

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2154

Dated 22nd Oct. 1895

INDEXED.

[Despatch Abstract.]

CRIMINAL LUNATIC.

Directing that----Para Arokiam alias Velankannan be confined in the Central Jail, Trichinopoly, until further orders, and that a formal application for the release of the lunatic be procured without delay from his father.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	608.		23-3-95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	5289		1895				

CURRENT 4377
1895 Judicial Dept

Go. 10618 8.8.95 M
" 608 23.3.95
" 1167 17.5.94
" 1579 27.7.95

From J. Andrew Esquire,
Ag. Dist. Magistrate,
Trichinopoly,

To The Chief Secretary to
Government
Judicial Department,
Madras.

Dated 11th Sept 1895
Despatch 12th September 1895.
Recd 14th
Pag 16
Encls: 3. Ref: on Cur: No. 912 of 95.
magis

Enclosures 3.

Submitting report under
Section 471 C. C. P. regarding
the criminal lunatic Jona
Brokian alias Velau Ram
now acquitted.

Please put up the recent order
in which the Court directed
in such cases the lunatic
should first be confined at the
magis

By No. 2337 of 2-10-95
With refer to his letter of
11. Sept 95, No 912. The S. P. Magis
of Trichinopoly is requested
to report before what officer
the criminal lunatic should
be periodically produced.
The Govt observes that the surety is
reported to live at Erode

To the S. P. Magis, Trichy. Despatch 12/10

Note
on the previous occasion
the lunatic was ordered to
be produced before the S. P. Magis
of Trichinopoly. The
surety is said to be a T. P.
of the Erode Municipality (Comma-
ndee S.). As the case has
now been finally disposed
of, it is perhaps unnecessary
that the insane should be
produced before him and he
is. Subscribed

CALENDAR AND JUDGMENT.

(For use in cases where a copy of the Judgment is to accompany the Calendar Statement.)

District of *Trichinopoly.*

Calendar of cases tried by the *Stationary* 2^d Class Magistrate of *Trichinopoly.* Taluk.

DATE OF				EXPLANATION OF DELAY AND REMARKS.
Offence.	Report or complaint.	Commencing trial.	Sentence or order.	
<i>13.94.</i>	<i>2.3.94.</i>	<i>3.3.94.</i>	<i>29.8.95.</i>	

File No. 160 Calendar case No. *168* of 1894, on the file of the *Stationary* 2^d Class Magistrate of *Trichinopoly* Taluk.
Complainant *Muthusawmies* *Brahmin.*

	Name of accused.	Age.	Father's name.
1.	<i>Para Asokiam alias</i>		
2.	<i>Velan Kamm.</i>	<i>30.</i>	<i>Souri.</i>
3.			
4.			
5.			

	Caste or Religion.	Calling.	Residence.	Taluk.
1.	<i>Pariah</i>	<i>Thotti</i>	<i>Erude</i>	<i>Erude.</i>
2.				
3.				
4.				
5.				

Offence *Theft under Section 379 I.P.C.*
Finding *Incapable of knowing the nature of the act*
owing to insanity.
Found under Section 470.C.P.C.
7.
accused as to *from and he*
1. Muthusawmies

The accused is charged of having on the night of the 1st March 1894 at Bonnam - Sanundram hamlet of Kachikurichi, stolen a bullock worth about Rs 25.

2. The accused was charged by the Police on the 3rd Idam, and the accused was produced before the Magistrate for trial. The accused was found incapable of making his defence by reason of unsoundness of mind, and the acquity was postponed under Section 464 C.P.C. and the matter was reported to Government - through the District Magistrate under Section 466 C.P.C., and the Government in its Proceedings Judicial Department No 1167 - dated 17th May 1894 ordered the delivery of the accused to his father under Section 475 C.P.C. on certain conditions. The accused was accordingly delivered to his father on furnishing security as directed by Government. During half-yearly

the matter was reported to Government through the District Magistrate, and Government in its Proceedings No 238 March 1895 directed to detain the accused in the Central jail. Trekinopoly with to take necessary steps under Section 473 C.P.C. and upon the receipt of a certificate that the accused is incapable of making his defence as required by Section 473 C.P.C., the accused was now detained for acquity under Section 466 C.P.C.

