# Judicial (1895) Department.

ORDINARY MS.

**G.O., No.** 1034

**Dated** 16° May 1895

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## [Despatch Abstract.]

RELEASE OF A CONVICT ON MEDICAL GROUNDS.

Informing one Alamelammal that the Government ~~seas~~ sees no sufficient reason for directing her son's release, and drawing the attention of the Inspector-General of Prisons to the fact that Jail Code, Rule No. 592 and from No. 52 require amending in order to cover the case of the prisoners belonging to the Presidency town.

## BACK PAPERS.

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

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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[ G./11 ]
2,50€—8-3-95.

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ORDINARY, MS.

Judicial DEPARTMENT.
G.O., DATED 16-5-95
No. 1034

INDEXED.

*When given for copying.* 20/5

[Despatch Abstract.]

Informing one Alamalammall that the Govt sees no sufficient reason for directing her son's release & drawing the attention of the Inspr Genl of Prisons to the fact that Jail Code Rule No 592 & form No 52 requires amending in order to cover the case of the prisoners belonging to the Presidency town.

C.S.
20/5

20/5

OF 189

BACK PAPER, NO.

FURTHER PAPER, No. 2817/95 ([illegible]) OF 189

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT NO.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT .. .. .. A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

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

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Madras 14th March 1895

To.

His Excellency the Governor in Council

The humble Petition of Alamalammall a hindu widow residing at No. 22 in Suthanna Naick Street Choolay Madras

HIEF SECRET
15 MAR. 1895
RNMENT OF MADRA

Most Humbly Sheweth.

1 That your humble petitioners only Son T. Abboy naidu was employed as a postal Peon at Madras for the period of six years and he has discharged his duties to the satisfaction of his superiors. But in the latter portion of the year 1890 having contracted friendship with youngsters of no good reputation, he had to contract debts a little by little to meet his nefarious expenses. His creditors concerned finding that he had not paid back their money as promised took out writs against him and threatened to arrest him. Your petitioners son by little thinking what the outcome will be if he misappropriates the Government money entrusted to him began to pay his judgment creditors out of the Government money so misappropriated in order to save himself from the dismissal of his service and from being incarcerated in the debtors jail. He had a little by little recouped the embezzled sum leaving only a

little

the balance of about Rs 105-u- but in the long run this was known to his Official authorities and he was arrested In November 1891 Sessions he was tried, convicted of Embezzlement and sentenced to 5 years rigorous imprisonment

Your humble Petitioner further begs to submit that since November 1893 the health of her only son now a prisoner has very much been impaired in consequence of his suffering from a series of lung disease. Every quarter your humble Petitioner goes to her majesty's Penitentiary to have an interview with her poor son and every time she went she found him bed-ridden in the hospital.

Your humble Petitioner is seriously apprehensive that if her only son and prop and Say is retained in the hospital of the Penitentiary till he completes the unexpired portion of sentence passed upon him he will fall a victim to the disease under which he is still suffering. To know whether or not the statement made in connection with the prisoner's health is true a kind reference to the Jail authorities is solicited.

Your humble Petitioner being a poor and helpless widow having none in this wide world save and except her only and unhappy son she most humbly craves that your Excellency will be graciously pleased to cancel the remaining portion of his sentence and order his release The prisoner has got only one year more and

and if he is released every effort wi made to cure the disease and save hi from death which will be inevitable if h is kept in jail. Free from jail life will greatly contribute to his speedy recovery

For which act of mercy and great charity your humble Petitioner as in duty bound shall ever pray.

The mark + of Alamalammall

P.S The number of the prisoner in question is convict No. 7537.

1020 / 16-5-93

1300

From

Alamalammal
Chulai

C.S.

For orders

May this be referred ~~to the~~ I. G. Prisons for remarks ~~report~~? H.M. is sure to want his opinion before passing orders.

19/3/95

Dated 16. 3. 95
Recd 15. 3. 95
Regd 16. 3. 95

Subject

Regd. that release of her son now Convict No 7537 may be ordered.

Pet[illegible]
12/6
19/3

Endt No 637 d/ 23-3-95

Referred to the I.G. of Prisons for remarks

21/3/95
19.3.95

The I.G. Prisons with copy current } despd 23/3/95

21/3

Registry Clerk

The rule is that petitioners who have a separate distinct [illegible] [illegible] [illegible] [illegible] one in this case [illegible] result is extra work imposed on the [illegible]

22/3

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and if he is released every effort will made to cure the disease and save him from death which will be inevitable if he is kept in jail. Free from jail life will greatly contribute to his speedy recovery. For which act of mercy and great charity you humble petitioner as in duty bound shall ever pray.

+ The mark of Alamalammall

P.S. The number of the prisoner in question is convict No 7537.

No. 47

Her Majesty's Penitentiary,
Madras, 1st April 1895.

From

The Medical Officer,
Her Majesty's Penitentiary,
Madras,

To

The Superintendent of Prisons,
Madras.

