

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1517

Dated 19th July 1895

[Despatch Abstract.]

MOPLAH STATE PRISONER.

Declining to accede to the request of---Kolathil Kunhollen to be furnished with certain records, &c., connected with his case, and directing the Inspector-General of Prisons to arrange for the transfer of the prisoner to Midnapore as soon as he is fit to travel.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G.]
[II]
2,400-8-8-05.

ORDINARY, MS.

Judicial DEPARTMENT.
G.O., DATED 19-7-95
No. 1517

INDEXED.

When given for copying. 22/7

[Despatch Abstract.]

Declining to accede to the request of Inspector State prisoner Kalathil Kum: to be furnished with certain records & connected with his case, & directing the Inspector of Prisons to arrange for the transfer of the prisoner to Madras as soon as he is fit to travel.

222/3 X 22/7

BACK PAPER, No. 99a: 13.595 of 189 .

FURTHER PAPER, No. of 189 .

READ AGAIN ORDER OF GOVERNMENT, DATED 189 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

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B - Not to be copied.
P - Copy abstract only.
Q - Copy heading only.

FORM No. 53

Nominal Roll of *Malabar State Prisoner* No. 1, *Kalathil Kunhol*

Crime.	Sentence.	Date of Sentence.	Adjudicating Court.	Present Age.	State of Health.	Conduct in Jail.	Result of the Appeal to Appellate Court.	Number of previous convictions if any and remarks.
<i>Offence under the Moflak act</i>	<i>To be detained as a State Prisoner.</i>	<i>Date of App. 8-9-94</i>	<i>Government of Madras.</i> <i>(App. no. 2187. List of 8.9.94)</i>	<i>57 years</i>	<i>Suffer from Chronic Diabetes</i>	<i>Good</i>	<i>-</i>	

Cambalore Central Jail
26th June 1895.
5,000-3-94. *inf.*

Rules 701 and 704.

A. J. A. J.
Superintendent of *Cambalore* Jail,

*Copy sent to file 100
100-100-100
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To

His Excellency, The Governor in Council
Fort Saint George.

The humble petition of Moplah State Prisoner
No. 1, Kalathil Kunhukku, at present in confinement
in the Coimbatore Central Jail.

2. The representations made against him by the
opposite party, lies obscure.
3. The petitioner and his witnesses were not
examined before final orders were passed in his
case by the Government.
4. The District Magistrate of Malabar arrived
at a wrong conclusion especially in regard to the
petitioner and no notice was taken by him of the
petitioner's petition.
5. The petitioner is a peaceful and well to do
subject of Tellicherry Amsham in the Walluwanad Seling.
6. The petitioner is prepared to prove by
witnesses and documentary evidence, that he is
not in any way connected with the recent
Moplah Outbreaks.
7. The then District Magistrate did not give the
petitioner a single opportunity of hearing the

the case, when the enquiry was made in his Court.

8. If the ~~peti~~ District Magistrate had inquired the witnesses in the presence of the petitioner, he would not have come to the present miserable position.

9. The District Magistrate did not take any notice of the petition sent by the petitioner from the Jail to enquire the witnesses in his presence and to hear the petitioner.

10. The petitioner was not even allowed to remain at Malapuram, but was sent away to the Coimbatore Central Jail.

11. The petitioner strongly believes that the Government passed its final orders on the evidence given by his enemies before the Special Assistant Magistrate and District Magistrate of Malabar.

12. The petitioner thinks that the chief-witnesses in the present charge against him are a Nambari and 2 Moplahs who charged him 10 years ago of instigating a Moplah outbreak.

13. The petitioner then proved that he was peaceful and obedient subject and Government passed orders that he was innocent. He proved then his innocence in such a manner that Government ordered the transfer of the ^{then} Special Assistant Magistrate of Malabar from the Malabar District for reporting wrongly

Mr. Datt, whose
views at that time
have since been ac-
cepted as correct
5.7

in the petitioner's case - the report made being contrary to that made by the District Magistrate.

14. If the District Magistrate had given the petitioner an opportunity of hearing the petitioner's ~~and~~ explanation to the charges brought against him, the Government would not have passed the present orders and the petitioner would not come to the present miserable state.

15. The petitioner humbly prays that he may be given an opportunity of explaining the charges brought against him and that Government will be pleased to hear his case once more and pass their orders.

16. In order to make this representation and to prove that the statements of the witnesses in the opposite party are wrong, the petitioner is not in possession of the records of the case, copies of depositions of the several witnesses in the case, the reports of the Special Assistant Magistrate and District Magistrate of Malabar, and the final orders passed upon them by Government.

