

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2292.

Dated 11th Nov 1893.

INDEXED.

[Despatch Abstract.]

APPEAL FROM CONVICT UNDER SENTENCE OF DEATH.

Declining to forward to the Government of India the appeal from convict No. 9216 Narayana Aiyangar under sentence of death, and directing that the law shall take its course.

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BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	5300		95				

FORM No. 53.

Nominal Roll of Convict No. *9216 Karayana*

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>Murder</i>	<i>Death</i>	<i>12-4-95</i>	<i>Sessions Court Tanjore</i>	<i>22</i>	<i>Good</i>	<i>Good</i>	<i>Sentence confirmed by the High Court.</i>	<i>Previous Convictions, dit Rem asked. dit.</i>

Tanjore Jail Office,
4 November 1895.

Rules 701 and 704.

Superintendent of District Jail.

Tanjore

To

His Excellency the Governor
General of India
in Council

The humble petition of Karayana
Syengar who was sentenced to death by the
Court of Sessions Tanjore in Cal case
No 35 of 95 which sentence was confirmed by
the High Court in Criminal appeal No 351 of 95
and now a prisoner No 9216 in the District Jail Tanjore.

Sheweth humbly & respectfully sheweth.

1. That your petitioner did not commit
the offence; and it is utterly impossible for a
delicate youth of 22 years to murder a
boy of 15 years old in the day time.

2. Nothing was said about the front teeth
in the list prepared at the time of search of
the skeleton. There were 3 witnesses to prove
that the skeleton was that of Rangiranga.
Of these only one spoke of the front teeth in
the Sessions Court and not in the lower court.
The said 3 witnesses also deposed that cloth
could be had like the cloth & bunch of keys that
were near the skeleton. Your petitioner therefore
prays His Excellency to consider whether it is
possible to conclude that the skeleton
was Rangiranga's.

3. The Confessional Statement
marked F was made at the instigation
of the Police on 3 May before the committing

Magistrate. The Police tortured petitioner to give the above statement. Subsequently Kachi Bearakayan was released from the sub Jail. This Kachi Bearakayan admitted as having committed the offence and produced the knife used in severing the feet of the deceased Kachi Bearakayan is a butcher by profession. He bribed the Police and got himself off on bail by 2 days after the statement was taken from the petitioner. The Apothecary who gave deposition in the case also deposed that the Cut was given by a professional man. Your petitioner not being able to undergo the cruel treatment of the Police appeared before the committing Magistrate and gave a written statement on 17 June 1905 that statement it was wholly given at the instigation of the Police. The Sub Magistrate when committing him to the Sessions asked him whether he had any defence. Your petitioner said as the case is a fabricated one no defence is needed and if at all required he would reserve his defence before the Sessions and that statement it was given by him at the cruel treatment of the Police. Your petitioner knows nothing of the case. Petitioner brought to the notice of the Sessions Judge that statement it was made under pressure from the Police. The committing Magistrate remarked that statement it was partly true and partly false. Your petitioner told the committing Magistrate on two occasions that statement it was not at all to be believed as it was given under torture of the Police.

Yours

Your petitioner therefore humbly prays His Excellency not to give any credit to statement.

4. The Prosecution witness of Pondicherry said that your petitioner took him a piece of gold bangle for sale. Is it possible for a thief to dispose of the gold bangle in its original shape without melting it. By this it is clear that the Police have been concocting this case.

5. On the 21st April the Police took charge of all petitioner's things, had them sealed and kept them with the Magistrate till your petitioner was committed to the Sessions. To prove that your petitioner had no property with him when searched by the Police he asked the Sessions Judge to send for his things from the Jail. The Judge accordingly got it from the Jail authorities and opened the seals and found out a bit of paper which your petitioner wrote on 20 April at 8 PM at the Railway Station of Serupathy. In that it is written that your petitioner was taken to the Police Station at Serupathy with all his things, searched thoroughly & petitioner was released from Custody as no property was found on him. Even after producing this slip of paper the Judge sentenced him to be hanged saying that your petitioner could not get ink, bottle, pen and light at the station at that hour. The Judge would not have made this remark if he had seen the link of

petitioner's property. If a reference is made
to the Jail authorities it will be proved that petitioner
owns an ink bottle, pen, shaver and a match box
with other things. Your petitioner can assure
that he has no heard. If a reference is
made to the D^r Surgeon it will plainly show
whether the petitioner had heard or not. and
by this His Excellency can easily see that
the whole is Police concoction.

