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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

DEPARTMENT

G.O. No.	161	Pres.
B.P. No.		Mis.
Dated	22.1.1968	197.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
22nd January 1868.*

Read again letter from the Acting Registrar of the High Court of Judicature, Appellate Side, dated 30th November 1867, No. 60, recorded in Proceedings dated 11th December 1867, No. 2039.

No. 160. Read also the following letter from the Deputy Registrar of the High Court of Judicature, Appellate Side, to the Chief Secretary to Government, Fort Saint George, dated Madras, 24th December 1867, No. 68.

With reference to your letter, dated the 9th instant, No. 2023, I am directed by the High Court to submit the Record in Case No. 63 of 1867 on the Calendar of the Session Court of Trichinopoly, in which the District Munsiff, T. Rajagopal Naiker, was charged with bribery.

No. 161. ORDER THEREON, 22nd January 1868, No. 101.

The Government, with the further information now before them, namely, that Ragoonatha Row, did not institute the charge of bribery against the District Munsiff, T. Rajagopal Naiker, with "obvious virulence," as supposed by the Judges of the High Court, this prosecution having been instituted under the direction of the Acting Magistrate, upon evidence which seemed to that Officer sufficient to substantiate the charge.

(True Extract).

To the Honorable the Judges of the High Court, with enclosure, returned
" Magistrate of Trichinopoly.

Ed. J. H. Burns.

7/0
Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

again
Read the following letter from the

Acting Registrar of the High Court. A.S. of 30th Nov.
1867 N^o 60, received in Dec. of 11th Decr. 1867 N^o 2039.

Read also the following letter

From the Reg. of the High Court. A.S. of 24th Decr. 1867 N^o 68.

Order thereon N^o 101 of 22nd January 1868.

The Government with
the further information now
before them consider that
Ragunatha Row did not
institute the charge of
bribery against the District
Munsiff. T. Rajagopal
Naiker, with obvious violence
as supposed by the Honorable
the Judges of the High Court,
this prosecution having
been instituted under

W. H. N.
M. H. N.
W. H. N.

direction of the Acting
Magistrate upon evidence
which seemed to that Officer
sufficient to substantiate
the charge.

Wm

To the Honble the Judges of the
High Court with
Magistrate of Trichinopoly

7/10/1
Judicial Depart

Memorandum

Letter from the Registrar of the High Court, dated 24 December 1867

Enclosed is the Record of
the case of bribery against the
District Munsiff of Spickly,
which has at last been
received from the High Court.

This record was required
with reference to the concluding
para of the letter from the Acting
Registrar of the High Court dated
23 November 1867 (the Court
of 17th Dec 1867) in which the
the Judges of the High Court
decided the charge of bribery
against the District Munsiff,
as having been instituted with
obvious violence by the
Deputy Magistrate Agnathulu.

There can be no doubt that
the Acting Sessions Judge was
perfectly justified in suspending
the Assessors in this case
and acquitting the Munsiff.

of the case which bears out
the expression of the opinion
that Ragnatha Rao instituted
the charge with obvious violence.
As far as appears on the record,
the charge against the District
Mooniff was brought by the
Police under Sec 105 of the S. O.
Code before the Acting Head
District Magistrate, who com-
mitted the case to the Sessions
Court and there is nothing
in the record to show the part
borne by the Deputy Magistrate
Ragnatha Rao - I gather that
the Chaudhar conducted the
prosecution before the Sessions
Court - vide para 5 of the Acting
Sessions Judge's remarks and
Circular Case No 83 of 1867 and
since the receipt of the Acting
Registrar's letter and the proceeding
of Government thereon, namely
the Government have had before
them the letter from the Acting
Magistrate Mr. J. Van Degen dated
11 Dec (enclosed) in which that
Officer, para 4, distinctly and
positively advises the Govern-
ment that Ragnatha Rao
did not prefer the charge of
bribery against the District Mooniff -
that he was averse to the prosecution
and was most unwilling to take

states that although Ragnatha
Rao gave him information
which led to the prosecution,
this information was available
to Mr. Agnew from other sources,
and that he believes that Ragnatha
Rao did not intend that his
information should be used in the
manner which Mr. Agnew chose
to adopt.

I therefore submit that an
order may be issued to the effect
that the Government will take
further information now before
them consider that Ragnatha
Rao did not institute the charge
of bribery against the District
Mooniff, Mr. Rajagopal Aiker,
with obvious violence as expressed
by the Honorable the Judge of
the High Court - the prosecution
having been instituted under the
direction of the Acting Magistrate
upon evidence which seemed to
that Officer sufficient to
substantiate the charge.

I would, perhaps
such an order
I think the proper
used by the High
Court was very incorrect.

It may be observed that Ragnatha
Rao has been trans-
ferred to another District (Hidkhar)
but as he states he does not possess
a sufficient knowledge of Telugu,
he has been allowed to take leave
and the first opportunity will be
taken to send him to a civil

Real-Name-and-Row's information was
attended to first W.A. - in action, but on the
above. If any formal proof the former cannot
be cleared from the very grave implication
arising out of the R's - view of his supposed
conduct. It is of course impossible, though
not probable, that the R's should have had
more than understanding, other parties' evidence
to support the Row's. Second. Principals & Sec-
ary the identification of the R's in the case was -
been best before the Court and was being sustained
in the evidence for the record. It was taken

There could be little doubt that had
 it shown from the first a more
 hearty, a direct course in the
 matter at issue, ~~possibly~~ there
 would have been no such
 scandal as has occurred at
 Southampton.

I went again in the
Chief's Landing
river. I found no
large agaves & there
was a lot of the
hands of Rhipidanthus
Rox.

which nothing in the papers received from the High Court of
Carmarthen the declaration of the Judges that the charge of wilful
murder against the deceased was proved by the evidence collected, with obvious
bias. It was not ^{from what is upon the facts} a case by whom the worse way
originally brought; the other in the appropriate column of the
charge sheet showing simply what was on behalf of "Regina".
The Acting Captain Judge, Mr. Hughes, states the case was prosecuted by
Mr. Macdonald, and Mr. A. G. Hughes; Mr. Hughes has exonerated Ragann
from the serious accusation laid against him & the leader of the Reform
Party, & I have no doubt that the same will be done for Ragann's sake.

W.D.
15 May 68.

1868. 1868. Department.

No. 101.

PROCEEDINGS OF GOVERNMENT.

Dated 22 January 1868.

180.161.