# Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1012

Dated 14th May 1895

INDEXED.

---

[Despatch Abstract.]

PETITION FOR MERCY.

clining to interfere with the ~~e~~ sentence of death passed on convict ~~No.~~ Bodi Naicken in Tanjore Sessions Case No. 12 of 1895, and directing that the law shall take its course.

## BACK PAPERS.

| G.O. | No | Department. | Date. | G.O. | No | Department. | Date. |
|---|---|---|---|---|---|---|---|
|  |  |  |  |  |  |  |  |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|---|---|---|---|---|---|---|---|
|  | 2546 |  | 95 |  |  |  |  |

---

FORM

## Nominal Roll of Convict

alias

| Crime. | Sentence. | Date of Sentence. | Adjudicating Court. | Present Age. | State of Health. | Conduct in Jail. | of the to Appellat |  |
|---|---|---|---|---|---|---|---|---|
| Murder | Death | 14-3-95 | Sessions Judge Tanjore | 33 years | Good | Good | Sentence confirmed | Previous Convictions nil<br>Remarks nil |

Superintendent of District Jail.
Tan

Tanjore Dt. Jail Office,
7 May 1895.

Rules 701 and 704.

—9-94.

| G.O. | No |
|---|---|
| | |

O. No. 2365

H. E. UPSHON
20 MAR 95

# JUDGMENT IN SESSIONS CASE

## No. 12 OF 1895, TANJORE.

*(Case committed by the Tiruvadamarudur 2nd Class Magistrate)*

PRESENT :— T. M. HORSFALL ESQUIRE,
BARRISTER-AT-LAW, *Sessions Judge.*

*REGINA versus* Bodi Naiken alias Govindasami Naiken.
(defended by Vakil Venkata Subbaier.)

*Offence* :— Murder.

*Opinion of Assessors* (Sudra Mahrattas) :—Guilty.

*Finding of the Judge* :— Ditto.

*Sentence* :— The Prisoner is sentenced to death.

The prosecution in this case alleges the following story. Prisoner is a soldier recently discharged from a battalion of Native Infantry in Madras. His village is Pudur in Kumbakonam taluq. He returned to his village on his discharge, about December last and found his house full of adulterous women. Thus, his own wife Kaveri (deceased) was intriguing with two men. His married sister Bodilechmi (1st Prosecution witness) was also living in adultery, her husband having for 4 or 5 years been away from her in Kumbakonam. His unmarried niece Mottailechmi (5th Prosecution witness) was intriguing with a young fellow called Chokkan (3rd Prosecution witness) and a young Bramin called Seshu Iyer (deceased). She had been pregnant and had procured abortion through the services of a couple of women called Minatshi (deceased) and Kamalam. Again, prisoner's brother's wife Subbammal (deceased) was intriguing with 2 men, her husband being away "on board ship." All these women lived together. The remainder of the household consisted of young girls, namely of Papathi (deceased) daughter to Subbammal, Muthial (2nd Prosecution witness) who is a child of 7 and daughter to 1st Prosecution witness, and another child of 2 (daughter to 1st Prosecution witness) and a baby of prisoner.

2. This state of affairs did not please prisoner; and he had various quarrels with these women, notably with his wife Kaveri, on this account. On one occasion 4 or 5 days before the 16th February last he tied up Kaveri and Mottailechmi (5th Prosecution witness) and ordered them not to go out of the house again and took away his wife's jewels. In all probability he knew of the abortion of 5th Prosecution witness, as it was noised in the village; and the witnesses say, and it seems very probable, that he knew long before the 16th February of the various intrigues of the women in his house, especially as he had once before been to his village on leave from his regiment. The truth no doubt is that he improved his knowledge gradually, and that the increasing certainty of the dishonor of his entire household preyed on his mind. He is said indeed some days before the 16th February to have sharpened a large knife like a carving knife, though I look upon this item of the evidence with some suspicion.

