

Judicial (1895) Department.

ORDINARY MS.

G.O., No. //55

Dated 29th May 1895

INDEXED.

[Despatch Abstract.]

REMUNERATION FOR ADMINISTRATIVE CHARGE OF
DISTRICT JAILS.

Directing that G.O. Dated 23rd March 1895, No. 607, fixing the scale of-----for the official year 1895-96, be amended by the omission of all reference to District Jails of Tanjore, Parvatipuram Russellkonda and Cuddalore.

BACK PAPERS.

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

FURTHER PAPERS.

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

[Form No.1 -2,000-4-1-95].

No. 1803

OFFICE OF THE INSPECTOR-GENERAL OF PRISONS, MADRAS,

dated. Cannanore. , the 29th March 1895.

Desp. 2nd April 1895.

It is requested that the reply to this Letter may be addressed to Ootacamund.

From

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

INSPECTOR-GENERAL OF PRISONS, MADRAS,

To

THE Honourable Mr. J. B. Price C.S.

Chief Secretary to Government

SIR,

Enclosures.

With reference to G.O. 23rd March 1895, No 607, I have the honour to state that as the Bangalore & Parvatipur Jails are provided with special Superintendents, no allowance is admissible to Medical officers in respect of these jails, and as the Superintendent of the Russellkonda Hill Jail is a Covenanted Civilian he also receives no allowance. As regards the Cussalore District Jail, the allowance will be drawn by the Medical officer for the Medical charge only, as the executive charge is at present held by Mr. Cloney. I request that the terms of the S.O may be amended accordingly.

I have the honor to be,

Sir,

Your most obedient Servant,

A. G. Cardew.
Inspector-General of Prisons.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF PRISONS,

Madras,

To

THE Chief Secretary

to Government,

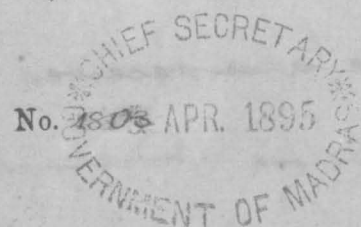
Fort St. George.

Dated 29th

Despatched 2nd

Received 5

March
April — 1895.



ENCLOSURES. Nil.

Subject.

Requesting that G.O. 23 March 1895,
No. 607 may be amended as indicated
within for the reasons stated.

607 = 23 March 1895
200, 10-5-95
607 = 15-3-96
578-20-3-93
1035: 1-5-94
1619/89.
2389/84.

C.S.

Order d/29th May 1895 No 1155

To. J. 23 March 1895 No.
607 will be amended by the
omission of all reference to
the district jails of Tanjore, Pudukottai,
Ramanthapuram and Cuddalore.

He 28 March (Q 10) 28/5/95.
Capt. X. Kaul (A 20)
31/5.

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

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO.

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

N.B.

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

Date taken out.	FOR WHAT PURPOSE.			Initials of Referencer.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
23/5/18	Records	1705	18			

Colombo in a sailing vessel named the "Mohamed Bux" on Wednesday, the 20th March 1895. The ship sailed early next morning and the prisoner appears to have been violently sea-sick. About 11 P. M. on Thursday night she asked her husband for betel and on his refusing to give it to her, as she was sea-sick, she flung the bag in which he carried betel, money and jewels into the sea. She then threw her infant into the sea and turning on her husband, bit him in the right arm. After this she attacked an old woman who was sleeping on deck and bit her on one of her fingers and on the head. The master of the ship was then called, secured the prisoner, tied her to an iron ring on the deck and handed her over to the authorities at Pamban when the 'Mohamed Bux' arrived there on the 23rd March.

3. The 1st witness for the prosecution, in his desire to exonerate his wife, has deposed in this Court that she did not throw her infant overboard but dropped it accidentally while she was sea-sick. This version, however, is totally opposed to the rest of the evidence and to the prisoner's own statements. The deposition given by the 1st witness before the committing Magistrate has therefore been filed as exhibit A; there is no doubt of its truth and it shows that the prisoner acted in the manner which has already been described.

