

(1) Number of pages 20
(2) Date of repair 1. 10. 86
(3) Initials of the Referencer bu

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

JUDICIAL DEPARTMENT

G.O. No.	583	Press.
B.P. No.		Mis.
Dated	3. 4. 1868	197 .

Not to be folded or roughly handled

[Signature]

583

Proceedings of the Madras Government, Judicial Department,
3rd April 1863.

No. 64. Read the following letter from the Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, Fort Saint George; dated Madras, 21st March 1863, No. 499.

Adverting to your letters to the address of the Honorable the Chief Justice, dated 15th January 1863, giving cover to Proceedings of Government in the Judicial Department of the same date, No. 51, and to your two subsequent communications, dated 22nd idem, No. 100, and the Proceedings of that date, No. 107, I am directed to forward, for the information of Government, four copies of the Rules framed by the High Court.

Dated 13th March 1863, No. 433.

No. 433.

Rules of the High Court of Judicature at Madras relating to Warrants or Orders of Commitment by the Subordinate Courts and Magistrates, and to the reversal, mitigation, and suspension of Sentences passed by such Courts and Magistrates.

I. In every case in which two or more persons are jointly charged and convicted of an offence before a Court of Session or Magistrate, it shall be necessary to issue a separate Warrant or Order for the commitment to prison of each person under the sentence passed upon him.

II. Warrants of commitment in execution of sentences of transportation or imprisonment or fine or imprisonment and fine passed by a Court of Session or Magistrate shall be in the following forms or to the like effect, and should be drawn up without interlineation or erasure, and an alteration in a Warrant after it has been signed by the Judge or Magistrate shall on no account be permitted:—

Form of Warrant on a sentence of Imprisonment or Fine or both if passed by a Sessions Court.

To

(The Superintendent or Keeper) of the Jail at _____ day of _____ 18 ____ (Name of
Whereas at the Sessions held before me on the _____ day of _____ of the
prisoner) the (1st, 2nd, or 3rd as the case may be) prisoner in Case No. _____ of the
Calendar at the said Sessions was duly convicted of the offence (or offences) of (mention the
offence or offences concisely, ex. gr., "the offence of Dacoity" or of "voluntarily causing
hurt") under Section (or Sections) _____ of the Penal Code (or of Act _____), and was
sentenced to (state the punishment fully and distinctly).

This is to authorize and require you the said (Superintendent or Keeper) to receive the said
(Prisoner's name) into your custody in the said Jail together with this Warrant, and there carry
the aforesaid sentence into execution according to law.
Given under my hand and the seal of the Court this _____ day of _____ 18 ____

Seal.

(Signature).

The same if passed by a Magistrate.
_____ day of _____ 18 ____

Whereas on the _____ day of _____ 18 ____ the (1st, 2nd, or 3rd as the case may be), prisoner in case
(Name of Prisoner) _____ was convicted before me (name and official designation) of
No. _____ of the Calendar for 18 ____ the offence of (mention the offence or offences concisely) under Section (or Sections) _____ of the
Penal Code (or of Act _____), and was sentenced to (state the punishment fully and distinctly).

Proceedings of the Madras Government, Judicial Department,
3rd April 1868.

This is to authorize and require you the said (Superintendent or Keeper) to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant, and there carry the aforesaid sentence into execution according to law.

Given under my hand and the seal of the Court this _____ day of _____ 18____
(Signature)

Seal.

Form of Warrant on a Sentence of Transportation.

To (The Superintendent or Keeper) of the Jail at _____
Whereas at the Sessions held before me on the _____ day of _____ 18____ (Name of Prisoner) the (1st, 2nd, 3rd, &c., as the case may be) prisoner in case No. _____ of the Calendar at the said Sessions was duly convicted of the offence (or offences) of (mention the offence or offences concisely, ex. gr. "the offence of Dacoity" or "the offence of voluntarily causing hurt") under Section (or Sections) _____ of the Penal Code (or of Act _____), and was sentenced to transportation for the term of _____ years.

This is to require and authorize you the said (Superintendent or Keeper) to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant, and him there keep as by law is required until he shall be delivered over by you to the proper authority and custody for the purpose of his undergoing the punishment of transportation under the aforesaid sentence.

Given under my hand and the seal of the Court this _____ day of _____ 18____
(Signature)

Seal.

III. Whenever the sentence in a criminal case is reversed or reduced or suspended pending an appeal, the order of the Appellate Court shall be sent to the Superintendent or Keeper of the Jail to which the person or persons under sentence was or were committed.

IV. When the sentence is reversed, reduced or suspended by the High Court, the order of the Court shall be issued in duplicate, and it shall be the duty of the Court of Session or Magistrate receiving the same to transmit one to the said Superintendent or Keeper forthwith, and retain the other duplicate, and place it in the record of the case.

V. If after the sentence has been suspended, the appeal is dismissed, the order of the Court dismissing the appeal and annulling the order of suspension shall in like manner be transmitted to the said Superintendent or Keeper.

