

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2161

Dated 24<sup>th</sup> Oct. 1895

INDEXED.

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[Despatch Abstract.]

APPEAL AGAINST ACQUITTAL

*Pleader*

Directing that the Government be instructed to present an appeal to the High Court against the judgment of acquittal in calendar case No. 218 of 1895 on the file of the Stationary Sub-Magistrate, Gudivada, Sub-Magistrate Kistna district.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No.  | Department. | Date. | G.O. | No. | Department. | Date. |
|------|------|-------------|-------|------|-----|-------------|-------|
|      | 5165 |             | 1895  |      |     |             |       |

Ref on Cno 1246 of 95  
 Kistna District Magistrate's office  
 dated, Masulipatam, 5th October 1895  
 CURRENT No. 4801

From J. N. Atkinson Esquire,  
 District Magistrate  
 Kistna

To  
 The Chief Secretary to the Govern-  
 ment of Madras, Judicial  
 Department.

Sir,

I have the honor under sec. 417 C.C.P.  
 to forward for the orders of Government the  
 records in case 218 on the file of  
 the stationery magistrate, Gudivada.

2 The facts of the case are these:

The accused in the case is a judgment debtor  
 in a civil suit, and the District Munsiff  
 issued a warrant under the provisions of  
 the Code of Civil Procedure for the collection  
 of the decretal amount or his arrest in default  
 of payment. A 2nd witness for prosecution  
 (a process server) was commissioned to  
 execute the warrant. He went to the accused,  
 showed him the warrant and asked him to  
 obey it. The accused retorted and said he had  
 nothing to do with the Court, and moved from the  
 place, witness caught hold of his hand, but  
 he wrenched away, went inside his house?  
 and shut the door against him (witness).  
 All this occurs in front of the accused's  
 residence. These facts the District

Judicial Dept.  
CURRENT No. 4801  
From The District Magistrate  
Kistna

To The Chief Secretary to the  
Government of Madras,  
Judicial Department

Dated 5th October 1895  
Rev W. D.



Ref on eno 1246 of 95  
Mag

Encls - 2 books.

Forwarding the records in  
Calendar Case No 218 on the  
file of Stationary Sub Magistrate  
Gudivada and requesting to  
instruct the public prosecutor  
to present an appeal to the  
High Court.

H.M.  
For orders  
as to whether an appeal  
may be preferred in this case  
It seems clear from  
12.10.95

yes  
15/10/95  
H.D.  
13/10/95

12/10/95

[G.]  
[24.]  
500-21-5-95.

Jud. DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 189 , No.  
Again G.O., dated 189 , No.  
Current No. 4801 of 1895, dated 5.10.95 from St. Magte, Kistna  
" " " " 189 , " " "  
" " " " 189 , " " "

ORDER. 24<sup>th</sup> October/95 No 2161

The Govt. Pleader will be  
instructed to present an appeal  
to the High Court against  
the judgment of acquittal in  
C. C. No 218 of 1895 on the  
file of the Stationary Sub-  
Magte, Gudivada.

(From Orders)

24/10/95  
J. X. S.

2  
The Govt. Pleader with records  
(a go.)  
" St. Magte of Kistna (950)  
25/10/95  
26/10/95

Appeal against acquittal

CS

(Am Orders)

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

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B.—

- A = Copy in full.
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