

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2209.

Dated 1st Nov 1895.

INDEXED.

[Despatch Abstract.]

PETITION.

Declining to interfere on behalf of Venkatarangam, late constable No. 514 of the Kistna District Police Force, appealing against his dismissal.

BACK PAPERS.

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

FURTHER PAPERS.

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

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

TO

THE

Chief Secretary
to Government
Madras.

No. 5202

Dated 10

Received 12

Sum 2

October 1895



SUBJECT.

Submitting with remarks
an appeal petition of the
late Cons. No 514 Keakata.
run am of the Kistur
87

Ms 226/4.

Order 1st November 1895 No 2209
Min

The Govt declines to interfere
on behalf of the petitioner.
D 28-10-95 12 31/10/95

To The Secy of Police. O to with appeal dated 5/11
M 26/10/95 4/11

Cons



Companions to deposit it in the Police
Station house and on our way just
near Innis we met some Salt Peons
whom we informed of the matter. We
all proceeded together to the Office of
the Village Inmsiff and it was 6 P.M.
I was then to attend Guard duty
and being told by the Petty Officer
that the bottle would be sent to the
Station with Village Officer's report.
I left off the village Inmsiff's Court
and attended my duty after reporting
the whole matter to the Station House
Officer.

2. I and Constable No 952 received
Summonses from the Circle Inspe-
tor of Salt and Abkari Revenue after
a few days to the effect that we
had committed an offence. We
3. attended the Court of Circle Inspe-
on the day fixed. Constable Nos
26, 179 and 621 were also added as
accused and fresh Summonses were
received by them. The case was engined
into by the Salt Inspector in a
manner ~~answer~~ favourable to the Compt.

4. On the day of the occurrence of the offence I reported to the Station House Office that I found an unclaimed article containing bottle whose possessor could not be caught hold off even after a long ~~search~~ ^{personal} in quest of him. The Station House Officer should on the spot have sent in an occurrence to the Local Magistrate but did not do so. The then Acting Police Inspector did not take any action in the matter.

5. Had an occurrence report of the offence been sent immediately to the Local Magistrate, the Salt Peons in enervical terms with me could not find any room for concocting this case against me and to get me punished at the criminal side.

6. The Village Munsiff was not present by the time we came there on the day of offence and waiting for him a little while I left off the bottle there asking the Petty Officer to send it with the report of the Village Munsiff.

7. The Salt and Police Officers at
Munagala in Nandigama Taluk
were in bad terms and the Circle
Inspector framed certain Akbari
Cases against Vignamma Pantulu,
Station House Officer, Munagala
who was acquitted in all of them
by the Head Assistant Magistrate,
Berawa. It appears that the Circle
Inspector was warned by his Superior
Officers for concocting false cases.
The late Superintendent Mr. H. G.
Prenderghast is fully aware of the
above mentioned false cases and
Vignamma Pantulu, Station House
Officer at Berawa ^{with} ~~with~~ corroborate
my statement; there is also some
documentary evidence in addition.
From the foregoing reasons the Salt
Circle Inspector conducted the
preliminary enquiry into the case
in a manner favourable to him
in all respects.

8. Instead of examining the complainant
and the witnesses for prosecution
at the outset of the enquiry, he tried
the accused and the witnesses
of the fact
brought to the notice
of the court.

for defence and collected evidence against the accused and thereby strengthened the case. The Inspector after enquiring the and our witnesses came to the conclusion that the case was brought with enmity.

9. The case was adjourned to take place after ten days. The Petty Officer finding that the Circle Inspector is about to dismiss the case cooked up a theft case against me. The Circle Inspector sent in advance some tents with his servants to Chandrapatta a village in this Division intending to march to Tumkur.

10. The Petty Officer who is the complainant in this Abkari Case filed a complaint stating that the five accused including myself and the witnesses on our side had committed a theft in the tents at Chandrapatta. The theft case was thereon struck off the file as false by both the Tumkur Sub Magistrate and the Station Officer Vijaynagar, under Sec. 173. C.P.C. Chargesheet in the Abkari Case was first received by Mr. V. D. Patil and was brought to the notice of the

Pantulu the then Sub Magistrate
Tiruvuru.

11. He began enquiry into the case
the Petty Officer applied for
to the Head Assistant Magistrate
fearing that the Magistrate
discharge the case.

12. The Head Assistant Magistrate
Seeing that the case is of a trivial
and need not be enquired into
in person referred the case
to Mr. K. Seshalhelapathi
the then Magistrate, Tiruvuru.

13. When he (Mr. K. Seshalhelapathi
Pantulu) commenced enquiry
warrant case the Head Assistant
Magistrate calling for the
transferred the case to the
-very Sub Magistrate, Bellwada.

14. Mr. V. Parabrahmasastri
then Stationary Sub Magistrate
Bellwada, was not in good
with the Police of the Station.
Several things passed ^{on} between
and the Police evidencing
of the former towards the latter
were brought to the notice

He openly declared several times that he was sent to Bermuda as Sub Magistrate to hunt after the Police.