VI. The following shall be the forms of such orders :—

Form of an Order reversing a Sentence.

In the Court of Session of _____ (or the Court of the _____) Magistrate
of _____
The _____ day of _____ 18____
Petition of Appeal No. _____ of _____ against the } Appellant (or Appellants).
conviction and sentence by the Magistrate of _____
under Section _____ of the Penal Code (or of Act _____)
(Name and number in the case).
) in Case No. _____ of the Calendar for 18____

This appeal coming on for hearing before me : Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the Appellant (or the Counsel, Vakil or Agent of the Appellant as the case may be) I do adjudge and order that the conviction and sentence passed on the said (name of Prisoner) be reversed

Proceedings of the Madras Government, Judicial Department,
3rd April 1868.

and annulled, and that the said prisoner be released from the Jail in which he is now imprisoned under the said sentence.

(Signature of Judge or Magistrate).

Seal.

Form of an Order reducing a Sentence.

In the Court of Session of _____ (or the Court of the _____) Magistrate
of _____
The _____ day of _____ 18____
Petition of Appeal No. _____ of _____ against the } Appellant (or Appellants).
conviction and sentence by the Magistrate of _____
under Section _____ of the Penal Code (or of Act _____)
(Name and number in the case).
) in Case No. _____ of the Calendar for 18____

This appeal coming on for hearing before me : Upon perusing the petition of Appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the Appellant (or the Counsel, Vakil or Agent of the Appellant as the case may be) I do adjudge and order that the sentence passed on the said (name of Prisoner) be reduced, and that instead of the punishment thereby imposed, the said (name of Prisoner) be (state the reduced punishment).

(Signature of Judge or Magistrate).

Seal.

Form of an Order suspending a Sentence.

In the Court of Session of _____ (or the Court of the _____) Magistrate
of _____
The _____ day of _____ 18____
Petition of Appeal No. _____ of _____ against the } Appellant (or Appellants).
conviction and sentence by the Magistrate of _____
under Section _____ of the Penal Code (or of Act _____)
(Name and number in the case).
) in Case No. _____ of the Calendar for 18____

This appeal coming on for hearing before me (or in the case of suspension before the hearing, "Application having been made to this Court by the Appellant for the suspension of the sentence passed upon him") : Upon perusing the petition of appeal and the copy of the said conviction and sentence, and upon hearing the Appellant (or the Counsel, Vakil or Agent of the Appellant as the case may be) I do order that as respects the said (name of Prisoner) the said sentence be suspended until the further order of this Court in the appeal.

(Signature of Judge or Magistrate).

Seal.

Form of an Order dismissing an Appeal and annulling a suspension of the Sentence.

In the Court of Session of _____ (or the Court of the _____) Magistrate
of _____
The _____ day of _____ 18____
Petition of Appeal No. _____ of _____ against the } Appellant (or Appellants).
conviction and sentence by the Magistrate of _____
under Section _____ of the Penal Code (or of Act _____)
(Name and number in the case).
) in Case No. _____ of the Calendar for 18____

*Proceedings of the Madras Government, Judicial Department,
3rd April 1868.*

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the Appellant (or his Counsel, Vali or Agent of the Appellant as the case may be) I do adjudge and order that the said appeal be dismissed and that the order of this Court suspending the sentence be annulled, and that the said (Prisoner's name) do undergo the punishment imposed by the said sentence and perform the computation of the term of imprisonment the time during which the order of suspension has been in force.

(Signature of Judge or Magistrate)

High Court of Judicature,
Madras, 13th March 1868.

Published by order of the Court.

(Signed) H. WIGRAM,
Acting Registrar,
Appellate Side.

No. 65.

ORDER THEREON, 3rd April 1868, No. 583.
To be recorded.
(True Extract).

R. S. ELLIS,
Chief Secretary.

N^o 499- 5/5

From

H. Wigram, Esquire.

Acting Registrar of the
High Court of Judicature
at Madras.

To

The Honorable R. S. Ellis, Esq.,
Chief Secretary to
Government.

Honorable Sir,

Referring to your letter to the address of the Honorable the Chief Justice dated 15th January 1868, giving over to Proceedings of Government in the Judicial Department of the same date, N^o 51, and to your 2nd and subsequent communications dated 22nd and 100, and the Proceedings of that date N^o 107, I am directed to forward for the information of Government.

4 copies of the Rules framed by
the High Court.

Dated 13th March
1868, No 1133

523
4

High Court of Madras, to be
Judicial, Madras, } Honourable,
21st March, 1868. } Government of Madras,

Indigene
Sole Registrar,
Appellate Side.

L. P. S. Handwritten

583
5

433

Rules of the High Court of Judicature at Madras relating to Warrants or Orders of Commitment by the Subordinate Courts and Magistrates, and to the reversal, mitigation and suspension of Sentences passed by such Courts and Magistrates.

I. In every case in which two or more persons are jointly charged and convicted of an offence before a Court of Session or Magistrate, it shall be necessary to issue a separate Warrant or Order for the commitment to prison of each person under the sentence passed upon him.