3. Be that as it may, it is certain that on the evening of the 16th February, at about 5-30 P. M., he entered his house and shut the street and back doors and called his wife Kaveri and stabbed her to death in the courtyard of his house without any special preliminaries. He then stabbed Subbammal and her little daughter

Papathi in a room, killing them both. By this time 1st Prosecution witness and her little girls (the elder is 2nd Prosecution witness) who had both been inside the house, ran out into the street calling for help. 1st Prosecution witness specially called on her relation Narayana Naik to go and help. By this time prisoner also came out of his house and met Chokkan (3rd Prosecution witness) who lives next door, and as above noted, intrigues with 5th Presecution witness Mottailechmi; and stabbed him in view of 4th Prosecution witness, a neighbour of Chokkan. Chokkan ran away. Prisoner then met Narayana Naik in the Chetty street south of prisoner's house (vide plan Exhibit A) and stabbed him to death, the man dying actually at the shop of 6th Prosecution witness. Having reached the bazaar street prisoner went to Narayana Naik's house in that street to see if he could find anyone there. He saw no one, though 5th Prosecution witness (whom presumably he would have liked to see) was in the pial hidden under a basket. But prisoner met Minatshi next door and killed her; and this was seen by 5th Prosecution witness, 6th Prosecution witness and 7th Prosecution witness, all being people who live close to her house. A little farther beyond Meenatshi's house is the house of the above mentioned Kamalam and her mother Soundiram. Prisoner wounded both these women with the same carving knife which he had used throughout, being seen to do so by 7th Prosecution witness. He then turned North at the end of the bazaar street where there is a tank. There he met Seshu Iyen, the young bramin who had intrigued with prisoner's niece Mottailechmi (5th Prosecution witness). He was running to his house on hearing the disturbance. Prisoner took him by the hair with one hand and stabbed him to death with the other. This was seen by 3rd Prosecution witness, 8th Prosecution witness and 9th Prosecution witness. This youth was at once brought to his uncle (10th Prosecution witness) who has charge of him; and that evening all the dead and wounded except the 3 killed in prisoner's house and Narayana Naik were taken to Tiruvidamarudur Hospital and there examined (vide medical evidence). Minatshi and Seshu Iyen were already dead; the other 3 eventually recovered.

4. That night a constable (11th Prosecution witness) and other Police went to Pudur and reaching the place at 3 A. M. found the 3 corpses in prisoner's house and the body of Narayana Naik at latter's house. The only living inmate of prisoner's house was his own little baby. Much blood was found in the house and in the various parts of the village where the other persons had been killed and wounded. After daybreak prisoner was found in a field close to the village and arrested. He had on him a tin case with jewels (his wife's); and showed the Police where he had put the knife and his own bloody trousers in his house. This constable (11th Prosecution witness) drew up the plan A. As regards what happened in the village after prisoner had thus in his blind fury killed 6 people and wounded 3 others not much is known beyond what he gives out himself. However it seems that after killing Seshu Iyen prisoner went to the house of his neighbour Sellam (4th Prosecution witness) and knocked at her door and put his knife through a crack in it and warned the women inside not to come out; and the reason of this behaviour seems to lie in the fact that 4th Prosecution witness's brother is one of the men who intrigues with prisoner's sister 1st Prosecution witness. At any rate prisoner admits this fact in the full and detailed statements he has made in the Lower Court, and in which he has admitted practically all the events above narrated. His own account thenceforward is that he returned to his house and found his wife Kaveri still living and tried to hang himself, but without success, as the rope broke; that he then took the jewels in the house and went into the fields and was surrounded and arrested as described by the 11th Prosecution witness.

5. On the above facts the prisoner was committed on 6 different cases by the Sub-Magistrate. It seemed to me however the most convenient course to charge him with 3 selected murders out of the 6 alleged, and incidentally to let in evidence of the whole main transaction which from first to last probably lasted not over three quarters of an hour and was confined to the limits of 2 or 3 streets in one small village. He was accordingly formally indicted with the murders of Kaveri, Minatshi and Seshu Iyen.