17. The petitioner, therefore, humbly prays that His Excellency, the Governor in Council, will be graciously pleased to

to furnish the petitioner with the copies of the above records.

18. As the petitioner is anxious to put his case before Government before he is transferred to the Calcutta Province, the petitioner humbly prays ^{that} His Excellency in Council ~~will~~ will be pleased to order the above said records to be sent to him, at a very early date.

19. The petitioner further prays that his transfer to Calcutta Province may be postponed ~~a little~~ till the records are received by him and till he submits his Memorial to Government.

20. The petitioner is prepared to proceed to Calcutta province after the receipt of his Memorial by Government.

Dated 25th June 1895.

(Signed) K. Kumbhakar

1895
June 25
Encls. No 2
To
C. No 3145

(Translation)

Superintendent

Cambalore Central Jail
25th June 95
Sub

CURRENT NO. 3145

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3. അന്നന്ന ദിനം നവരത്നം ചെ
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6. ചങ്ങതിനാൽ ചങ്ങതിയ
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Franklin
Superintendent

Coin before Central Socy
25th June 95.

His Excellency

The Governor-in-Council

Fort Saint George

Sp. 994: 13.5.95
Sp. 847: 24.4.95
Sp. 183: 24.4.95
Medical Dept
Sp. 2186-92 + 9485
CURRENT NO 3145
N^o 3791

Submitted for the orders of Government under sec. 5, Regulation II of 1819. The petitioner is the same individual as was referred to in this office letter N^o 2368 dated 4th May 1895 recorded in G. O. 13th idem N^o 994.

2. A petition from State prisoner Kalattil Unniyari Haji implicated in the same conspiracy and detained in Jail under the same order, viz. G. O. 8th September 1894, N^o 2187 Judicial, was disposed of by Government in its order N^o 847 dated 24th April 1895.

Ootacamund } N. G. Cardew
1st July 1895 } Inspector General of Prisons

Recd 2nd } Jul 95
Byd 3rd }
Encs. 2

Prayer.

Prays to be furnished with certain records &c. in his case, in order that he may submit his representations to Govt.

CHIEF SECRETARY
The humble petition of Moplah State Prisoner no. 1 Kalattil Unniyari Haji, in the Court before Central Jail.

Dated 25th June 1895.

Genl. DEPARTMENT.

C. No. 3145

FOR ORDERS.

The pet. is a brother of Unniyari Haji one of the most dangerous of the lot.

His pet. should be rejected & he should be moved to Madras as soon as fit to travel.

WJ

12/7/95

I agree

28/13/7

So do I. It will be observed that the Dis. Magistrate said he could not answer for the lives of the civil & military officers, if this man were allowed to return.

h

15 July

With the foregoing papers the J. Sec. of Prisons submits a pet. from K. Unniyari, a State prisoner concerned in the Moplah outbreak of April 94, praying -

(a) that his case may be reconsidered by Govt.,

(b) that he may be furnished with the records connected therewith so as to enable him to explain the charges framed against him, and

(c) that his transfer to Bangalore may be postponed till he has had an opportunity of submitting a memorial to Govt.

2. The case against the pet. is set out in paras 22 to 25

P. J.

of Mr Bradley's report of the
16 May '94 and para 6 (2) of
the process of Court thereon (S.O.
of 8 Sept '94, no 2186). Please see pp. 12-15
19-20, 37 1745
3. on the representation of this
Court, the Court of India has
sanctioned the removal of
Humboldt to the Midnapore
Central Jail in Bengal,
and in this latter case the man has not
been removed yet, as, on account
of the chronic diabetes he was
suffering from, the Medical
officer of the Calcutta Central
Jail reported that he was
unfit to make the journey
to Midnapore. Mr Cardue
however expects that it
will be possible to move
him later on (S.O. of 13
May '95, no 994).

10/7/95

Petition from a
State prisoner

FOR ORDERS.

A. M. & Co.

Cs.

Order of 19th July 1895 No 1517.

The pett. should be informed
that the Govt. is not prepared to
accede to his requests.

2. The G.O. of Prisons should arrange
to transfer him to Midnapore
as soon as he is fit to travel

(from order)

The G.O. of Prisons
16/7/95
18/7/95

11/7 C137
13/7 K157

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When signed

189

READ AGAIN G.O., No.
189

DATED

PRESENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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