II. Warrants of commitment in execution of sentences of transportation or imprisonment or fine or imprisonment and fine passed by a Court of Session or Magistrate shall be in the following forms or to the like effect, and should be drawn up without interlineation or erasure, and an alteration in a Warrant after it has been signed by the Judge or Magistrate shall on no account be permitted.

Form of Warrant on a sentence of Imprisonment or Fine or both
if passed by a Sessions Court.

To

(The Superintendent or Keeper) of the Jail at

Whereas at the Sessions held before me on the day of
18 (Name of Prisoner) the (1st, 2nd or 3rd as the case
may be) prisoner in Case No. of the Calendar at the said Sessions was
justly convicted of the offence (or offences) of (mention the offence or offences
fully and distinctly, or of "voluntarily causing hurt")
under Section (or Sections) of the Penal Code (or of Act)
and was sentenced to (state the punishment fully and distinctly.)

This is to authorize and require you the said (Superintendent or
Keeper) to receive the said (Prisoner's name) into your custody in the said
Jail together with this Warrant, and there carry the aforesaid sentence into
execution according to law.

Given under my hand and the seal of the Court this day of
18 (Signature.)

Seal.

The same if passed by a Magistrate.

Whereas on the day of 18
(Name of Prisoner.) the (1st, 2nd or 3rd as the
case may be) prisoner in case No. of the Calendar for 18 was convicted
before me (name and official designation) of the offence of (mention
the offence or offences concisely) under Section (or Sections) of the
Penal Code (or of Act) and was sentenced to (state the punishment
fully and distinctly.)

This is to authorize and require you the said (Superintendent or Keeper)
to receive the said (Prisoner's name) into your custody in the said Jail toge-