6. Prisoner pleaded when charged that he had acted under provocation. His own account of the provocation before the Magistrate is not clear. He begins by stating that he drank toddy that day at midday; that the fact became known and led to his being scoffed at, and that he killed the scoffers. But his statements also contain pretty clear hints that this was not the true reason. I have in fact no doubt that the prosecution alleges the true motive and that prisoner's version in that respect alone is false and is prompted by his desire to save the reputation of his women. And prisoner's Vakil adopted the prosecution motive with the variation set up by him that prisoner must have heard that day for the first time of the wide spread corruption of his women and thus had grave and sudden provocation. There is however no support for this version. It is opposed to the positive evidence of several witnesses that prisoner knew already of the unchastity of the women and that he had long quarrelled with some of them about it. The much more probable theory is that set forth at the beginning of this judgment, *viz.*, that he knew something from the beginning and no doubt gradually improved his knowledge, until he finally became aware that there was no one of the 4 adult women in his house who was not grossly unchaste. His plea at the end of the case, that the witnesses were his enemies, may be disposed of by the fact that this statement was then made for the first time and that there was no cross examination on the point.

7. If prisoner in his anger had murdered only the women in his house who in defiance of his authority had thus dishonoured him and themselves, it would in my opinion have been unjust to hang him. The proper punishment would have been transportation for life; for the provocation though not sudden would certainly have been grave and his confessions would have helped to mitigate his guilt. But his conduct in killing the half grown girl Papathi, and in then savagely attacking in the streets every one who he thought was in any way connected with the guilt of the women in his house, including such a man as Narainsami, deprives him of all right to clemency. The murders of Papathi, Minatchi, Narainsami and Seshu Iyer were blood-thirsty and cruel murders and prisoner deserves no lenience at my hands. I sentence him to death, subject to confirmation by the High Court. He has been informed that if he wishes to appeal he must appeal in 7 days.

8. The trial of the offences not charged in the present case is stayed pending the result of this case.

(Signed) [illegible]

Sessions Judge.

TANJORE,
*14th March 1895.*

---

TANJORE :—"POORNA CHANDRODAYA PRESS."

(True Copy)
By order
R. [illegible]
Sheristadar

Copy application received 16-3-95
Do. furnished .. 20-3-95.

To The Superintendent of the District Jail Tanjore for delivery to the prisoner concerned.

| Serial No. | Description of Accused. |  |  |  |  |  | Date of |  |  |  |  |  |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
|  | Name. | Father's name. | Caste or race. | Occupation. | Residence. | Age. | Occurrence. | Complaint. | Apprehension. | Commencement of trial. | Close of trial. | Explanation of delay. |
| 1 | 2 |  |  |  |  |  | 3 |  |  |  |  |  |
| Calendar Case No 12 of 1895 | Bodi Nayakan alias Govindasami Nayakan | Narayanasami Nayakan | Vaduga | Naique No 138, 25th Regiment Madras Native Infantry | Cudoor, Kumbakonam Taluk | 32 | 16-2-95 | 16-2-95 | 17-2-95 | 11-3-95 | 14-3-95 |  |

SESSIONS COURT, TANJORE,
14th March 1895.

(True copy)
By order
Sheristadar

(Signed) T. M. Horsfa
Sessions Judge.

300—11-93.

1895
Jud.l Dept.
2
G. No. 2365.

1895
Jud. Dept.
Enclos. No 3
To
O. No 2365.

Copy to the Prisoner

# IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Wednesday, the Twenty fourth day of April,
One thousand eight hundred and ninety-~~three.~~ five.

27 APR 95

PRESENT :—

The Honourable Sir Arthur J. H. Collins, Knight, Chief Justice
and
The Honourable Mr. Justice Parker.

H. E. UPSHON.
27 APR. 95

Referred Trial No. 26 of 1895.

Kodi Naiken alias Govindasami Naiken } Prisoner.

Communicated to the Prisoner Kodi Naicken alias Govindasawmy Naicken
[illegible] 29/4/95

Trial referred by the Court of Session of the Tanjore Division for confirmation of the sentence of death passed upon the said Prisoner in Case No. 12 of the Calendar for 1895.