3. Three witnesses were called for the prosecution. The 1st witness Inuthinsawmies, is the son of He says he picketted his house in front of his house on 1st March he heard a cry at about 10 o'clock Street, and when he came to the accused in the custody of the witnesses with one of the witnesses that when the accused was taken to the Central Jail the accused was quite incoherent and he

x
Inuthinsawmies
Rama
Soy

the witness was asked how he felt
 through the witness's deposition
 government in its possession to
 228 March 1891 based on
 in the federal jail - testimony
 to take necessary steps under
 475 C. and upon the receipt of
 475 C. and the accused's
 having his defense as required
 the accused was
 for carrying out his
 the witness was
 for the prosecution
 the witness was
 - accused's deposition
 date of his deposition
 the accused's deposition
 C.P. and the accused's
 was found in the accused's
 on full view of the
 the accused's deposition

and.
 475
 section
 the
 475
 accused
 day

down in the outer pyal of the opposi-
 house of the 1st prosecution witness
 he says one Nagasawmies, who was lying
 down with him got up exclaiming "thas"
 he also arose and saw the accused take
 the bullock in the street at a distance
 of 20 yards and that he and the 1st
 Nagasawmies went there and caught
 of the accused. The witness further
 states that the accused was locked up
 in a room for the remaining night
 that the accused when sent next morn-
 ing to the Police, appeared to be
 of insanity. The 3rd prosecution witness
 Muthusawmi Muthiyar, was lying in the
 the pyal of the 1st prosecution witness's
 house. He says he arose at the
 cry of the 2nd prosecution witness
 found the accused in the street and
 bullock in the custody of the 2nd
 witness and he said

7. Two bullocks were picketted. The
 accused was taken from him and he
 1. Muthusawmi

4. The accused denies the charge. He says that he was insane while he was in his native place Erode, and that he could not understand how he left Erode and what took place afterwards. He further states that now he is in a fit state of health.

5. I examined accused's father and two persons of the Erode Municipality to ascertain the truth of the statement of the accused.

6. Their evidence goes to show that the accused was employed as a Municipal Scavenger, 2 years ago, the accused became insane and began to do mischievous acts such as pelting stones on children, setting fire to rubbish &c; that the father of the accused fettered his hands and kept him safely and that on a day the accused missed and fetters found thrown having been broken.

7. Two bullocks were picketted. The accused was taken from them and he is now in the hospital.

5.

Immediately on his capture, he gave in-
coherent answers and the Station House
officers who saw the accused next morn-
ing has reported that the accused appeared
to be a man of insanity. Subsequently his
insanity was established by medical
evidence. Prior to his arrest with the
bullock, it is also sworn that the accused
was insane, and that he was doing dan-
gerous acts. Under all these circum-
stances, I find the accused committed
theft, and while committed the act, he
was by reason of unsoundness of mind,
incapable of knowing the nature of the
act alleged as constituting the offence,
and I accordingly acquit him under Section
470 C.P.C.

8. The bullock is ordered to be handed
over to the 1st prosecution witness
under Section 577 C.P.C.

Trichinopoly } (Signed). I Sambasivam
29.8.95. }
Sty 20 (Chs maghe)
(Inecopy).
I. Sambasivam

Date of Receipt by District Magistrate.

FROM

THE CHIEF CLERK CLASS MAGISTRATE OF

Trichinopoly

Remarks of the District Magistrate.

To

THE SUB-DIVISIONAL MAGISTRATE,

Trichinopoly Division.

Calendar No. 158 of 1894

Date of Judgment 29

despatch of Calendar 189

Received 30-

Remarks of the Sub-Divisional Magistrate.

Date of despatch 189

receipt

Date of despatch 189

receipt

Reply of Sub-Magistrate.

Reply of Sub-Magistrate.

Date of despatch 189

receipt

Date of despatch by Sub-Divisional Magistrate. 189

Date of despatch 189

receipt

Medical History Sheet for Lunatics.

This medical history sheet will be prepared by the Superintendent of the Asylum in cases where the release of a person from a lunatic asylum is in question and by the medical officer who prepared the Certificate of insanity, in form A in cases where such a certificate is given. In the case of persons acquitted by Criminal Courts on the ground of insanity, at the time of Commission of the Crimes charged, the medical history sheet will be prepared by the acquitting Court in communication, if necessary, with a medical officer. In all cases the information required to fill in headings 28 and 29 will generally be obtained from the District Magistrate or the Commissioner of Police, Madras.