1886-87
1887-88
1888-89
1889-90
1890-91
1891-92
1892-93
1893-94
1894-95
1895-96
1896-97
1897-98
1898-99
1899-00
1900-01
1901-02
1902-03
1903-04
1904-05
1905-06
1906-07
1907-08
1908-09
1909-10
1910-11
1911-12
1912-13
1913-14
1914-15
1915-16
1916-17
1917-18
1918-19
1919-20
1920-21
1921-22
1922-23
1923-24
1924-25
1925-26
1926-27
1927-28
1928-29
1929-30
1930-31
1931-32
1932-33
1933-34
1934-35
1935-36
1936-37
1937-38
1938-39
1939-40
1940-41
1941-42
1942-43
1943-44
1944-45
1945-46
1946-47
1947-48
1948-49
1949-50
1950-51
1951-52
1952-53
1953-54
1954-55
1955-56
1956-57
1957-58
1958-59
1959-60
1960-61
1961-62
1962-63
1963-64
1964-65
1965-66
1966-67
1967-68
1968-69
1969-70
1970-71
1971-72
1972-73
1973-74
1974-75
1975-76
1976-77
1977-78
1978-79
1979-80
1980-81
1981-82
1982-83
1983-84
1984-85
1985-86
1986-87
1987-88
1988-89
1989-90
1990-91
1991-92
1992-93
1993-94
1994-95
1995-96
1996-97
1997-98
1998-99
1999-00
2000-01
2001-02
2002-03
2003-04
2004-05
2005-06
2006-07
2007-08
2008-09
2009-10
2010-11
2011-12
2012-13
2013-14
2014-15
2015-16
2016-17
2017-18
2018-19
2019-20
2020-21
2021-22
2022-23
2023-24
2024-25
2025-26
2026-27
2027-28
2028-29
2029-30
2030-31
2031-32
2032-33
2033-34
2034-35
2035-36
2036-37
2037-38
2038-39
2039-40
2040-41
2041-42
2042-43
2043-44
2044-45
2045-46
2046-47
2047-48
2048-49
2049-50
2050-51
2051-52
2052-53
2053-54
2054-55
2055-56
2056-57
2057-58
2058-59
2059-60
2060-61
2061-62
2062-63
2063-64
2064-65
2065-66
2066-67
2067-68
2068-69
2069-70
2070-71
2071-72
2072-73
2073-74
2074-75
2075-76
2076-77
2077-78
2078-79
2079-80
2080-81
2081-82
2082-83
2083-84
2084-85
2085-86
2086-87
2087-88
2088-89
2089-90
2090-91
2091-92
2092-93
2093-94
2094-95
2095-96
2096-97
2097-98
2098-99
2099-00
2100-01
2101-02
2102-03
2103-04
2104-05
2105-06
2106-07
2107-08
2108-09
2109-10
2110-11
2111-12
2112-13
2113-14
2114-15
2115-16
2116-17
2117-18
2118-19
2119-20
2120-21
2121-22
2122-23
2123-24
2124-25
2125-26
2126-27
2127-28
2128-29
2129-30
2130-31
2131-32
2132-33
2133-34
2134-35
2135-36
2136-37
2137-38
2138-39
2139-40
2140-41
2141-42
2142-43
2143-44
2144-45
2145-46
2146-47
2147-48
2148-49
2149-50
2150-51
2151-52
2152-53
2153-54
2154-55
2155-56
2156-57
2157-58
2158-59
2159-60
2160-61
2161-62
2162-63
2163-64
2164-65
2165-66
2166-67
2167-68
2168-69
2169-70
2170-71
2171-72
2172-73
2173-74
2174-75
2175-76
2176-77
2177-78
2178-79
2179-80
2180-81
2181-82
2182-83
2183-84
2184-85
2185-86
2186-87
2187-88
2188-89
2189-90
2190-91
2191-92
2192-93
2193-94
2194-95
2195-96
2196-97
2197-98
2198-99
2199-00
2200-01
2201-02
2202-03
2203-04
2204-05
2205-06
2206-07
2207-08
2208-09
2209-10
2210-11
2211-12
2212-13
2213-14
2214-15
2215-16
2216-17
2217-18
2218-19
2219-20
2220-21
2221-22
2222-23
2223-24
2224-25
2225-26
2226-27
2227-28
2228-29
2229-30
2230-31
2231-32
2232-33
2233-34
2234-35
2235-36
2236-37
2237-38
2238-39
2239-40
2240-41
2241-42
2242-43
2243-44
2244-45
2245-46
2246-47
2247-48
2248-49
2249-50
2250-51
2251-52
2252-53
2253-54
2254-55
2255-56
2256-57
2257-58
2258-59
2259-60
2260-61
2261-62
2262-63
2263-64
2264-65
2265-66
2266-67
2267-68
2268-69
2269-70
2270-71
2271-72
2272-73
2273-74
2274-75
2275-76
2276-77
2277-78
2278-79
2279-80
2280-81
2281-82
2282-83
2283-84
2284-85
2285-86
2286-87
2287-88
2288-89
2289-90
2290-91
2291-92
2292-93
2293-94
2294-95
2295-96
2296-97
2297-98
2298-99
2299-00
2300-01
2301-02
2302-03
2303-04
2304-05
2305-06
2306-07
2307-08
2308-09
2309-10
2310-11
2311-12
2312-13
2313-14
2314-15
2315-16
2316-17
2317-18
2318-19
2319-20
2320-21
2321-22
2322-23
2323-24
2324-25
2325-26
2326-27
2327-28
2328-29
2329-30
2330-31
2331-32
2332-33
2333-34
2334-35
2335-36
2336-37
2337-38
2338-39
2339-40
2340-41
2341-42
2342-43
2343-44
2344-45
2345-46
2346-47
2347-48
2348-49
2349-50
2350-51
2351-52
2352-53
2353-54
2354-55
2355-56
2356-57
2357-58
2358-59
2359-60
2360-61
2361-62
2362-63
2363-64
2364-65
2365-66
2366-67
2367-68
2368-69
2369-70
2370-71
2371-72
2372-73
2373-74
2374-75
2375-76
2376-77
2377-78
2378-79
2379-80
2380-81
2381-82
2382-83
2383-84
2384-85
2385-86
2386-87
2387-88
2388-89
2389-90
2390-91
2391-92
2392-93
2393-94
2394-95
2395-96
2396-97
2397-98
2398-99
2399-00
2400-01
2401-02
2402-03
2403-04
2404-05
2405-06
2406-07
2407-08
2408-09
2409-10
2410-11
2411-12
2412-13
2413-14
2414-15
2415-16
2416-17
2417-18
2418-19
2419-20
2420-21
2421-22
2422-23
2423-24
2424-25
2425-26
2426-27
2427-28
2428-29
2429-30
2430-31
2431-32
2432-33
2433-34
2434-35
2435-36
2436-37
2437-38
2438-39
2439-40
2440-41
2441-42
2442-43
2443-44
2444-45
2445-46
2446-47
2447-48
2448-49
2449-50
2450-51
2451-52
2452-53
2453-54
2454-55
2455-56
2456-57
2457-58
2458-59
2459-60
2460-61
2461-62
2462-63
2463-64
2464-65
2465-66
2466-67
2467-68
2468-69
2469-70
2470-71
2471-72
2472-73
2473-74
2474-75
2475-76
2476-77
2477-78
2478-79
2479-80
2480-81
2481-82
2482-83
2483-84
2484-85
2485-86
2486-87
2487-88
2488-89
2489-90
2490-91
2491-92
2492-93
2493-94
2494-95
2495-96
2496-97
2497-98
2498-99
2499-00
2500-01
2501-02
2502-03
2503-04
2504-05
2505-06
2506-07
2507-08
2508-09
2509-10
2510-11
2511-12
