the honor to report that, during the past three months, no perceptible change has taken place in the mental condition of the prisoner Saminaden Iyen.

*Council*

*Proceedings of the Madras Government, Judicial Department*  
1st May 1867.

2. He is still the same harmless, silly creature that I formerly described him to be, and, as regards his chance of ultimate recovery, I see no reason to alter the opinion already expressed on that point in my letter referred to.

3. The prisoner's elder brother, Rama Amurtayen, is willing to take charge of him, and to give security that he will look after him, and prevent his doing injury to himself or others.

No. 8.

ORDER THEREON, 1st May 1867, No. 698.

As it appears from the report of the Medical Officer that the prisoner Saminaden is still of unsound mind, and unfit to be placed upon his trial, and that there is little or no prospect of his ever being in a condition to make a rational defence, the Governor in Council is pleased to direct that the prisoner be delivered over to his brother, upon that individual furnishing such security as the Magistrate may deem requisite, to ensure that Saminaden shall be properly taken care of, and prevented from doing injury either to himself or others.

(True Extract).

Chief Secretary.

To the Inspector General of Jails, with enclosures returned.  
" Magistrate of Tanjore.

Exd. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following  
letter from the Inspector  
General of Jails.

(Hence entered 1st April 1867 No. 2)

Order thereon 1st May 1867 No. 698.

As it appears from  
the Report of the Medical  
Officer that the prisoner  
Saminaden is still of  
unsound mind and unfit  
to be placed upon his trial  
and that there is little or  
no prospect of his ever  
being in a condition  
to make a rational de-  
fence, the Governor in  
Council

N. G.

DR

Council is pleased, under  
the provisions of Section  
397 of the Code of Cri-  
minal Procedure, to  
direct that the prisoner  
be delivered over to his  
brother, upon that indi-  
vidual furnishing such  
security as the Magistrate  
may deem requisite, to  
ensure that Saminaden  
shall be properly taken  
care of and prevented from  
doing injury either to  
himself or others.

*[Signature]*

Inspector General of Police  
Magistrate of Bangalore

letter omitted -  
for 3 months  
in 5 days  
relating only to persons  
admitted on the  
to those who by reason  
of their position  
The reason is, that  
without proper  
care

and of his agent - but  
on of his agent and not  
release him with out  
N!

21st Nov  
as attached

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Indian Affairs, Department.

No. 690

PROCEEDINGS OF GOVERNMENT.

Dated, 1<sup>st</sup> May 1867.

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