

5-7-10 ✓

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1211

Dated 8th June 1895

INDEXED.

[Despatch Abstract.]

PETITION.

Endorsing paragraph X of C.petition rules on---from Thunga-
valoo, late Police Constable No. 336 of the Chingleput district,
appealing against the order of the Inspector General of Police dismis-
sing him (petitioner) from service.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	677		24-95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3402		95				
	3985		95				
	4443		95				
	3575		95				

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2,000-23-1-95.

Current No. 2733.

Judicial DEPARTMENT.

From Shungavalo,
late Police Constable No. 336,
of the Chingleput D.C.,
Tiruppur.

No. -

Dated 27th May
Received 18th June } 1895
1247 3rd do
Enclosures 4.

SUBJECT.

Submitting his appeal petition
against the order of the D.C. Police
dismissing him from the
Police Service.

Order of 8th June 1895 No. 1211
Para. X of C. P. Rules.
80.55

The Pet. is to be DE. 11/6
with 2 of Encls. 14 JUN 95
IN M.S.
7.6.95

S

The Superintendent of Police
Chingleput District

upponur
11th May 1895
Port of Madras

Honour Sir

I. Police constable No 336 who was
suspended until further orders on
the 6th July 1894 while doing duty
at Goussavaram Ig. Station, respectfully
beg to state that no orders
have been sent to me up to date
& to therefore request that your
honour will be good enough to
favour me with the orders passed
at your early convenience

Police Cons-
District,
this my
orders of
dismissing
the alleged
quest that
this before
-Council

Thirupuram
21-3-94

1205 to Thungavathi

(True copy)

L. Thungavathi

ment
to doing duty
see memo

was placed in temporary charge of that
station for a few months from March 1894,
on that station House Officer's place falling
vacant suddenly by the death of the permanent
incumbent. While thus in charge I prosecuted
on the 17th April 1894, 3 persons under
Sections 109 & 110 C. P. C in crime No 79 of
that station & sent them up on the 18th
April before the Joint Magistrate who was
then

them at Wallajahad with an usual Charge
sheet accompanied by suspicious properties
I found out from them on their personal exami-
nation when arrested on the previous day,
under the Custody of Police Constables 620 &
496. (2)

On these Constables presenting them 3
before the Joint Magistrate at Wallajahad
with the Charge sheet and the properties
he endorsed at once on the Charge sheet
remanding the prosecuted to the Sub Jail
of Bonjerram for about 5 days and sent
them back, at the same time returning the
properties unusually. On their return I
directed the Constables to give Charge
of the prisoners and the properties to the
Stationary Magistrate who was in charge
of the Sub-Jail. This officer received the
prisoners but not the properties saying that
the properties might be retained by the
Police & taken to the Joint Magistrate's
Court with the prisoners on the next
day of enquiry.

While thus the properties were of

money

(3) in my Custody again for a few days from
the 18th. one a gold ring (estimated to be of
value of from Rs 10 to 25), one of the
above properties, was stolen away on the
night of the 21st. April 1894, from the
station house. With the ring a couple
of rupees was also stolen away from the
very box in which the properties were kept,
out of a sum of about Rs 50 kept in the
box.

5 On the 21st. April I had seen
the properties safe in the station House
box. On the evening of the 22nd. April 1894
when I was about to open the box for taking
out blank forms from it I found the box
unlocked which led me to suspect the
safety of its contents. Thereupon I examined
all the contents of the box and found out
a gold ring & a couple of rupees missing.
Being alarmed by the loss which, I believed,
could have been brought about only by any
of the Constables who were on duty the
previous night at the station House, I
began

620 & 359 who were on duty the night at
the sub-pail in which building the station-
house was located - , how there was a theft
of a ring & a couple of rupees from the
station house box that night to which
they said that no one of them knew anything
about the theft.

Believing that some one of the
Constables did the thing with the object
of putting me into troubles and that he
might perhaps put back the ring into the
station house secretly I went on expressing
to all the constables that some one of them
only must have done it with a bad heart
against me and that the culprit would
be brought into ruin shortly by the help of
God in return of his attempt to ruin me.

On this hope I detained reporting the occurrence
to the Inspector who was away then on
circuits until his return to the station which
was expected in a day or two. Here I beg
to state that I expected the secret return
of the ring only before the expected return

(5)

of the Inspector to the station.