CRIMINAL APPEAL No. 159 OF 1895.

Appeal by the Prisoner against the said Sentence.

This case coming on for hearing, the Court delivered the following

Judgment:— The Prisoner has been convicted of the murder of three persons, and the facts are undisputed.

Prisoner is a recently discharged sepoy who in December returned

500—9-5-92.

returned to his house near Kumbakonum. It appears that his wife and other female relatives living in the house were all leading loose lives,- but that does not appear to have been the immediate cause of prisoner's outbreak. On February 16th he appears to have been drinking and he resented some ridicule which had been directed against him on that account, and conceived the idea that his wife had been telling tales against him out of doors. Having fastened both doors of his house he took a knife and with it stabbed his wife and afterwards murdered his sister-in-law and her daughter. Then after leaving the house he murdered three other persons and wounded two more. He was arrested the next morning and has sought to justify his crimes on the ground of provocation.

In the present case he has been tried for the murder of his wife and of a woman Minakshi and a Brahmin Sheshu Iyer whom he stabbed out of doors. There is no possible ground for any commutation of the Capital Sentence. We must confirm the conviction and sentence of death and dismiss the appeal.

By the Court,

Deputy Registrar,
Appellate Side.

W.S.L.
25/4

To,
The Superintendent of the District Jail, Tanjore, for delivery to the prisoner concerned (in duplicate)

Sessions Court, Tanjore
27th April 1895

By order

Sheristadar.

KM
25/4

In the present case he has been tried for the murder of his wife and of a [illegible] Meenatchi and a Brahmin Ramu Iyer whom he attacked and of [illegible]. There is no possible ground for any commutation of the Capital sentence

The [illegible] confirms the convictions and sentence of death and [illegible] the appeal

By the Court.

1895
Jud. Dept
Enclos. No 4
To
O. No 2365.

---

[illegible] மாட்சிமைதங்கிய கவர்னர்
துரையவர்கள் சமுகத்துக்கு

தஞ்சாவூர் செஷன் கோர்ட்டா
ரவர்களால் 1895 வருஷம் 12ந் தேதியான [illegible]
[illegible] மரண தண்டனை விதிக்கப்பட்டு [illegible]
தஞ்சாவூர் ஜில்லா ஜெயிலில் 897 நெம்பர் [illegible]
[illegible]
[illegible]
[illegible] எழுதிக்கொண்ட [illegible].

நான் [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] என் பெண்சாதியவர்கள் ஊரில்
இருந்த என் மாமனாரிடம் தெரிவித்தா
ன். [illegible]
[illegible] என்று தெரிந்து கொண்ட

என்பட்டணார் சூழ்ந்துமென்னைக்
கெஞ்சிக்கொடுத்திட்டார்கள். போனதுக்குப்
பட்டு பிடிப்பாரிடு 2/6 நாள் மேற்கே போய்
த்தைக்கையில் என் பெண்சாதி என் பிள்ளை
கள் என்னைச் சாதி நீக்கக் கூடாதென்று
மதிக்காமல் நாராயணசாமிக்கும் இவர்கள்
காபுராத்திக்காய் பாக்கி வந்து கூக்குரலி
ட்டு கொடுத்து என்னைப் போகவொட்டாமல்
சூழ உண்டுபண்ணி என்னைப் பிடிக்க
பொய்ச்சாட்சி சொன்னார்கள். என் பட்டணார்க்கு
விஷக்குத்தி கலையானவனுடைய செல்வத்து
உடைமையினால் குற்றம் செய்து நீதியில்
இருக்க முடியாது. [illegible]
மாட்டுச் சிறைக்கு. இவர்கள் இவர்களு
க் [illegible] கேட்டார்களுடன்
என்னைப் பிடிக்கவந்தார்கள். எனக்கு
அந்தப்படிக்கு கோபம் உண்டாயிரு
ந்தது. அதின் பிறகு நான் பண்ணது, என்
றெண் பண்ணவிட்டுக் கொண்டு போனேன
ன்று தெரியாது. பிறகு நான் காசியில்
உளுக்கோட்டைக்குப் போனதின் பேரில்
கிடந்தேன் எனக்கு மேக்கே தென்
னந் தோப்பில் [illegible]
பொழுது, என்னைப் போலீஸ்காரர்
கள் உளுக்கோட்டையில் பிடித்
துக் கொண்டார்கள். அதற்கு [illegible]