2512-13
2513-14
2514-15
2515-16
2516-17
2517-18
2518-19
2519-20
2520-21
2521-22
2522-23
2523-24
2524-25
2525-26
2526-27
2527-28
2528-29
2529-30
2530-31
2531-32
2532-33
2533-34
2534-35
2535-36
2536-37
2537-38
2538-39
2539-40
2540-41
2541-42
2542-43
2543-44
2544-45
2545-46
2546-47
2547-48
2548-49
2549-50
2550-51
2551-52
2552-53
2553-54
2554-55
2555-56
2556-57
2557-58
2558-59
2559-60
2560-61
2561-62
2562-63
2563-64
2564-65
2565-66
2566-67
2567-68
2568-69
2569-70
2570-71
2571-72
2572-73
2573-74
2574-75
2575-76
2576-77
2577-78
2578-79
2579-80
2580-81
2581-82
2582-83
2583-84
2584-85
2585-86
2586-87
2587-88
2588-89
2589-90
2590-91
2591-92
2592-93
2593-94
2594-95
2595-96
2596-97
2597-98
2598-99
2599-00
2600-01
2601-02
2602-03
2603-04
2604-05
2605-06
2606-07
2607-08
2608-09
2609-10
2610-11
2611-12
2612-13
2613-14
2614-15
2615-16
2616-17
2617-18
2618-19
2619-20
2620-21
2621-22
2622-23
2623-24
2624-25
2625-26
2626-27
2627-28
2628-29
2629-30
2630-31
2631-32
2632-33
2633-34
2634-35
2635-36
2636-37
2637-38
2638-39
2639-40
2640-41
2641-42
2642-43
2643-44
2644-45
2645-46
2646-47
2647-48
2648-49
2649-50
2650-51
2651-52
2652-53
2653-54
2654-55
2655-56
2656-57
2657-58
2658-59
2659-60
2660-61
2661-62
2662-63
2663-64
2664-65
2665-66
2666-67
2667-68
2668-69
2669-70
2670-71
2671-72
2672-73
2673-74
2674-75
2675-76
2676-77
2677-78
2678-79
2679-80
2680-81
2681-82
2682-83
2683-84
2684-85
2685-86
2686-87
2687-88
2688-89
2689-90
2690-91
2691-92
2692-93
2693-94
2694-95
2695-96
2696-97
2697-98
2698-99
2699-00
2700-01
2701-02
2702-03
2703-04
2704-05
2705-06
2706-07
2707-08
2708-09
2709-10
2710-11
2711-12
2712-13
2713-14
2714-15
2715-16
2716-17
2717-18
2718-19
2719-20
2720-21
2721-22
2722-23
2723-24
2724-25
2725-26
2726-27
2727-28
2728-29
2729-30
2730-31
2731-32
2732-33
2733-34
2734-35
2735-36
2736-37
2737-38
2738-39
2739-40
2740-41
2741-42
2742-43
2743-44
2744-45
2745-46
2746-47
2747-48
2748-49
2749-50
2750-51
2751-52
2752-53
2753-54
2754-55
2755-56
2756-57
2757-58
2758-59
2759-60
2760-61
2761-62
2762-63
2763-64
2764-65
2765-66
2766-67
2767-68
2768-69
2769-70
2770-71
2771-72
2772-73
2773-74
2774-75
2775-76
2776-77
2777-78
2778-79
2779-80
2780-81
2781-82
2782-83
2783-84
2784-85
2785-86
2786-87
2787-88
2788-89
2789-90
2790-91
2791-92
2792-93
2793-94
2794-95
2795-96
2796-97
2797-98
2798-99
2799-00
2800-01
2801-02
2802-03
2803-04
2804-05
2805-06
2806-07
2807-08
2808-09
2809-10
2810-11
2811-12
2812-13
2813-14
2814-15
2815-16
2816-17
2817-18
2818-19
2819-20
2820-21
2821-22
2822-23
2823-24
2824-25
2825-26
2826-27
2827-28
2828-29
2829-30
2830-31
2831-32
2832-33
2833-34
2834-35
2835-36
2836-37
2837-38
2838-39
2839-40
2840-41
2841-42
2842-43
2843-44
2844-45
2845-46
2846-47
2847-48
2848-49
2849-50
2850-51
2851-52
2852-53
2853-54
2854-55
2855-56
2856-57
2857-58
2858-59
2859-60
2860-61
2861-62
2862-63
2863-64
2864-65
2865-66
2866-67
2867-68
2868-69
2869-70
2870-71
2871-72
2872-73
2873-74
2874-75
2875-76
2876-77
2877-78
2878-79
2879-80
2880-81
2881-82
2882-83
2883-84
2884-85
2885-86
2886-87
2887-88
2888-89
2889-90
2890-91
2891-92
2892-93
2893-94
2894-95
2895-96
2896-97
2897-98
2898-99
2899-00
2900-01
2901-02
2902-03
2903-04
2904-05
2905-06
2906-07
2907-08
2908-09
2909-10
2910-11
2911-12
2912-13
2913-14
2914-15
2915-16
2916-17
2917-18
2918-19
2919-20
2920-21
2921-22
2922-23
2923-24
2924-25
2925-26
2926-27
2927-28
2928-29
2929-30
2930-31
2931-32
2932-33
2933-34
2934-35
2935-36
2936-37
2937-38
2938-39
2939-40
2940-41
2941-42
2942-43
2943-44
2944-45
2945-46
2946-47
2947-48
2948-49
2949-50
2950-51
2951-52
2952-53
2953-54
2954-55
2955-56
2956-57
2957-58
2958-59
2959-60
2960-61
2961-62
2962-63
2963-64
2964-65
2965-66
2966-67
2967-68
2968-69
2969-70
2970-71
2971-72
2972-73
2973-74
2974-75
2975-76
2976-77
2977-78
2978-79
2979-80
2980-81
2981-82
2982-83
2983-84
2984-85
2985-86
2986-87
2987-88
2988-89
2989-90
2990-91
2991-92
2992-93
2993-94
2994-95
2995-96
2996-97
2997-98
2998-99
2999-00
3000-01
3001-02
3002-03
3003-04
3004-05
3005-06
3006-07
3007-08
3008-09
3009-10
3010-11
3011-12
3012-13
3013-14
3014-15
3015-16
3016-17
3017-18
3018-19
3019-20
3020-21
3021-22
3022-23
3023-24
3024-25
3025-26
3026-27
3027-28
3028-29
3029-30
3030-31
3031-32
3032-33
3033-34
3034-35
3035-36
3036-37
3037-38
3038-39
3039-40
3040-41
3041-42
3042-43
3043-44
3044-45
3045-46
3046-47
3047-48
3048-49
3049-50
3050-51
3051-52
3052-53
3053-54
3054-55
3055-56
3056-57
3057-58
3058-59
3059-60
3060-61
3061-62
3062-63
3063-64
3064-65
3065-66
3066-67
3067-68
3068-69
3069-70
3070-71
3071-72
3072-73
3073-74
3074-75
3075-76
3076-77
3077-78
3078-79
3079-80
3080-81
3081-82
3082-83
3083-84
3084-85
3085-86
3086-87
3087-88
3088-89
3089-90
3090-91
3091-92
3092-93
3093-94
3094-95
3095-96
3096-97
3097-98
3098-99
3099-00
3100-01
3101-02
3102-03
3103-04
3104-05
3105-06
3106-07
3107-08
3108-09
3109-10
3110-11
3111-12
3112-13
3113-14
3114-15
3115-16
3116-17
3117-18
3118-19
3119-20
3120-21
3121-22
3122-23
3123-24
3124-25
3125-26
3126-27
3127-28
3128-29
3129-30
3130-31
3131-32
3132-33
3133-34
3134-35
3135-36
3136-37
313