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The Inspector returned to the
station on the night of the 24th and
on the next morning I myself went to
to the Inspector & reported the occurrence
in person. On his enquiry of me regarding
the occurrence I told him all the following
facts connected with it. As already mentioned
above I stated how the properties including
of the ring came in my possession and
that for more than 24 hours I knew &
how I came to know the theft. Other facts
were that I closed the station house at
7 P.M. on the 21st April 1894 and gave
the key of the house as usual to the officer
who was in charge of the sub-pail who was
then Police Constable No 359 in the presence
of Police Constables 594, 496 & 620 & went
home; and that I came to the sub-pail & to the
Treasury on patrol at the fore part of that
night & instead of returning home I took
my bed at the station house only. For taking
my ^{bed} there on the night I took the key of
the

(6)
the station house from Police Constable
No 359 who was in charge of the sub-pail,
opened the station house, took out a
bench from it to sleep on, locked the door
of the house & returned the key immediately
to the Police Constable No 359 in the
presence of Police Constables 594 & 496.

I took my bed at a distance of about 10 ft
from the entrance of the house & that to the
side of it. These facts alone I told the
Inspector of Boupessam & also to the
Inspector of Lohengleput who made
subsequent enquiry of the case.

Here I beg to explain that the
station house formed one of the rooms of
the sub-pail building & for this reason the
sub-pail guard only formed the guard of
the station house too. Guns &c which would
be required for any emergency by the
sub-pail guard were only inside the
station house. Therefore it was usual
to leave the key of the station house
with the sub-pail guard head.

(7)
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Statements given before the District
by the Police Constables who were on
duty that night were these:—No 359
Police Constable denied the fact of having
received the key of the station house
from me that night; No 594 Police
Constable stated that he knew the
giving of the key to P.C. No 359 when
I No 336 went home that night &
also that I came on patrol that night,
slept at the station house taking out
a bench from the station house & returned
the key immediately to P.C. No 359; No
496 Constable stated the same facts. No
620 P.C. stated that he saw me giving
the key to P.C. No 359 at 7 P.M. when
I went home that night, that he knew
not from sleep what took place after
it until 12 o'clock when he had his
turn of guard for 3 hours & that he
saw me sleeping at the station house
during his guard hours. Besides he
stated that he saw P.C. No 359 who
was

was the head of the subail guard
going into the station House at about
1-30 A.M. but that he knew not what
he did inside & that he soon closed the
station House and went towards the
guard of the Treasury which was closed.
On the Inspector enquiring P.C. No 590
who was on guard at the Treasury
from 12 to 3 that night he stated that
he saw P.C. No 359 coming to the Treasury
guard at about 1-30 that night.

When the evidence obtained
on the Inspector's enquiry regarding the
theft of ring has stood as above said,
I & other Constables 359, 496, 594 & 620
were suspended on the 6th July 1894 until
further orders. Not having received final
orders up to last March I applied to the
Superintendent of Police of the District
to be favoured with the final orders passed.
The Superintendent of Police sent on the
27th March 1895 the enclosed order
informing me that I was dismissed
from the Service by the Inspector General
of Police

(8)

(9) of Police. The copy of the Inspector-General's
orders which was obtained subsequently
shows that he has passed orders that
the theft of the ring lies between Constables
336, 620 & 359, further that no one
of them has spoken the truth, & that
therefore they should be dismissed.

11 Here I respectfully beg to sub-
mit if there was evidence to show
to the Inspector-General that the
theft lies only between these three it
would have been just if he had placed
them before a Magistrate who could,
with the help of law, discern the culprits
& award him deserving punishment, at the
same time acquitting the innocent. And yet
the Inspector-General of Police in an
unequitable manner dismissed the 3,
- extreme degree of punishment - the
innocent & the guilty together, with all
the doubt entertained by himself in the
case

12 Lastly I beg to submit that
from the above facts it will be seen
that

that I am innocent in the case. Further
I am to state if I had not been honest &
able in my work the Inspector of the
division would have not placed me
in charge of that station for some months
when there were 1st. class constables, and
this thing might be known from the
report of the Commissioner Inspector of
the case

Copies of my applications
to the Superintendent of the District
& his replies to them are herein enclosed

I beg to remain

Honored Sir

Your most obedient servant

Address L. Thungavala

To
L. Thungavala
Door No 15
Tumppur

CHIEF SECRETARY
1. JUN. 1895
GOVERNMENT OF MADRAS

(10)

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

189

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

DATED

CURRENT No.

ENCLOSURE TO O. 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.

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A = Copy in full.
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