1. Whether Civil or Criminal lunatic.

Criminal

2. If Criminal, the offence with which charged.

Theft under sec 379. S.C.

3. By what authority confined.

Stationary 20 class magister
Trichinopoly Taluk

4. Date of admission.

29 August 95

5. Place of birth and last abode.

(a) Wariore, Trichinopoly St
(b) Erode, Coimbatore St

6. Name in full and caste or race.

Arokiam alias Velankammy
Pariak

7. Sex and present age.

Male about 30

8. Whether married and number of children.

Married - one male child

9. Religion.

Hindu Catholic

10. Previous occupation.

Labour

MEDICAL HISTORY SHEET—continued.

11. Temperament. *hervolitions*
12. State of bodily health. *Fair*
13. Degree of education. *Knows to write & read Tamil a little*
14. Natural affection, whether prevented or not. *not prevented*
15. Habits and disposition. *Dirty - harmless mania but not now insane -*
16. Type of insanity. *not known*
17. Probable cause of insanity. *no records of previous attacks*
18. Is there any record of previous attacks? If so give dates. *About 13 months from January 94 to 11 Feb 95 date of attack is unknown*
19. Duration of present attack; has it been continuous? Give dates. *no*
20. Is there any evidence that insanity is hereditary? *yes to Laddy -*
21. Has lunatic been addicted to use of intoxicants?

MEDICAL HISTORY SHEET—continued.

22. Have aggressive or suicidal symptoms been shown at any time? *no*
23. If so, when, and of what kind? *"*
24. If sane at present, how long since last manifestation of insanity? *Same at present, since 17-12-94*
25. Nature of medical treatment. *no medical treatment*
26. Is lunatic capable of (a) taking care of himself, (b) earning a livelihood? *(a) yes (b) yes*
27. How has lunatic been employed while in confinement? *no employment*
28. Is release on security recommended? *yes recommended*
29. If so, what amount should be demanded, and what are the names, social position, character and relationship to lunatic of the sureties? *Rs 25, father Samuri, a Lohy of Erode Municipality on 5Rs pay monthly -*

*inclusion note -
7 Sept 195 -*

*7. Commission
by 2^d C Mag
7-9-95*

MEDICAL HISTORY SHEET

of

2419
12.2.95

2.5
13.2.95
M. J. M. M.

I do hereby certify that
Arakim alias Velangay
sent by the Stationery 2.7 loss
prostitute Trichinopoly Taluk
has been kept under observation
in the Municipal Hospital
Trichinopoly from 21st January
to 11th February 1895 and was
found to be perfectly rational

Trichinopoly
11th Feb 1895
Mokara

J. M. S. S. S.
Assist Surgeon
Assist to Dist Medl
Sanitary Officer

Surgeon General
11/2/95

5
2

4377

2.5
13.2.95
M. J. M. M.

(a)
Ref: on cur: No. 912 of 1895.
magte

CURRENT No 4377
Trichinopoly District Magistrate's Office.
Camp Talgudi.
11th September 1895.

FROM

J. Andrew Esquire,

DISTRICT MAGISTRATE OF

Trichinopoly

TO

THE CHIEF SECRETARY TO GOVERNMENT,

Judicial DEPARTMENT.

MADRAS.

SIR,

I have the honour to report under section 471 C. P. C. the following case for the orders of Government.

2. Para Arokiam alias Velankannan was found about midnight on the 1st March 1894 walking away with a bullock worth Rs. 25 which had been tied up in front of the house of Mathasami Aiyar of Bommanisamudram village Trichinopoly Taluk. The Police charged him with theft under section 379 F. P. C. and placed him before the stationary sub-magistrate of Trichinopoly for trial.

3. He appeared to be insane and the submagistrate therefore placed him under medical observation. The District surgeon certified and deposed that he was of unsound mind and incapable of making his defence and that he was

... medical ...

4. His father offered security and undertook to look after him. The matter was reported to Government in this office letter R. C. No. $\frac{529}{\text{magt}}$ of 1894 dated 24th April with the recommendation that the lunatic might be released on bail and handed over to his father on his binding himself in the sum of 25 Rs. to fulfil certain conditions. The Government in its order dated 17th May 1894 No. 1167 sanctioned the delivery of the lunatic to his father on those conditions.