Sir,

I have the honor to inform you that Convict No. 7537, Abboye, was very seriously ill in December 1893. Since then he has on several occasions and for considerable periods been in hospital for symptoms which were partially attributable to the original complaint. In December 1894 he was again admitted and remained in until 17th February 1895 complaining of much the same symptoms as on former occasions. He said he was going to die, and asked to be released on medical grounds. He was discharged in fairly good health. He is on the invalid gang list at present, as he ~~he~~ does not appear to be able to digest raggi diet.

I have the honor to be,
Sir,
Your most obedient Servant,
H. J. Hazlett
Bde. Surg. Lt. Col.,
In Medical charge.

No. 221
Beg to submit to the Inspector General of Prisons with prisoner's nominal roll —
1.4.95
Supdt of Prisons

DIARY No. 3289
3.4 1895.

From

The Medical Officer,
H. M's Penitentiary,
Madras,

To,

The Superintendent
of Prisons,
Madras.

Dated 1st }
Despatched 1st } April 1895.
Received }

No. 47

Subject.

Informing of the state of health of Convict No. 7537, Abboy since December 1893.

Jud. D.
Enclos. No. 1
C. No 2064

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No. 54

Her Majesty's Penitentia
Madras, 15th April 1895.

From

The Medical Officer,
Her Majesty's Penitentiary,
Madras,

To

The Inspector General of Prisons,
Ootacamund,

Through

The Superintendent of Prisons,
Madras.

Reference – Your Memorandum, No. C. 601 of 9th April 1895.

Sir,

I have the honor to supply the following information

(2) Convict No. 7537, Abboy was under treatment in Hospital for the following periods:–

| | | | |
|---|---|---|---|
| From | 15th Dec. 93 to 20th Jan. 94 | for | Pneumonia. |
| " | 22nd Jan. 94 to 31st Jan. 94 | " | Influenza. |
| " | 1st Feb. 94 to 7th Mar. 94 | " | Debility. |
| " | 12th Mar. 94 to 31st Mar. 94 | " | Cirrhosis of lung. |
| " | 17th Apl. 94 to 22nd Apl. 94 | " | Do. |
| " | 21st Jun. 94 to 30th Jun. 94 | " | Do. |
| " | 20th Jul. 94 to 29th Jul. 94 | " | Do. |
| " | 17th Aug. 94 to 24th Aug. 94 | " | Do. |
| " | 4th Sep. 94 to 19th Sep. 94 | " | Do. |
| " | 26th Sept. 94 to 1st Oct. 94 | " | Dyspepsia |
| " | 10th Oct. 94 to 28th Oct. 94 | " | Do. |

From

rom 26th Nov. '94 to 1st Dec. '94 for Dysentery.
" 2nd Dec. '94 to 14th Dec. '94 for Chronic Hepatitis.
" 24th Dec. '94 to 14th Jan. '95 " Rheumatism.
" 15th Jan. '95 to 5th Feb. '95 " Colitis.
" 6th Feb. '95 to 17th Mar. '95 " Chronic Hepatitis.
" 26th Mar. '95 to 31st Mar. '95 " Infl. of intestines.

There is a clerical error in my letter, No. 47 of 1st instant, the 17th February should be 17th March.

(3) Imprisonment may have some effect in aggravating his complaint, as he probably feels the effect of confinement, not being, in my opinion, an instinctive criminal. I expect he would derive benefit from release.

(4). His weight on admission into the Jail was 99 lbs, it is now 93.

I have the honor to be,
Sir,
Your most obedient Servant,
H. J. Hazlett
Bde Surg. Lt. Col.,
In Medical Charge.

No. 250
Submitted
W. A. W. Cready
Supdt. of Prisons

Madras.
15.4.95.

DIARY No 3787
17-4 1895

From

The Medical Officer,
Her Majesty's Penitentiary,
Madras,

To

The Inspector General
of Prisons,
Ootacamund.

Through

The Superintendent
of Prisons,
Madras.

Dated 15th }
Despatched 15th } April 1895.
Received }

16 APR 95
MADRAS

No. 54

Subject.

Supplying certain information regarding the diseases, &c. of Convict No. 7537.

1895
Jud.
Enclos. No. 2
To

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## Nominal Roll of Convict No. 7537 T. Abboy Naidu

| Crime. | Sentence. | Date of Sentence. | Adjudicating Court | Age. | State of Health. | Conduct in Jail. | Result of the Appeal to High Court. | Remarks and previous convictions. |
|---|---|---|---|---|---|---|---|---|
| Forgery of a valuable security and Criminal breach of trust by a public servant. | 5 years rigorous imprisonment | 6th November 1891 | High Court, Madras | 32 years | Indifferent<br>~~Brig: Sur~~<br>~~Lt: Col:,~~<br>~~In Med: Ch:~~ | good | No appeal against the sentence of the High Court. | Earned a remission of 113 days and 9 marks up to 31st march 95. Employed for some time as a Compositor in the Press — |

HER M.'s PENITENTIARY OFFICE,
Madras, 1 April 1895.

