

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1305

Dated 19 June 1895

INDEXED.

[Despatch Abstract.]

REMISSION OF SENTENCE.

Recording letter from the District Magistrate of Chingleput submitting, for orders, a case of dacoity in view to a portion of the aggregate punishment to which the accused have been ~~see~~ sentenced being remitted.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	789		18/4/95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	4244		95				

MIS. PAPERS IN THE ORDINARY SERIES.

Disposal No.	Date of Disposal.	Date of Despatch to Secretary of State for India.	Numbers and Dates of previous Proceedings.	Receipt Nos.	Despatch abstract or purport of paper.
* 1305	1895. 19th June	..	No. 938 of 1892. No. 789 of 1895.	2835	<i>Remission of Sentence.</i> — Recording letter from the District Magistrate of Chingleput submitting, for orders, a case of dacoity in view to a portion of the aggregate punishment to which the accused have been sentenced being remitted.
* 1307 1308	19th "	..	Nos. 1811-12 of 1894. No. 2052 of 1894. No. 513 R. of 1895.	2850	<i>Memorial.</i> — Forwarding, with remarks, to the Government of India, with its accompaniments, from John Stafford, a convict in the Madras Penitentiary, praying for remission of the unexpired portion of his sentence.
* 1310	19th "	..	..	2029 2891	<i>Illegal Sentence.</i> — Communicating to the Inspector-General of Prisons, letter from the District Magistrate of Madura reporting that on appeal, the fine and imprisonment in default imposed on Karuthakaruppan by the Second-class Magistrate of Tiruppattur, Madura district, in Calendar case No. 497 of 1894, was cancelled by the Head Assistant Magistrate and stating that the required explanation will be submitted on receipt.
* 1311	20th "	..	..	2866	<i>Petty thefts of Cargo.</i> — Transferring to the Commissioner of Police, letter from the Chairman, Harbour Trust Board, reporting another case of theft of a small quantity of cement by a cooly who was recently punished for a similar offence, convicted and sentenced to 10 days' imprisonment, and directing the Chairman, Harbour Trust Board, to report such cases in future to the Commissioner of Police.
* 1313	20th "	..	..	2690 2842	<i>Liveries for Peons and Jamadars.</i> — Approving the proposal of the Board of Revenue (Revenue Settlement, Land Records and Agriculture) for buying — from a local contractor instead of from the Jail Department.
1314	20th "	..	..	2822	<i>Political Detenus and State Prisoners.</i> — Communicating, with remarks, to the Inspector-General of Prisons, letter from the Government of India regarding the particulars to be furnished in half-yearly returns of — submitted to that Government.

* Not seen by Honourable Member.

[G. 25.]
800-7-5-95.

C. No.

FOR ORDERS.

Please see H.M.'s notes on personal
hand slip marked A & B:

A. G.O. No 1305 put up 19 June 1895 is
put up

B Please see linked file for explanation
The Chairman H.T. B. was directed
to bring cases of inadequate punishment
to the notice of the Comm. of Police
in order that the latter might take
action in the manner contemplated
by G.O. of 3 Nov. 1894 No 2538 put

28 11.7.95.
12/7/95.

Seen
1895
15/7

Remarks on a
personal bundle

FOR ORDERS.

Am.

Seen by L.S.
W.
16/7/95

stitch these with VO 1305
19/6/95

126

1817/95

1817
16/7

56
17 Refon No. 621 of 95
May

CURRENT NO. 283
Chingleput. S. MAGISTRATE'S OFFICE,
Station, Saidapet, 18th May 1895.

FROM
C. H. Moussey Esquire,
Ag. District MAGISTRATE OF Chingleput.

TO
Chief
THE SECRETARY TO GOVERNMENT,
Judicial DEPARTMENT,
Madras.

SIR,

I have the honour to bring the following
matter to the notice of Government for such
action as it may be pleased to take.
2. On the night of the 14th January last, a
series of dacoities and robberies were committed
on the road from Deeveram to Chingle-
put when people were returning after witness-
ing a festival at the former place. Two
of these dacoities were tried by me as act-
ing Sessions judge, Chingleput, and the
accused, six in number, whose names are
given in the margin, were convicted and
sentenced on the same day in calendar
case N^o. 4 of 1895 to 6 years' rigorous im-
prisonment.

1. Bodigadu.
2. Periya Ginnawan.
3. Subbadu.
4. Chinnafurwan.
5. Venkataswami.
6. Gvindan.

imprisonment each and in calendar
Case N^o. 6 of 1895 to 5 years' rigorous im-
prisonment each. But I directed that
the latter sentence should run concurrently
ly with the former. I now find that as
the law at present stands, (vide section
397, B. P. C., and the ruling of the Madras
High Court in criminal revision case N^o.
556 of 1891) this direction about concu-
rent sentences appears to be null, though
the High Court before whom the cases is
went on appeal have taken no exception
to it. Of the prisoners named above, as
Subbadu and Chinna-guruvann have further
to undergo two more years' rigorous im-
prisonment, and Bodigadu, Periya Guruvann
and Venkatasami, one more year's
rigorous imprisonment given them in calendar
cases N^o. 14 and 15 of 1895 on the file of
the Joint Magistrate, Chingleput, in respect
of robberies committed the same night
after the sentences in the dacoity cases
are worked out, thus making a total
of

X vide 3. 11/18 May
92. No 938

of 13 years and 12 years imprisonment
respectively in the case of these prisoners,
and 11 years in the case of the remain-
ing prisoner, Govindan. But I, as Sessions
Judge, considered that a sentence of 6 years
imprisonment was a sufficient punish-
ment for the series of dacoities and rob-
beries that the prisoners committed that
night. It, therefore, seems to me that there
is a deserving case for the exercise of the
power vested in the Government by section
401, B. P. C., of remitting a portion of the Aggra-
vated punishment to which the accused
have been sentenced.

3. Copies of the judgments of the Sessions
Court and the Joint-Magistrate and of the
orders of the High Court on appeal are sub-
mitted.

I have the honour to be
Sir,

your most obedient servant

C. H. Munnay.

Ag. District Magistrate.

usual depts

FROM

THE MAGISTRATE OF

Chingleput.

TO

Chief

THE SECY. TO GOVERNMENT,

Judicial DEPARTMENT,

938/9280

Madras.

Dated 8

Despatched 10

Received 11

Reys 12

June
May 1895.

Reference on No.

No.

ENCLOSURE.

CHIEF SECRETARY
GOVERNMENT OF MADRAS
11. JUN. 1895

Bringing notice of
Government a case of da-
coity for such orders as it
may be pleased to pass on
under section 401 C.P.C. by
remitting a portion of the
aggregate punishment to
which the accused have been
sentenced.

R13/6.

So. 789. 18.4.95 min

So. 938. 18.5.92 de

C.S.

ndes d/19th June 1895 No 1305

Recorded with ref. to

S.O. 18. April 95. No 789.

18/6/95

Note

The High Court will amend the
sentence if it thinks fit

13/6/95

To the Em. Pleader (A.40).

with encls. (the return).

L. Magistrate, Chingleput.
with copy of S.O. 18-4-95
No 789.

12/6/95

When given for copying

When copied

When examined

When signed

189

Read again G.O., No.

189

DATED

URRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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.