6. There is no direct evidence to
prove that the murder was committed
by your petitioner. The Police to get their
case off their file have originated this
case, concocted witnesses and brought
your petitioner to trouble.

7. Your petitioner begged the
Government to make a reference to the Judicial
officer Tanjore D^r about his heard. The
Government passed their final order
without making any reference as requested
by your petitioner. By this petitioner
infers that the Gov^t passed their orders
as decided by the High Court. Your
petitioner therefore humbly pray that His
Excellency will kindly send for all the
papers connected with the case and the
slip found by the Sessions Judge in petitioner's
bundle (vide para 5 of petition) peruse
them, and order his release. The Judge
took no notice of the defence written in the said slip of paper.

Narayanaiyangare
4. 11. 95

Tanjore D^r Jail
4 November 95

Sup^t of Jail

Tanjore District Jail Office,
4 November 1895.

No. J.
880

FROM

H. C. Elphinstone Esq.

Superintendent of Jail, Tanjore.

TO

The Chief Secretary
to Government
Fort St. George

SIR,

I have the honor to submit a
petition addressed to His Excellency
the Governor General of India in Council
together with the nominal roll of Cowich
No 9216 Karayana Syugan prisoner under
sentence of death for the favor of dispatch.

2. Copies of Judgments are not
submitted as Government in their order
No 2199 Judicial dated 30 October/95 have
directed that "The law will take its course".

3. The execution of Cowich No 9216
Karayana Syugan has been postponed
to the 13th instant.

I have the honor to be

Sir

Yours most obedt. Servt.

H. C. Elphinstone
Supt. of Jail.

Oh

His Excellency
the Governor General
of India in Council

Dated 4 November 95
despatched to
Secund.

No 7
63

Urgent
Appeal for Mercy

Petition of Cowich
No 9216 Karayana Syugan
sentenced to death by the
Court of Sessions Tanjore
praying to peruse the
records of his case
to order his release
from the Jail.

T. C. P. 250-8.6.95.

FROM

The Superintendent,

District Jail,

6-NOV. 1895 TANJORE.

To

The Chief Secretary

to Govt.

And the Genl.

Dated 4 } November 1895.
Received 6 }No. J
880

ENCLOSURES. two

Subject.

Submits petition of
convict 9216 Karayana
Sengar addressed
to His Ex. the Governor
General of India
in Council for the
favor of disposal.

2199: 30. 10 95

1259: 24 5 Juk

J.
41.

Current Number 5216

FOR ORDERS.

PETITION FOR MERCY to His Excellency the
Viceroy and Her Majesty the Queen Empress
from Convict No. 9216 Karayana

arayana under sentence of
death in Tanjore Sessions Case No. 35
of 1895, which sentence has been confirmed
by the High Court.

The Convict's appeal to this Government
was rejected in G.O., dated 30. 11. 95
No. 2199

The Superintendent of the Tanjore
Jail states that the execution
has been fixed for the 13. inst.

The petition is for the most part
a mere repetition of that
already considered - It should
be withheld as usual

W
7/11/95
I agree

29 7/11

W
7 Nov

W.
6/11/95

PETITION FOR MERCY TO Viceroy
AND HER MAJESTY THE QUEEN

VERY EMERGENT.

Hon'ble Member and Circulation.

(FOR ORDERS.)

[J
17]
1,000-5-2-94.

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ again G.O., dated 30. 11. 95. No 2199.

Read also the following

Cas 5216.

ORDER—dated 11 "Nov" 1895, No. 2252

Under the discretion vested in the local Government by the Government of India,
His Excellency the Governor in Council declines to forward to that Government the
appeal from Convict No 9216 Narayana Aiyangar.
under sentence of death, and directs that the law shall take its course.

(True Extract.)

M. Mani
8/11/95.

Chief Secretary.
8/11/95

To
The Petitioner through Superintendent of the

Jail, Tanjore.
8/11-

26/11/95
27/11/95

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO C. 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.

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A = Copy in full.
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