Superintendent of Prisons
for the Town of Madras.

3

No. 2070

Office of Inspector-General of Jails,

Dated 24 April 1895.

CURRENT No. 2064

From

A. G. CARDEW, Esq., M.A.,

Inspector-General of ~~Jails~~, Prisons

To

The CHIEF SECRETARY TO GOVERNMENT.

4 Enclosures.
viz:
1 Petition
2 Letters Nos 47 + 54
1 Nominal Roll
4

Sir,

With reference to the Petition dated 14th March 1895 from Alamalammall (herewith returned) referred to me under Mr Davidson's Memorandum dated 23rd idem No. 637, I have the honour to submit (in original) for the orders of Government letters dated 1st and 15th April 1895 Nos 47 and 54 from the Medical Officer, Her Majesty's Penitentiary, Madras, reporting on the state of the health of Convict No 7537 Abboy Naidu. The Convict's Nominal Roll is also submitted.

I have the honor to be,

Sir,

Your most obedient Servant,

A G Cardew

Inspector-General of Jail

CURRENT NO. 2064

**JUDICIAL.** Deptt.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF ~~JAILS~~, Prisons

To

THE CHIEF SECRETARY TO GOVERNMENT.

GO 112. 18 Jan 95
C. [illegible] Rule

Dated 24
Despatched } April 1895.
Received 26th

No. 2096

CHIEF SECRETARY
26 APR. 1895
GOVERNMENT OF MADRAS

ENCLOSURES. 4 3 + C No. 1300 retd.

GO 1598/94
[illegible] [illegible] amend Rule 592 A of the Jail Code is [illegible]
B 29/4/95

Subject.

Submitting papers in original relating to the state of health of Convict 7537 abboy Naidu confined in the Penitentiary Madras, together with the petition of Alacudamuall received with Mr Davidson's memo No. 637 d/ 23 March 95

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Refce No 637/95

For advice.

The case appears to be one to be dealt with under the provisions of Rules 592, 592 A, 595 & 596 of the Jail Code. Rule 592 A requires that, before submitting to Govt. an application for release, the opinion of the Magistrate of the District in which the prisoner's ~~house~~ home is situated or in which the prisoner's relations reside should be obtained as to the conditional release of the prisoner from Jail. This rule however does not seem to cover the cases of prisoners belonging to Madras Town.

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[G. 25.]
000—8-3-95.

Jud! DEPARTMENT.

C. Nos 1300 & 2064

FOR ORDERS.

The case hardly appears to be one to be dealt with under the provisions of Rules 592, 592 A, 593, 595 & 596 of the Jail Code. Rule 592 A however as it stands does not seem to cover the cases of ~~prisoners~~ prisoners belonging to the Presidency Town. This rule & Form No 52 in Appendix III require to be slightly amended so as to cover such cases. The Insp. Genl of Prisons might be asked to consult the Commissioner of Police as to the propriety of releasing prisoners belonging to Madras Town and the prisoner, when conditionally released, might be directed to report himself, or obtain the permission of, as the case may be, the Dy. Commr of Police if he lives

P. T.

Since the convict is not incapacitated from the commission of further crime ~~& yet is not~~ nor is it certified that he is likely to die. All that the medical officer says, is that "he expects that he would derive benefit "from release". He has about 14 months more to remain in jail.

CS.

Order d/ 16th May 1895 No. 1034

The Petr. will be informed that the Govt. having called for and perused a report regarding her son's health sees no sufficient reason for directing his release ~~him~~

2. The I.G.'s attention will be drawn to the fact that Jail Code Rule no. 592 A, & Form no. 52 require amending in order to cover the case of prisoners belonging to the Presidency Town

(J. E. O.)
D

15/5/95

The Petr. (para 1) 23 MAY 95
The I.G. of Prisons (also) M.S
~~(Note)~~

copd 20/5

in the Northern Division, and the Commissioner of Police, or, in his absence, the Asst. Commr. of Police, if he lives in the Southern Division of the Town. Rule 592A is based on G.Os. Nos 580 & 1598, of 8 March & 27 June 94, respectively. — It will suffice to tell the I.G. to submit a draft amendment

D
2·5·95

2. As regards the release of the Convict however, if H.M. ~~considers~~ Considers that his continued ill-health in jail warrants his discharge as an act of mercy; the order should, it is submitted, refer to S 401 C.P.C. & not to any jail code rule as there is clearly no rule which applies to this case. D
3·5·95

10/5/95.

Not knowing anything about the case, I can't say if the Convict was sentenced to an unduly long term of impt. But, so far as his health is concerned, I don't see why he shd. be released

11/5/95

30/4/95.

received

memo no. 637 dt 23 march 95

Release of a convict on Medl. grounds

FOR ORDERS.

H.M.

When given for copying ______
When copied ______
When examined ______
When signed ______
189 .

READ AGAIN G.O., No. DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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