

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	71	Press
		~~His.~~
Dated	14.1.1867	11

127-128

5/5

Not to be folded or roughly handled

100

*Proceedings of the Madras Government, Judicial Department,
14th January 1867.*

No. 127. Read the following letter from the Magistrate of Cuddapah, to the Chief Secretary to Government, Fort Saint George; dated Cuddapah, 22nd December 1866, No. 46.

I have the honor to state that an individual, Nagappa, who is deaf and dumb, is charged with having committed theft by dishonestly taking 8 Annas, in the possession of one C. Gungireddy, out of his possession without his consent, and thereby committed an offence punishable under Section 379 of the Indian Penal Code.

2. He is further charged with being an old offender, having undergone three years' imprisonment in the Zillah Jail for an offence punishable under Chapter XVII of the Indian Penal Code, and is now liable to additional punishment under Section 75 of the Indian Penal Code.

3. The first charge has been fully proved against the prisoner; but with reference to the Order of Government, dated 23rd November 1866, No. 1863, I beg to be favored with the orders of Government, whether, under Section 394 of the Criminal Procedure Code, the prisoner is to be sent to the Lunatic Asylum, or punished under the law, as he is an old offender, though he is deaf and dumb, as per certificate furnished by the Native Surgeon herewith submitted.

No. 128. ORDER THEREON, 14th January 1867, No. 71.

If the deaf mute referred to is incapable of making his defence he should be dealt with as laid down in Sections 390, 391 and 392 of the Criminal Procedure Code. But the Magistrate should take care to have him examined in the first instance, as required by Section 388, and satisfy himself that the accused cannot be put upon his trial by reason of his inability to defend himself.

(True Extract).

Chief Secretary.

To the Magistrate of Cuddapah.

Ed. J. Talloch.

14-12-66 Alf

This is to certify that I have
examined the individual named
Moosy Nagappa and consider
him both deaf and dumb.

H. M. M. M. M.

Cuddalore
14th December
1866

Native Surgeon

36
Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the magistrate of Cuddapah.
Recd letter 22nd Decr 1866. No 46.

Order thereon 11th Janry. 1867 No 41.

If the deaf mute referred
to is incapable of making
his defence he should be
dealt with as laid down in
C.P.C. Code
Sections 390, 391 and 392. But
the magistrate should take
care to have him examined
in the first instance as re-
quired by Section 388, and
satisfy himself that the
accused cannot be put upon
his trial by reason of his
inability to defend himself.

JP
WON

To the magte. of Cuddapah 27/11

811

Judicial 1867. Department.

No. 41.

PROCEEDINGS OF GOVERNMENT.

25/4/628

Dated 14 January 1867.

1867. 255. 59

25/4/628

1874/128

1874/128

262/53/88