2
that was the Warrant and then carry the aforesaid sentence into execution
this 15th day of 18

Given under my hand and the seal of the Court this day of 18

(Signature)

Form of Warrant on a Sentence of Transportation.

To the Superintendent (or Keeper) of the Jail at
We are at the Sessions held before me on the day of
(Name of Prisoner) the (1st 2nd 3rd &c.)
of the Calendar at the said Sessions
whereby I have convicted (or sentenced) the said (Name of Prisoner) of (mention the offence or offences) under Section (or Sections) of the Penal Code (or of Act) and was sentenced to transportation for the term of years

It is my duty to require and authorize you the said Superintendent or Keeper to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant and him there keep as by law is required until he shall be delivered over by you to the proper authority and custody for the purpose of his undergoing the punishment of transportation under the said sentence.

Given under my hand and the seal of the Court this day of 18

(Signature)

III. Whenever the sentence in a criminal case is reversed or reduced or suspended pending an appeal, the order of the Appellate Court shall be sent to the Superintendent or Keeper of the Jail to which the person or persons under sentence was or were committed.

IV. When the sentence is reversed, reduced or suspended by the High Court, the order of the Court shall be issued in duplicate, and it shall be the duty of the Court of Session or Magistrate receiving the same to transmit one to the said Superintendent or Keeper forthwith, and retain the other duplicate and place it in the record of the case.

V. If after sentence has been suspended, the appeal is dismissed, the order of the Court dismissing the appeal and annulling the order of suspension shall in like manner be transmitted to the said Superintendent or Keeper.

VI. The following shall be the forms of such orders:

3

Form of an Order reversing a Sentence.

In the Court of Session of (or the Court of the Magistrate of)
The day of 18

Petition of Appeal No. of Appellant (or Appellants)
against the conviction and sentence by the Magistrate of under Section
of the Penal Code (or of Act) in (Name and number in
Case No. of the Calendar for 18 the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the conviction and sentence passed on the said (Name of Prisoner) be reversed and annulled, and that the said prisoner be released from the Jail in which he is now imprisoned under the said sentence.

(Signature of Judge or Magistrate)



Form of an Order reducing a Sentence.

