

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 115

DATED 18th Jan. 1895.

INDEXED.

[Despatch Abstract.]

SALE OF PROPERTY ATTACHED

Sanctioning the sale of the property of the accused in calendar case No.102 of 1893 on the file of the Head Assistant Magistrate, Madura, under section 88 of the Criminal Procedure Code.

MA

BACK PAPERS.

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

FURTHER PAPERS.

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

From

District Magistrate
The Collector of

Madura.

Go 395 18 Jan 95

To

Chief
The Secy. to Govt.,
Judicial Department,

Madras.

Resubmitter with note for H.

H. M.

Dated 1/11

Received 20/11

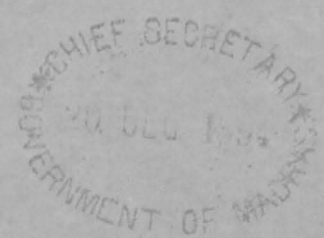
By 21/11

Ref. No. 2732 of 1894

Enclosures 2

SUBJECT.

Soliciting Sanction ^{of Government} under G.O.
No. 454 ^{11.3.90} Judicial, to the sale of
property of accused in C.C. No 102
of 1893 on the file of the Head Assis-
tant Magistrate.



Order 18-1-95
No 115 18/1/95

The sale of the property
referred to is sanctioned
under Sec: 88: C.C.

10 Jan

To Mr. M. Madura (450)
The Secy. to Govt. (140)

DESPATCHED
23 JAN 95
IN M.S.

Note: The property is hardly worth
selling.

Pass the draft to save trouble
but I don't see anything in
15.88 C.C. I don't think
that the sanction of Govt. to the
sale is necessary

Note for H. M.
The last para. of 88 declares the property
to be "at the disposal of Govt."; the Draft. says Govt.
has power to order the sale without the approval
of Govt.

I don't submit

29/1/95

24/1/95

No.

From

Dated

189

FOR ORDERS.

Note for H.M.

Please see H.M.'s note of 30th ult.
in G.O. of 18.1.95 No 115.It was held in G.O. 454 that
11. 5. 90S. 88 of the C.P.C. required the sanction
of Govt to sales of attached propertyHd 19.2.95
21/2/95I am - I should have
held the same way myselfHd
22/2/95Lodged
26.2.95I have the honor to be
Sir,
Your most obedient servant,

Collector.

C 22/2
R 25/2

Note for H. M.

H. M.

Copy of Communication No. 417, dated 9th December 1894, from the Acting Head Assistant Magistrate, Madurai, to the District Magistrate of Madurai.

I have the honor to state, that the Sub Magistrate of Sivaganga, sanctioned the prosecution of the marginally noted 4 individuals, on the 26th October

* C.C. $\frac{101}{93}$ Rama Kona.

" $\frac{102}{93}$ Munthai Kona.

" $\frac{103}{93}$ Teerappa Kona.

" $\frac{104}{93}$ Muthana Iwan.

1893, for the offence of giving false evidence, punishable under Section 193 I.P.C. The Station House officer of Mangalam on whose application the sanction was

accorded, submitted a charge sheet, against the four persons, and requested this Court to issue process against them. The case against each of the accused, was registered separately and taken on this Court's file and bailable warrants issued against them, on the 27th February last. The accused in C.C. Nos 101, 103 and 104 of 93 appeared, and they were tried and convicted, and the first two were sentenced to 6 months' rigorous imprisonment each, and the third to 9 months' rigorous imprisonment. The bailable warrant issued for the arrest of the accused (Munthai Kona) in C.C. No. $\frac{102}{93}$

was

was returned, with an endorsement that the accused had gone to Rangoon & places, knowing that there was a warrant pending against him for Execution, and the Station House officer of Mangalam, applied for proclamation notices and attachment warrant. These were accordingly issued on the 20th April last, and the notices were duly published in the accused's village, on the 16th May last, and the properties mentioned in the accompanying list were attached. Though more than 6 months has elapsed, since the date of the proclamation of notices and the seizure of the properties, the accused has not yet appeared before this Court, and the properties have, therefore, now become liable to be sold.

I, therefore, request that you will be good enough to obtain the necessary sanction of Government for the sale of the properties (vide G.O. No. 454, dated 11th March 1890, Judicial). The proclamation notices, the attachment warrant and the list of property seized, are herewith submitted for reference and return.

[Signature]

Acting District Magistrate

Enclosure, with letter from the District Magistrate dated 10 December 1894 in 2732
Copy of District Magistrate's letter

List of moveable property attached in the house of Myint Hla of Khandani village, on the 16th of May 1894.

A basketlike thing used for winnowing	3
An instrument used in cutting curry stuffs for cooking purposes	1
Rangoon sickle	1
Pounding instrument	1
Wooden measure	1
Door	1
Locks	2
Wooden mortar	1
Coin baskets	3
Basket of leaf	1
Large pots	20
Small Earthen vessels	24
Bundle of rags	1
Lamarind vis	1/4
Mat made of leaf	1
Torn pieces of Cumbly	2
Salt measure	1/16

16th May 1894

(Signed) Ramaya Aida
Head Constable
No. 255

(True Translation)

[Signature]

Acting District Magistrate

has not appeared. The property having become liable to be sold under Section 88 of the Criminal Procedure Code, the Head Assistant Magistrate, in his letter N^o 417, dated 9th December 1894, (copy enclosed), requests that sanction of Government may be obtained for its sale, under Government order N^o 454, Judicial, dated 11th March 1890. I, therefore, request that sanction may be accorded to the sale of the property attached.

I have the honor to be,

Sir,

Your most obed^t. Serv^t.

Luce Miller

Acting District Magistrate

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

189

READ AGAIN G.O., No.
 189

DATED

CURRENT 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 MEANT FOR DESPATCH
 IN ORIGINAL.

N.B. -

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