

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1587

Dated 29th July 1895

INDEXED.

[Despatch Abstract.]

PETITION.

Endorsing Paragraph II, C Petition rules, on----From Ramachendra Raju praying that the Superintendent of Police and Inspector of Ambasamudram may be ordered not to interfere any further with his case against Head Constable No. 61, Subramania Pillai, station-house officer.

BACK PAPERS.

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

FURTHER PAPERS.

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

CURRENT No. 3457
Judicial (1895) DEPARTMENT.

From C. F. MacCartie Esq. J.C.S.
THE PRIVATE SECRETARY TO THE

RIGHT HONORABLE THE GOVERNOR,

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.



Dated 19th
Received 19th
Recd 20th

July 1895.

ENCLOSURE. 1.

Subject.

TRANSFERS a petition from Ramachandra Raja praying that the Supt of Police and the Inspector of Ambasamudram may be ordered not to interfere any further with his case against H. C. Subramania Nalla Station House Officer.

3217

No. 3459 + 3494/95

Order of 29th July 1895 No. 1587

Para. II, C. P. Rules

22.7.95

He is to write para 2 + send to the Secy to the Govt.

Para. 16 of the Govt. Order that the depts. - Police officer in charge of a station - has and actions taken up with the off. records.

1000

Petition from *Ramachandra Raju*
N 13 Pyerofh Road, Triplicane
Madras.

DATED *17 July* 1895.

TRANSFERRED to the Chief Secretary to
Government for disposal.

(By Order.)

Truicpadi

Private Secretary.

GOVERNMENT HOUSE,

Colacomm
19 July 1895.

CURRENT NO. 3459

To

H. E. THE RIGHT HON'BLE

BEILBY LAWLEY, BARON WENLOCK, G.C.I.E.,

The Governor in Council,

FORT ST. GEORGE, MADRAS.

The Humble Memorial submitted by *RAMACHANDRA RAJU*, son of
GOPAL RAJU, residing at *Ambasamudram*, *Ambasamudram*
Taluq, Tinnevely District.

RESPECTFULLY SHEWETH:—

That memorialist begs to lay before your Excellency in Council the following facts for your Excellency's kind and just consideration.

2. That Subramonia Pillai, Head Constable, No. 61, Station House Officer of Ambasamudram, owed memorialist the sum of Rs. 46 and odd, the said amount being due to memorialist on a settlement of accounts for services rendered to the said Head Constable by memorialist, who is a painter by profession.

3. That the said Head Constable not having paid memorialist the said amount in spite of repeated demands, memorialist filed a suit against him in the District Munsiff's Court at Ambasamudram in S. C. 151 of 1895. The said suit was decreed in favour of memorialist.

4. That in the said suit the said Head Constable not only denied memorialist's claim, but also set up an *alibi* and pleaded that at the time when memorialist contended he settled accounts with memorialist, he (the Head Constable) was at Veeravanallur on beat duty, and that he there met at the time Head Constable Nellanayagam Pillai, the Station House Officer of Shermadevi. In support of the said plea of *alibi*, he produced certain forged documents, and made the said Nellanayagam Pillai to produce other forged documents. Both of them also gave evidence in support of the above documents, and thereby committed perjury as well. The nature of the offences committed by them will appear from the judgment in the said suit, a copy of which is herewith produced.

5. That after the decision of the said suit, in the trial of which the said offences were committed and exposed, memorialist applied to the District Munsiff for sanction to prosecute the two Head Constables, and two other constables, for the offences of perjury, forgery, using a forged document, &c., &c., under Section 195 of the Criminal Procedure Code.

6. That in the preliminary enquiry on the said petition, the District Munsiff ruled that he would (in the interests of justice) proceed under Section 478 of the Criminal Procedure Code, and accordingly issued warrants to the said two Head Constables, one of whom, Subramonia Pillai, was arrested and remanded.

7. That throughout these proceedings, both the Superintendent of Police and the Inspector of Ambasamudram have been backing up the said two Head Constables, and thwarting in different ways the course of justice.

8. That the offences having been committed by the said two Head Constables not in the discharge of their duties as Police Officers, but simply as private individuals, there is absolutely no reason for the said Superintendent and Inspector to support the said Head Constables. Their duty was clearly to help the prosecutor and judge in having a full investigation, and arriving at the truth, or at least they ought to preserve an attitude of strict neutrality.

9. That instead of doing so, they have taken the extraordinary step of practically conducting the defence for the two Head Constables and taking a strong and personal interest in getting them off altogether from all enquiry and trial under the law.