In the Court of Session of (or the Court of the Magistrate of)
The day of 18

Petition of Appeal No. of Appellant (or Appellants)
against the conviction and sentence by the Magistrate of under Section
of the Penal Code (or of Act) in (Name and number in
Case No. of the Calendar for 18 the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the sentence passed on the said (Name of Prisoner) be reduced, and that instead of the punishment thereby imposed, the said (Name of Prisoner) be (state the reduced punishment)

(Signature of Judge or Magistrate)



Form of an Order suspending a Sentence.

In the Court of Session of (or the Court of the Magistrate of)
The day of 18

Petition of Appeal No. of Appellant (or Appellants)
against the conviction and sentence by the Magistrate of under Section
of the Penal Code (or of Act) in (Name and number in
Case No. of the Calendar for 18 the case.)

This appeal coming on for hearing before me (or in the case of suspension before the hearing, "Application having been made to this Court by the appellant for the suspension of the sentence passed upon him"): Upon perusing the petition of appeal and the copy of the said conviction and sentence, and upon hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do order that as respects the said (Name of Prisoner) the said sentence be suspended until the further order of this Court in the appeal.

(Signature of Judge or Magistrate.)

Seal.

Form of an Order dismissing an Appeal and annulling a suspension of the Sentence.

In the Court of Session of _____ (or the Court of the Magistrate of _____)
 The _____ day of _____ 18____
 Petition of Appeal No. _____ of _____
 against the conviction and sentence by the _____
 Magistrate of _____ under Section _____
 of the Penal Code (or of Act _____) in _____
 Case No. _____ of the Calendar for 18____ (Name and number in the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the said appeal be dismissed and that the order of this Court suspending the sentence be annulled and that the said (Prisoner's Name) do undergo the punishment imposed by the said sentence excluding from the computation of the term of imprisonment the time during which the order of suspension has been in force.

(Signature of Judge or Magistrate.)

Seal.

Published by order of the Court

HIGH COURT OF JUDICATURE,
 MADRAS. 15th March 1868.

H. WIGRAM,
 Acting Registrar,
 Appellate Side.

To

The Session Judge of
 Judge of the Court of Small Causes at
 Principal Sadr Amin of
 Magistrate of
 * for his information, and for publication in the District
 Gazette.
 Judicial Commissioner, Central Provinces, Nagpore.
 Do. of Mysore.
 Brigadier Commanding the Hyderabad Subsidiary Force.
 Inspector General of Madras Police.
 Do. of Jails.
 Chief Secretary to Government, (with 3 spare copies.)

* With _____ spare copies for distribution to his Assistant and Subordinate Magistrates.

Rules of the High Court of Judicature at Madras relating to Warrants or Orders of Commitment by the Subordinate Courts and Magistrates, and to the reversal, mitigation and suspension of Sentences passed by such Courts and Magistrates.

- I. In every case in which two or more persons are jointly charged and convicted of an offence before a Court of Session or Magistrate, it shall be necessary to issue a separate Warrant or Order for the commitment to prison of each person under the sentence passed upon him.
- II. Warrants of commitment in execution of sentences of transportation or imprisonment or fine or imprisonment and fine passed by a Court of Session or Magistrate shall be in the following forms or to the like effect, and should be drawn up without interlineation or erasure, and an alteration in a Warrant after it has been signed by the Judge or Magistrate shall on no account be permitted.

Form of Warrant on a sentence of Imprisonment or Fine or both if passed by a Sessions Court.

To

(The Superintendent or Keeper) of the Jail at

Whereas at the Sessions held before me on the _____ day of _____ 18____ (Name of Prisoner) the (1st, 2nd or 3rd as the case may be) prisoner in Case No. _____ of the Calendar at the said Sessions was duly convicted of the offence (or offences) of (mention the offence or offences concisely or, gr. "the offence of Dacoity" or of "voluntarily causing hurt") of the Penal Code (or of Act _____) under Section (or Sections) _____ and was sentenced to (state the punishment fully and distinctly.)

This is to authorize and require you the said (Superintendent or Keeper) to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant, and there carry the aforesaid sentence into execution according to law.

Given under my hand and the seal of the Court this _____ day of _____ 18____ (Signature.)



The same if passed by a Magistrate.

Whereas on the _____ day of _____ 18____ (Name of Prisoner) the (1st, 2nd or 3rd as the case may be) prisoner in case No. _____ of the Calendar for 18____ was convicted before me (name and official designation) of the offence of (mention the offence or offences concisely) under Section (or Sections) _____ of the Penal Code (or of Act _____) and was sentenced to (state the punishment fully and distinctly)

This is to authorize and require you the said (Superintendent or Keeper) to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant, and there carry the aforesaid sentence into execution according to law.

235 B 1

Recd. 3rd April 1884

1884

ther with this Warrant and there carry the aforesaid sentence into execution according to law.

Given under my hand and the seal of the Court this 18 day of

Seal.

(Signature.)

Form of Warrant on a Sentence of Transportation.