அப்பொழுது தான் என்விஷயத்தில் இன்னது
நடந்ததென்று, எனக்குத் தெரியும். இது
வல்லாமல் எனக்குச் சொந்த தேசமே உண்
டாக்கினதால் மிகுந்த பிரயாசப்பட்டுக்கொ
எனக்குத் தெரியும். பட்டணத்தில் நான்
வேலை செய்யும் பொழுது என் சித்தை
சொல்லியும் செய்தபடிக்கு நீ என்று
னுடைய கட்டளைப்படிக்கு செய்துக்கு மேன்
னக்கேற்க என் பட்டணத்தில் பயங்கள்
ஏற்படுத்திக்கொள் என்விஷயத்தில் கேட்க
ப் பெண்பிள்ளைகள் பாது. நடந்ததில்லாமல்
என் பட்டணத்தை கொடுத்து தொந்த
ரவங்கள் போதிக்கிறார்கள் என்ன
படுத்தி அவர்கள் சொன்னபடி மே
லாக்கையும் சொல்லச் சொன்னார்கள்
அதற்கெதிர்த்துப் பேசாமல் போய் சாட்சியம்
சொல்லியிருக்கிறேன். போகின்றேன்
வைத்த சொல்லச் சொன்னபடியே
சிப்பாய்த் தோட்டத்தில் பட்டாக்கத்தியை
கொடுத்தேன். நான் சிப்பாயில்
இருக்கையில் என்னைப் போலீஸ்கார
ர் கொண்டு தொந்தரவு செய்தார்கள்
இன்னும் [illegible]

அவிடமிருந்திருந்தால் இறந்துபோ
யிருப்பேன். போலீஸ் இன்ஸ்பெக்டர்
நீசர் சிதம்பரனவர்கள் அதற்கெதிர்த்தனை
யாயிருந்தார்கள். அவர்கள் நீ யெண்ணித்து
யெழுதிய லெட்டர்கள் அனைத்துங் கிழித்து
டாக்டரைவிட்டு போட்டுவைக்க
மினையபா செந்தித்தால் அவள் விபசாரி
செய்தது பொய் யென்று நீயும் சொன்
னாயென்று யென்வக்கில் கேக்காமல்
போலீஸ் இன்ஸ்பெக்டரையுஞ் சேர்க்க
வப்பார் பேர் சொல்லியடாக்டர் பிரே
தனையும். நீ யெண்ணிச் யெழுதிய லெட்டர்
களுவ வணயுத்துப் பார்த்தாயும் அவ்வது
நீதான வழியா ரிகை செய்தாயும். இதின்
உண்மை வெளியாகும். இதுசேனையும்
போலீசு கட்டுப்பாடு. யென்னையடிக்க
ஜனங்கள் தயாராயிருந்த யெட்டுது
யெனக்கு தெரியாது கோபம் உண்டா
யிற்று. நான் பட்டணத்துக்குப்பாய
யிருந்த சேனையில்லது பத்திர்த்துவது
யென்றது தெரியாது. நான் கொல
சேயிய யென்னை நீ கொண்டால்
பகற்காலத்தில் செய் வேணு மென்று
ம் இச் சிறு காசம் வேணுமென்.

இப்படிப் யெழுதித் சாக்ஷியை போலீஸ்
காரர்கள் சேர்த்தெழுதிப் யெழுதியுஞ் சே
கையானது சொல்ப காலத்தில் திடமென்
று கட்டித்தாக்கலிட்டது. இனைய
று சேர்த்தவர்கள் இதில்
கண்டிருக்காக்கையும் நீ யெண்ணிச்
யெழுதிய லெட்டர்களையும் சரவணையுத்துப்
பார்த்து யென்னை விடுதலை செய்யும்படி
தங்கள் பேரானவர்களை கருணைப் பிரார்த்தித்
துக்கொள்கிறேன்.