10. That when the memorialist applied for sanction to prosecute the defendant and his witnesses Nellanayagam Pillai and Karunai Anantham Pillai, there have been frequent communications by wire between the Superintendent of Police and the Inspector of Ambasamudram, indicating an ardent desire on the part of the Superintendent to get the constables out of trouble and the ineffectual attempt to do so of the regretting Inspector. The statutory period for the destruction of the said telegrams (*i.e.*, four months) is unfortunately close at hand. The memorialist, therefore, begs your Excellency to apply by wire for the said telegraphic communications to the Central Office, Calcutta, and crave leave to take them as part and parcel of this memorial.

11. That as soon as Subramonia Pillai was arrested (on Monday, the 29th ultimo) the said Inspector rushed off to Palamcottah and himself engaging a Vakil for the said Subramonia Pillai, spent the whole of Tuesday, the 30th ultimo, and Wednesday, the 1st instant, at Palamcottah, far away from his division and without doing his daily official duties. All these two days he has been going forwards and backwards between the Superintendent's house, the Vakil's house and the Court house. And the Superintendent himself not only helped in the securing the services of counsel and held consultations with the Vakil and counsel, but he actually appeared in Court on the 1st instant and sat by the side of the Sessions Judge when the said Vakil and the counsel made the motion for releasing the said Subramonia Pillai on bail and to call up the records for revision!!! (It is unnecessary to mention that the application was granted.)

12. That as soon as the application was granted, the said Inspector of Police rushed to the Telegraph Office and despatched a telegram to the said Subromania Pillai through the Sheristadar-Magistrate who is in charge of the sub-jail at Ambasamudram, intimating the Court's order.

13. That the Police Superintendent was more or less sure that the case of forgery would be proved against the said three persons, and that is why he had transferred some five or six constables from Ambasamudram to various places in the district all at the same time and for no justifiable reason. It is very surprising that these constables, who are the best witnesses to depose to any crime connected with the beat tickets of their station, are transferred beyond the jurisdiction of Ambasamudram Munsiff's Court, and the person, *i.e.*, Head Constable No. 61, who is very much interested in suppressing the crime and who would readily take

up any opportunity to do so, is retained in the same place, not to speak of the bad and objectionable policy of the Police Superintendent in keeping him in service when a proper tribunal has suspected that he has, in direct violation of the trust imposed on him by the Government, committed a very serious offence.

14. That further on the day (the 29th ultimo) the District Munsiff passed proceedings taking up the case under Section 478 of the Criminal Procedure Code and issued warrants for the arrest of the said Subramonia Pillai and Nellanayagam Pillai, it has been pretended as if the said Nellanayagam Pillai was deputed on that day to go in search of certain thieves with warrants of arrest for them and as if his whereabouts was unknown. Accordingly they returned the District Munsiff's warrant of arrest to Nellanayagam Pillai with an endorsement to the above effect.

15. That such a procedure on the part of such responsible officers is without a parallel, and is calculated most seriously to prejudice and thwart the course of justice.

16. That it is unnecessary to point out that the proper course pending such an enquiry and trial is not to allow the Head Constables (when such serious charges are hanging over their heads) to be in active discharge of their duties, but to suspend, them or at any rate to relieve them from active duty.

Prays, therefore, your Excellency in Council to be graciously pleased to order the said Superintendent of Police and the said Inspector not to interfere any further with the case, and to be further pleased to take such notice of their extraordinary conduct as your Excellency in Council considers proper and just.

13. Pyropt. Road,
Triplicane
17th July 1895

G. Ramachandra Pillai

CURRENT NO. 3494

Judicial (1895) DEPARTMENT.

From

C. F. Mac Carthy Esq. J.C.
THE PRIVATE SECRETARY TO THE

RIGHT HONORABLE THE GOVERNOR,

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.

Dated 20 }
Received 22 }

July 1895.

ENCLOSURE. *hil*

Subject.

TRANSFERS a ^{letter} petition from *G. Ramachundra*

Raju requesting that certain corrections
may be made in his petition. dated
17 July 1895.

MR 22/7
W.S.

Letter
Petition from G. Ramaswami Raju
N. 13. Aycrofts Road, Triplicane
Madras.

DATED 18 July 1895.

TRANSFERRED to the Chief Secretary to
Government for disposal in continuation of
petition dated 17th July 1895.

(By Order.)

Private Secretary.

GOVERNMENT HOUSE,
Colacumund
20 July 1895.

18th July 1895
Triplicane.

CURRENT NO. 3494.

His Private Secretary

To His Excellency the
Governor in

His Council

I have the honor to
state that in the memorials
posted by me on the 17th
July 1895 addressed to His
Excellency an error has
been made in Para 11 & 14.
For "Uldins" kindly read
"April" and for "Instant"
as.

as "may."

I leave the hour to be

fixed.

Your most obedient servant

J. Ramachandra Rao

No 13. Tyroths Road

Triplicane

Madras

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

A A A A A A A

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.