To

(The Superintendent or Keeper) of the Jail at

Whereas at the Sessions held before me on the 18 day of (Name of Prisoner) the (1st 2nd, 3rd, &c. as the case may be) prisoner in case No. of the Calendar at the said Sessions was duly convicted of the offence (or offences) of (mention the offence or offences concisely, e.g. "the offence of Dacoity" or "the offence of voluntarily causing hurt") under Section (or Sections) of the Penal Code (or of Act) and was sentenced to transportation for the term of years.

This is to require and authorize you the said (Superintendent or Keeper) to receive the said (Prisoner's name) into your custody in the said Jail together with this Warrant and him there keep as by law is required until he shall be delivered over by you to the proper authority and custody for the purpose of his undergoing the punishment of transportation under the aforesaid sentence.

Given under my hand and the seal of the Court this 18 day of

Seal.

(Signature.)

III. Whenever the sentence in a criminal case is reversed or reduced or suspended pending an appeal, the order of the Appellate Court shall be sent to the Superintendent or Keeper of the Jail to which the person or persons under sentence was or were committed.

IV. When the sentence is reversed, reduced or suspended by the High Court, the order of the Court shall be issued in duplicate, and it shall be the duty of the Court of Session or Magistrate receiving the same to transmit one to the said Superintendent or Keeper forthwith, and retain the other duplicate and place it in the record of the case.

V. If after the sentence has been suspended, the appeal is dismissed, the order of the Court dismissing the appeal and annulling the order of suspension shall in like manner be transmitted to the said Superintendent or Keeper.

VI. The following shall be the forms of such orders:

Form of an Order reversing a Sentence.

In the Court of Session of (or the Court of the Magistrate of)

The day of 18 } Appellant (or Appellants.)
Petition of Appeal No. of }
against the conviction and sentence by the }
Magistrate of under Section }
of the Penal Code (or of Act) in } (Name and number in
Case No. of the Calendar for 18 } the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the conviction and sentence passed on the said (Name of Prisoner) be reversed and annulled, and that the said prisoner be released from the Jail in which he is now imprisoned under the said sentence.

(Signature of Judge or Magistrate.)

Seal.

Form of an Order reducing a Sentence.

In the Court of Session of (or the Court of the Magistrate of)

The day of 18 } Appellant (or Appellants.)
Petition of Appeal No. of }
against the conviction and sentence by the }
Magistrate of under Section }
of the Penal Code (or of Act) in } (Name and number in
Case No. of the Calendar for 18 } the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the sentence passed on the said (Name of Prisoner) be reduced, and that instead of the punishment thereby imposed, the said (Name of Prisoner) be (state the reduced punishment)

(Signature of Judge or Magistrate.)

Seal.

Form of an Order suspending a Sentence.

In the Court of Session of (or the Court of the Magistrate of)

The day of 18 } Appellant (or Appellants.)
Petition of Appeal No. of }
against the conviction and sentence by the }
Magistrate of under Section }
of the Penal Code (or of Act) in } (Name and number in
Case No. of the Calendar for 18 } the case.)

This appeal coming on for hearing before me (or in the case of suspension before the hearing, "Application having been made to this Court by the appellant for the suspension of the sentence passed upon him"): Upon perusing the petition of appeal and the copy of the said conviction and sentence, and upon hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do order that as respects the said (Name of Prisoner) the said sentence be suspended until the further order of this Court in the appeal.

(Signature of Judge or Magistrate.)

Form of an Order dismissing an Appeal and annulling a suspension of the Sentence.

In the Court of Session of _____ (or the Court of the Magistrate of _____)
 The _____ day of _____ 18____
 Petition of Appeal No. _____ of _____
 against the conviction and sentence by the _____
 Magistrate of _____ under Section _____
 of the Penal Code (or of Act _____) in _____
 Case No. _____ of the Calendar for 18____ (Name and number in the case.)

This appeal coming on for hearing before me: Upon perusing the petition of appeal and the record of the evidence and proceedings, and upon duly considering the same after hearing the appellant (or the Counsel, Vakil or Agent of the appellant as the case may be) I do adjudge and order that the said appeal be dismissed and that the order of this Court suspending the sentence be annulled and that the said (Prisoner's Name) do undergo the punishment imposed by the said sentence excluding from the computation of the term of imprisonment the time during which the order of suspension has been in force

(Signature of Judge or Magistrate.)

Seal.

Published by order of the Court

HIGH COURT OF JUDICATURE,
 MADRAS, 13th March 1868.

H. WIGRAM,
 Acting Registrar,
 Appellate Side.

To

The Session Judge of

Judge of the Court of Small Causes at

Principal Sadr Amin of

Magistrate of

* for his information, and for publication in the District Gazette,

Judicial Commissioner, Central Provinces, Nagpore.

Do. of Mysore.

Brigadier Commanding the Hyderabad Subsidiary Force.

Inspector General of Madras Police.

Do. of Jails.

Chief Secretary to Government, (with 3 spare copies.)

* With spare copies for distribution to his Assistant and Subordinate Magistrates.

583/10

Received and
Deposited
of the
of the

Proctor & Smith 1/12 1864
C. 1/12 1864

Dr. 1/12 1864
1/12 1864