கோவிந்தம்மாள் ம-று

Tanjore Dt. Jail }
7 May 1895 }

Supt. of Jail

189 5
Jud. Dept.
Enclos. No. 5
To
O. No. 2365

To

His Excellency the Governor
in Council
Fort St. George.

The humble petition of Bodi Naiken alias Govindasami Naiken who was Sentenced to Death by the Court of Sessions Tanjore in Calender case No 12 of 1895 and now a prisoner No 8978 in the District Jail Tanjore.

Most humbly & respectfully sheweth.

That your petitioner is addicted to drinking, he was on bad terms with his father in law on account of family affairs and was not on visiting terms. His father-inlaw requested petitioners brothers fatherinlaw to advise petitioner to give up drinking and petitioner was advised accordingly. Petitioner promised to give it up but did not act accordingly. One day petitioner had been abusive under the influence of liquor and petitioners brothers wife, children and petitioners wife informed the fatherinlaw of it. Petitioner [illegible] good advise was of no avail resolved to ruin petitioner altogether. On the 16 February last when petitioner was giddy his wife, his brothers wife & children and his fatherinlaw Pattikara Narayana Naiken who was present in the village administered intoxicating drugs to petitioner by mixing them up in the curry and determined to beat petitioner As petitioners fatherinlaw was the head man of the bazaar Street and possessed influence he gained over to his side Meenatchi Kamalam, Chockalinga Padayachi, Sowntheram, and Seshiyappan of chetty Street. came with them and several men to beat petitioner. Petitioner thereupon became quite enraged and losing control over his temper did not know what he did and where he went; he gained consciousness on the following day and found he was lying in a tope east of the village, petitioner got up to proceed to his house but the Police arrested him in a field close to the village and beat him. It was then only petitioner knew what took place in his house. All this was done out of grave provocation. Petitioners fatherinlaw wrote letters to the doctor who was treating him for his sickness while he was in service in the Regiment and to the commanding officer of the Regiment. There was no debauchery in petitioners house. Everything that transpire was due to the inveterated enmity of his fatherinlaw. The Police ill treated him and taught him the confession he made. False evidence was adduced accordingly. Petitioner deposed before the Sub Magistrate as taught him by the Police Inspector. The ill treatment petitioner was subjected to in the subjail was such that he would have died if he had remained there 4 or 5 days more. The dresser and the Police Inspector and others connived at it. The letters they wrote to the Regiment will prove it. A medical examinati of Mottai Lakshmi will disprove that she was leading a bad life. Petitioners vakil did not act up according to his instructions but sided with the Police Inspector. The truth in this case will be learnt if the medical examination suggeste above be made and the letters written to the Regiment be taken as evidence, or if a fresh trial were ordered. The whole is a concoction of the Police. Petiti was provoked to do this when he sa people were about to beat him. Petitioner is a sepoy, he does not know how to conduct this case. If petitioner wanted to murder would he do it in the day time? A single murder would take time, the evidence of the witnesses though tutored by the Police conclusively shows that the murders were perpetrated in a very short time and quite suddenly. Petitioner therefore humbly prays that His Excellency will send for the records of the case and the letters written to the Regiment, peruse them and order his release.

however he
was a sepoy

(Signed) Govindasami Naiken
Convict No 8978.

(True translation)

Supt of Jail

To

His Excellency the Govr
in Council
Fort St George

Dated 7 May 195

Received

No J/58

Urgent

Petition for mercy

1895
Jail Dept.
Enclos. No 6
To
No. 2365

Subject

Petition of convict No 8978 Bodi Naiken alias Govindasamy Naiken sentenced to death by the court of Sessions Tanjore praying to peruse the records & to order his release from the Jail

---

No. J/408

Tanjore District Jail Office,

7 May 1895

CURRENT No. 2365

From

H. E. Upshon Esqr
Superintendent of Jail Tanjore.

To

The Chief Secretary
to Government
Stonehouse Hill.