4. The prisoner, in admitting twice before the committing Magistrate that she threw her child overboard, declared that she did so because the God, whom she saw in the heavens, required it. Her husband proves that she was subject to hallucinations or was possessed by a spirit about once a year and that she was so possessed the day she embarked on the 'Mohamed Bux'. This evidence is supported by the statements of a fellow passenger named Raman who was examined by the committing Magistrate and whose depositions (exhibits II and IIa) have been filed under Section 33 Indian Evidence Act as he has not appeared in this Court and the circumstances of the case did not justify the delay which would be incurred in securing his attendance. According to these depositions, the prisoner began screaming on Thursday afternoon and looked so like a maniac that the other passengers moved away and left her alone. In addition to all this, it is proved by the 1st witness that the prisoner's menses have been suppressed since the birth of her infant. In *Regina versus Brisey* (Taylor Medical Jurisprudence, ii 564, Lyon p. 485) the prisoner, who killed a child, was acquitted on the ground of insanity probably arising from obstructed menstruation. In this case there is no doubt that the prisoner did the act laid to her charge, but I concur with the assessors in thinking that she was insane at the time. Hence while acquitting the prisoner on the ground of insanity, I direct, under Section 471 C. P. C., that she be kept

in safe custody in the District Jail of Madura and that the case be reported for the orders of the Local Government.

Madura
3rd May 1895.

W. DUMERGUE,
Sessions Judge.

Serial No.	DESCRIPTION OF THE ACCUSED.						DATE OF.					Explanation of delay.
	Name.	Father's name.	Caste.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	Apprehension.	Commencement of trial.	Close of trial.	
1	2						3					4
S C. 33 of 1895.	Karuppayee alias Minakshi.	Karuppiah.	Vallamba.	Cooly.	Thallambatti, Kilavoinelli Taluk, Pudukotta Territory.	About 30.	21-3-95.	23-3-95.	23-3-95.	1-5-95.	1-5-95.	

Enclosure I(c) only
In a letter from the Sessions
Judge of Madura dated 20th
May 1895 no 341

Spare Copy of printed Judg-
ment in Session Case 33 of
1895

IN THE SESSIONS COURT OF MADURA.

SESSION CASE XXXIII OF 1895.

(SPECIAL SESSIONS—APRIL—MAY).

Committed by the 2nd Class Magistrate of Pamban (R. C. 1 of 1895).

Prisoner :— { Karuppayee alias Meenakshi { Defended by Vakil Mr.
M. S. Sundramier,
appointed by the Court.

Charge :— Murder, Section 302 I. P. C.

Caste of :— { 1st Assessor—Weaver.
2nd Do—Christian.

Opinion of assessors :— { The prisoner threw her child into the sea but was mad
at the time.

Finding of the Judge :— { Prisoner did the act laid to her charge but was insane
at the time.

Order :— { Prisoner acquitted on the ground of insanity. Ordered
under Section 471 C. P. C. that she be kept in safe cus-
tody in the District Jail of Madura and that the case be
reported for the orders of the Local Government.

JUDGMENT :—The prisoner is charged under Section 302 I. P. C. with having murdered her infant son, about 5 months old, on the high seas between Colombo and Pamban on the 21st March 1895 and there is no dispute as to the facts of the case.

2. The prisoner and her husband, the 1st prosecution witness, who belong to the Pudukotta state, went to Ceylon to earn their livelihood about 5 or 6 years ago. The prisoner gave birth to a son soon after arriving in Ceylon and gave birth to a second son about 5 months ago. Intending to return to their native place, the prisoner and her husband with their two children embarked at

Colombo in a sailing vessel named the "Mohamed Bux" on Wednesday, the 20th March 1895. The ship sailed early next morning and the prisoner appears to have been violently sea-sick. About 11 P. M. on Thursday night she asked her husband for betel and on his refusing to give it to her, as she was sea-sick, she flung the bag in which he carried betel, money and jewels into the sea. She then threw her infant into the sea and turning on her husband, bit him in the right arm. After this she attacked an old woman who was sleeping on deck and bit her on one of her fingers and on the head. The master of the ship was then called, secured the prisoner, tied her to an iron ring on the deck and handed her over to the authorities at Pamban when the 'Mohamed Bux' arrived there on the 23rd March.

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Madura
3rd May 1895.

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Sessions Judge.

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Enclosure I (b)

In a letter from the Session
Judge of Madura dated 20th
May 1895 No 341

Spare Copy of printed Judgment
in Session Case 33 of 1895.

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Enclosure I(a)

In a letter from the Session Judge
of Madura dated 20th May 1895 No
341

3 Se. 9 printed Judgments
in case: no 1 to 100 2572895, 2572895, 2572895.

Jud. Gp 1154 Sub
29-5-95

Spare copy of printed Judgment
in Session Case 33 of 1895.