5. The Stationary Submagistrate subsequently reported that the lunatic appeared before him in pursuance of a notice served on him and that he found him to be capable of making his defence and requested that the matter might be brought to the notice of Government as under G. O. $\frac{2160}{21^{st} \text{ October } 1891}$ of Government as under G. O. $\frac{2160}{21^{st} \text{ October } 1891}$ judicial the case against him could not be proceeded with without the orders of Government. The District Medical and Sanitary Officer who had him under his observation also certified that he was perfectly rational. The matter was thereupon reported to Government in this office letter R. C. No. $\frac{1842}{\text{magt}}$

request that orders might be passed directing the detention of the accused in custody in order that steps might be taken to proceed with the case against him under section 468 C. P. C. Government accordingly in its order dated 23rd March 1895 No. 608 judicial directed the detention of the accused in custody in the Central Jail, and this order was carried out.

6. The accused was tried by the Stationary Submagistrate and acquitted under section 470 C. P. C. on the ground that he was incapable of knowing the act (theft) when he committed it.

7. The father of the accused is now willing to take care of him and has agreed to give security in the sum of Rs. 25. I think the security is sufficient and the prisoner may be handed over to his father.

8. Copy of judgment in C. C. $\frac{158}{1894}$ and the Medical history sheet are herewith submitted under G. O. dated 14th August 1895 No. 1697 judicial. The deposition of the Medical witness should also accompany the report under the

was examined at the trial, I enclose instead
the certificate granted by the District
Medical Officer prior to the trial.

I have the honor to be

Sir,

Your most obedient servant

M. S. S. S.

Ag. Dist. Magistrate.

DBT

P. C. No. 912 in of 95. Trichinopoly District Magistrate's Office,
9th October 1895. 4822.

FROM

J. Andrew Esquire,

Ag. DISTRICT MAGISTRATE OF

Trichinopoly

TO

THE CHIEF SECRETARY TO GOVERNMENT,

Judicial DEPARTMENT,

MADRAS.

SIR,

With reference to your
Memorandum No. 2337 dated
2nd instant, I have the honor
to report that the lunatic
Arakiyam alias Velanganni
may be periodically produced
for inspection before the
Stationary Sub. Magistrate,
Erode, as his father who is willing
to take care of him is living
there.

I have the honor to be,

Sir

Your most obed^t servant,

A. S. S. S.

Trich Dist. Ma

Judicial Dept

1895. NO. 4822

From J. Andrew Esq.
as Dist Magr
Trichingy

To The Chief Secretary
to Government
Judicial Dept
Cotacamund

Ref. C. No 912
in 485

Dated 9.
Despd. 10th
Recd 12th } Oct 1895

Encl. 1
UNDER SECRETARY
12 OCT 5
PUBLIC

Reporting that the
lunatic Brokin and
alias Velankannan may
be periodically produced
for inspection before the
Stationary Sub Magr,
Erode.

Memo. 2337: 2-10-95

for 1661: 8-8-95

1697: 1579: 27-7-95

608: 23-3-95

1167: 17-5-94

Criminal lunatics file

not

Min

under the provisions

[G.]
[24.]
500-23-7-95.

Jud. DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 4377

of 1895, dated 11.4.95 from

The S. Magistrate, Trichy.

" " 4822

" 1895, " 9.10.95 "

— do —

" "

" 189 , " , "

ORDER.

22nd Oct 1895 No 2154

Min

Under the provisions of Sec.
471 C.C.P. it is directed that
criminal lunatic Para Brokin
alias Velankannan be
confined in the Central Jail
at Trichinopoly until fur-
ther orders.

2. A formal application for
the release of the lunatic
should be procured with-
out delay from his father.
On receipt of this the Govt.
will pass orders sanction-
ing his release under Sec.
475 C.C.P.

Copied
23/10

To the S. Magistrate, Trichy (20)

, Comptroller (20)

Supd., C. J., Trichy (20)

and S. Magistrate, Erode (20)

20.10.95

21/10/95

notes & orders in 5.08.27. July
55. No 1579. The present case
seems to be somewhat si-
milar to the one dealt with
in that order.

HT.
18/10/55.

The case of a simi-
lar lunatic

~~H. In.~~
C.S.

Given for copying _____
Copied _____
Examined _____
Signed _____

189

G.O., No.

DATED

No.

REF TO C. No.

GOVERNMENT

OF GOVERNMENT.

WITH DITTO.

LED UP, BEING MEANT FOR DESPATCH
ORIGINAL.

A = Copy in full.
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