15. Mr. J. P. Norton the then Police Inspector at Bermuda will corroborate my statement. There is much documentary evidence to prove the enmity between Bermuda Stationery Sub Magistrate and the Police.
16. The Magistrate being in enmity with the Police, we applied to the Head Assistant Magistrate and the Police Superintendent for transferring the case to another Magistrate and to order the Stationery Sub Magistrate, Bermuda to stop his enquiries into the case until receipt of orders by him.
17. On our petition the Magistrate of Bermuda saying that he was not willing to stop enquiry into the case until receipt of orders for transfer commenced enquiry in a manner favourable to the Salt Pious.
18. The Salt Circle Inspector and the Lower Magistrate are close friends and the former spoke to the latter at home privately about the case, the latter officer being influenced by the Salt Circle Inspector gave hints on several occasions to the complainant and the witness for prosecution in their depositions before him and recorded the

favourable to the complainant
leaving off those points that are pre-
judicial to the complainant and
showing his displeasure, whenever the
Vakils on our side began to argue.

19. The procedure of the Magistrate in the
case having lead us to think that great
injustice will be done to us, we sent
in a petition to the Head Assistant
Magistrate to transfer the case to some
other Magistrate or to try the case
in person. He neither transferred
the case nor tried it in person.

20. Mr. J. P. Norton our Vakil on our
side reported twice to the Superintendent
of Police the unjust procedure of
the Magistrate at Bewada.

21. There is nothing in the evidence for
prosecution to show that the accused
had been seen by any witness for
prosecution while going to Muttugudem
or returning therefrom with arrack.

22. There is clear proof in the evidence
for defence that somebody of red
colour had gone to the arrack
shop at Muttugudem with the
bottle which was seized by the
accused and had purchased
arrack there and returned back
to Linnis with the bottle.

23. The accused and three other persons
with them saw the offender who
took the bottle.

24. The witnesses for prosecution are
(1) Salt Peon (2) Arrack renter (3)
two servants of the arrack renter.
(4) One toddy drawer. The Salt
Sub Inspector was put up in the
house of the arrack renter.

25. The witnesses for defence are (1) Police
Inspector (2) Station House Officer
(both respectable persons) (3) Kurivella
Krishnamoorthy (Goldsmith) (4) Bikari
Sahib, an employee to train up
Lamimar's horses (5) Ramichetty
Subbannah, a cultivator (6) Kimmari
Samba Shindur, a potmaker (7)
Choppara Veerappa, a Mubara culti-
vator (8) Varadagah, (Taky Maistry)
(9) Mr. Ramudu (Lamimar's horse).

26. The accused Constables Nos. 621, 179,
952 ~~of the offence~~ ^{of the offence} denied all knowledge
and proved that they were on duty
at the time of the commission of the
offence by the evidence of the following
witnesses (1) Hoopl assistant (2)
Compounder (3) Post Marker (4)
Treasury Guard Officer (5) Station
House Officer.

27. The Magistrate discharged the
accused Constables Nos. 26, 621, 179,
952 and sentenced me with a fine
of Rs 100 on the ground that I was

and that I might have brought the
arrack for him.

28. It is clear from the evidence of the
Inspector of Police and of Salt Circle
Inspector and of Petty Officers the
complainant in the case, that
I am not a drunkard. I am
temperate in habits and never
consume arrack.

drunkard.

29. Inspector General of Police dismissed
me from Service on the ground that
I was sentenced with a fine of Rs 100
in the Alkari case and that
I could ^{not} be continued in Service
being found guilty in a criminal
Court of the offence of smuggling
arrack. It is great injustice that
I should be visited with two
different punishments for the alleged
commission of the offence one
by the Magistrate and the other
by the Departmental Head.

30. I have a big family to depend on
me, I am distressed by poverty,
I am a man of faithful and
punctual Service. In short I
beg your most gracious honor
to take pity on the miserable
case of the petitioner & to reinstate
me in my post.

31. Copy of the Minutes received from the Inspector General of Police is enclosed for your honor's perusal.

This petition was submitd thro the Supt of la

Most Respected Sir,

[illegible]

Sumner 3
823-8-1895

No. 5202

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,

MADRAS, 10th October 1895.

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

TO

THE Chief Secretary
to Government
Coimbatore.

SIR,

Enclosures.

1.

I have the honor to submit an appeal petition from one Venkataragam, late Constable C/2 514, Krishna District, appealing against his dismissal from the force which I ordered.

2. The man was found guilty as he admitted of having smuggled arrack from the Nizam's dominions, and his conviction was upheld by the Head Assistant Magistrate. He was fined Rs. 100. Obviously he could not be retained in the force.

3. The other constables who were acquitted by the Court were departmentally punished by various terms of suspension on G.O. 963, dated 20/10/95.

ay 1895: judicial. The appellant
is the ringleader of the party.

I have the honor to be,
Sir
Your most obedient servant,

Minnick
Inspector General of Police.

582

When given for copying _____
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When examined _____
When signed _____

REAS 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

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