Sir,

I have the honor to submit a petition for mercy from convict No 8978 Bodi Naiken alias Govindasamy Naiken confined in this Jail under sentence of death together with the following papers.

1. Vernacular petition with its translation
1 Copy of Judgment in Cal case No 12/95
1 Copy of Do in Criminal appeal No 159 of 95
1. Nominal roll.

2. I beg to state that the prisoner Bodi Naiken alias Govindasamy Naiken will not be executed until a definite reply is received from Government to the petition now submitted.

I have the honor to be
Sir
Your obedient Servant

Judicial Deptt
Petition for mercy.

Copies 250, 19-2-93.

From

The Superintendent,
District Jail,
TANJORE.

CURRENT No. 2365

To

The Chief Secretary
to Government
Stonehouse Hill

Dated 7 } May 1895.
Received 10th } do.
Recd 11th

Urgent

No. J/408.

Enclosures. 3/6

Subject.

CHIEF SECRETARY
10 MAY 1895
GOVERNMENT OF MADRAS

Submit petition for mercy from prisoner Bodi Naiken alias Govindasamy Naiken at present confined in Tanjore Jail under Sentence of Death

---

[G./25.] 000—8-3-

Jud. DEPARTMENT.

C. No. 2365

FOR ORDERS.

The petr. now tells quite a new story. No doubt he had ~~some~~ grave provocation from some of those whom he murdered, but this cannot be said of all of them — I would not interfere

H.G.
11/5/95

This petr admits that he killed 5 people & wounded 2 others. The Judge's letter shows clearly that he did so in a fit of fury, the consequence of finding that his wife & others of his household were leading adulterous lives. What he now says is that there was "no debauchery in his house", but that his wife's father, his wife & others made him drunk, ~~that he then lost his sense~~ and brought people to beat him, whereupon he lost his senses & does not know what he did in the way of killing. This defence is extremely improbable in itself & it was not put before the Courts. To my mind, it

Appeal for mercy from convict no 8978 Bodi Naiken alias Govindasamy Naiken under sentence of death in Tanjore Sessions Case no 12 of 1895, which sentence has been confirmed by the High Court.

The Supt of the Tanjore Dt. Jail states that the prisoner will not be executed until a definite reply from Govt. is received.

D
11.5.95

11/5/95

I would dismiss the petition.

There is no doubt as to the murders, & it is very probable that the man filled himself with drink so as excite himself up to the necessary pitch to carry them

Petition for mercy

FOR ORDERS.

VE

---

[J. / 16.]
1,000—5-2-94.

*Judicial Department.*

VE

# PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter, dated 7 May 95, no 8/408, from the Superintendent of the D. Jail at Tanjore, forwarding petition from Convict no 8978 Bodi naicken alias Govindasamy naicken, under sentence of death in Tanjore Session Case No. 12 of 1895, confirmed by the High Court of Judicature.

~~Read also letter, dated from the Registrar of the High Court, Appellate Side, forwarding the record of the case.~~

Order thereon, 14 May 1895, No. 1012.

Having considered the circumstances of the case as set forth in the foregoing papers, the Right Hon'ble the Governor in Council sees no reason to interfere with the sentence of death passed on Convict no 8978 Bodi naicken alias Govindasamy naicken.

2. The law will take its course.

(Fair order)

~~(True Extract.)~~

D 13.5.95

13/5/95

*Chief Secretary.*

13/5/95

To the Superintendent of the D. Jail, Tanjore
for communication to the P
„ Inspector-General of ~~Jails~~
Hon'ble the J

despd 14/5

submit to CS fair

13/V

given copying ____
ued ____
xamined ____ } 189 .
signed ____

gain G.O., No. DATED
189 ,

ment No.

Enclosures to C. No.

Order of Government .. .. .. A A A A A A A

Letter of Government.

Statement with ditto.

Papers not filed up, being m[illegible] for despatch
in original.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.