

Judicial (1895) Department.

ORDINARY MS.

G.O., No. *106*

DATED *18th Jan. 1895.*

INDEXED.

[Despatch Abstract.]

APPEAL AGAINST JUDGMENT OF ACQUITTAL

Declining to order an appeal to be preferred against the judgment of acquittal passed by the Bench of Magistrates, Palghat, in summary case No. 1221 of 1894.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Petition judicial Current No. 6817.
 His Excellency the Governor in
 Council of Port St. George.
 Petition of Kalyathil Velappa
 Vaidyan, Son of Angappa Vaidyan,
 Dattakara in Koppam amban of
 the Palghat Taluk in this year
 his petition forwarded by
 post to His Excellency on the 17th
 November 1894 a reply was received
 as No 2996 of the 8th December 1894
 to the effect that the petition
 should have been accompanied
 by a copy of the judgment. He
 accordingly submits a copy of
 the judgment and returns the
 District Magistrate's order of
 the 27th November 94, the original
 petition of appeal, and the order
 of His Excellency returning the
 same to him.
 It has been ordered that copies

depositions could not be granted
as there was no record of the
statements of the Complainant
and the accused and of the witnesses
of the parties before the Bench of
Magistrates. Owing to the dis-
missal of petitioner's bona fide
complaint in spite of sufficient
evidence produced on his side,
of the charge framed against
the accused and of the absence
of any good defence on behalf
of the accused, the accused and
their party seek repeated op-
portunity for picking a quarrel
with the petitioner and send on
formidable threats that they
would cut petitioner's Kuduma
(tuft of hair on the head) &c. &c. there-
fore humbly prays that the decision
of the Bench of Magistrates in case
No. 21 of 1894 be set aside and
that

that a retrial be ordered so
that suitable punishment may
be inflicted on the accused and
petitioner's grievances be redressed.

The petitioner also submits
that if an order is sent to him direct
as to the further procedure he
should adopt in this connexion,
he is ready to act accordingly.

If by a retrial in this case,
suitable punishment is not
awarded to the accused and
the accused are not kept in
proper check it will be difficult
for the humble petitioner to
remain in Palghat.

Dated 20 Dec. 1894.

Sd. Velappa Vaidyan.

(a true translation)

M. Krishnan

Sd. Malayalam Translator
to Jmt

CURRENT NO. 6819

2nd Sept

From

Vellappa Vaidyan

N.M.

For order

With reference to

G.O. No. 2996 of 8/12/94.

For appeal

Order 18-15570 of 16/1/95

The Govt. is not prepared to direct that an appeal should be preferred against the judgment pronounced.

Despatched
10 Jan.
22 JAN 95

To P.C. Wita
3 Encls.

M.S.
14/12/1

Recd 21/12

Encl. 4

Recd 22/12

Translation recd from the Malayalam Translator on the 8th inst.
Subject

Praying that the decision of the Bench makes in case No. 1221 of 94 be set aside & that a retrial be ordered

Petition

When given for copying _____
When copied _____
When examined _____
When signed _____

189.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

ATTACHED OF GOVERNMENT.

STATEMENT WITH DITTO.

COPIES NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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