

[$\frac{J}{53}$]
1,000-25-7-96.

~~Judicial~~ (1895) Department.

ORDINARY MS.

G.O., No. 245

DATED 5th Feb. 1895.

INDEXED.

[Despatch Abstract.]

PETITION FOR MERCY

Requesting the High Court to furnish Government with copies of its judgment in Criminal appeal No. 527 of 1894, and of Madras Sessions Court judgment which formed the subject of that appeal.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	594		1895				

IN THE SESSIONS COURT OF MADURA.

SESSION (RETRIAL) CASE LIX OF 1894.

(DECEMBER SESSIONS).

Prisoner :— { Alagiri Tevan (defended by Mr. M. Mathu Aiyer, B. A. B. L.
appointed by the Court.)

Offence :— Murder, Section 302 I. P. C.

Caste of :— { 1st Assessor—Konan.
2nd Do—Silk-weaver.

Opinion of :— { 1st Assessor—I believe the prisoner cut Karuppayee's throat.
2nd Do—I am of the same opinion.

Finding of the Judge :— Guilty.

Sentence subject to confirmation by the High Court :— { That the prisoner Alagiri Tevan be hanged by the neck until
he is dead.

JUDGMENT :— This case has been retried as directed by the High Court in its judgment in Criminal Appeal No. 527 of 1894.

2. The prisoner is charged under Section 302 I. P. C. with having, on the 18th May 1894, at Vendinaikenputhupatti, murdered a young woman named Karuppayee.

3. The facts that Karuppayee's throat was cut and that she was thereby killed on Friday the 18th May 1894 are beyond dispute and the case for the prosecution is as follows:—

Veera Thevan, alias Kongapattian, of Vendinaikenputhupatti married two sisters; by the elder, Kathammal, he had two sons named Veeran and Andi besides a third named Mayandi, who does not appear in the case, and a daughter, the deceased Karuppayee; by the younger, Thangammal, he had a son named Karuthaveeran, a child now seven years of age; and a daughter named Veerammal, 9 or 10 years old. The family lived together and its affairs were managed by the eldest son Veeran and his brother Andi. Karuppayee had been married to one Kaliani Thevan of Ariapatti, but being divorced from him in Margali last (December-January) returned to her relations and lived with them. In Thai last (January-February) the prisoner, who belongs to Kuruviappanpatti, entered Veera Thevan's service as pannaigar, lived in the house and in Chitrai (April-May) asked for Karuppayee in marri-

age. Karuppayee refused to marry him and the prisoner seemed to be content with a promise that he should hereafter marry Veerammal. But a few days later, Karuppayee complained to her elder brother Veeran (1st Prosecution Witness) that the prisoner had threatened to stab her if she persisted in refusing him. Veeran at once ordered the prisoner to leave his service; this was early in the morning and the prisoner went out of the house shortly afterwards, saying he would go to his village. Then about 8 A. M. Thangammal (6th Prosecution Witness) went to the garden belonging to the family, carrying some conjee for Andi (7th Prosecution Witness), who had gone to watch the crops, and a little later on was followed by Karuppayee carrying conjee for her step-brother Karutha Veeran, who was grazing sheep near a bed of cholam plants in the garden. After giving Karutha Veeran his conjee, Karuppayee began collecting firewood and while she was thus engaged, the prisoner came to the place from the direction of her father's house. Thangammal who had been sitting on the mound near the well, asked him why he had not gone to his own village as he intended and he replied that he had not had a good omen. Soon afterwards Thangammal started homewards and the prisoner accompanied her a short distance and then said he would fetch bullocks for baling water. But after he had walked a little further, he complained that the heat scorched his feet and asked Thangammal to take Andi with her to bring the bullocks. She did so and went home with Andi, leaving the prisoner in the field. After Thangammal and Andi Thevan were gone, the prisoner approached Karuppayee, who was carrying her bundle of firewood homewards. Karuppayee dropped the fagot and ran away, but the prisoner overtook her, dragged her to a channel which irrigated the field, threw her down on her back among the cholam plants with her head on the ridge of the channel and kneeling on her, cut her throat with a knife. Her little brother Karutha Veeran screamed out "Don't cut, don't cut" and the prisoner threatened to stab him. Karutha Veeran then retreated to the mound near the well and shouted to Sannasi, Vellayan and Suppammal (3rd, 4th and 5th witnesses for the prosecution) who were in the adjoining garden. Sannasi and Vellayan, who had been baling water, were seated on the mound near their well while Suppammal, Sannasi's wife, was collecting grass among the cholam plants. The distance from the mound on which Karutha Veeran stood to the place where the other witnesses were is 79 yards (vide plan exhibit C) and Sannasi and his companions, running to that mound, saw the prisoner kneeling on Karuppayee and cutting her throat among the cholam plants at a distance of 19 yards. Sannasi called out to the prisoner, asking why he was murdering Karuppayee and the prisoner threatened to murder him also if he came near. Sannasi and Vellayan, who are lads 18 and 14 years old respectively, the former being weak and sickly in appearance, and Suppammal were terrified, ran to the mound in their garden, bundled up the grass Suppammal had collected and went home. The little boy Karutha Veeran had already started for the village and seeing his step-brother Andi bringing the bullocks he had gone to fetch, ran to him and told him what had happened. Andi went and looked at Karuppayee's corpse and then, with Karutha Veeran, hurried towards their house. Meeting Veeran, their eldest brother, on the road near a chuckler's house, as he was on his way to the garden, they told him that Alagiri Thevan, that is to say the prisoner, had cut Karuppayee's throat in the cholam garden. Veeran ran home, fetched his mother and step-mother and, with a crowd

of villagers who had heard his cries, went to the cholam garden and found Karuppayee lying there, with her throat cut, dead.

4. The same afternoon Veeran went to the Police Station at Andipatti, two miles from Vendinaikenputhupatti and lodged a complaint (exhibit A). The Head Constable (9th Prosecution Witness) with the Nattamgar (12th Prosecution Witness) came to the village and reached the place where the corpse lay about 7-30 or 8 P. M. Having examined Veeran and prepared the inquest report (exhibit B) the Head Constable sent Karuppayee's corpse at midnight in charge of Constable No. 643 (10th Prosecution Witness) to the dispensary at Andipatti, whence it was taken to the hospital at Periakulam and examined by the Hospital Assistant (11th Prosecution Witness). After despatching the corpse from the village, the Head Constable, in the presence of the Nattamgar, examined Karutha Veeran who was brought to the garden under his orders as he had been mentioned by Veeran as an eye-witness both in the complaint and at the time the inquest report was prepared. The Head Constable then proceeded to the village and, in the presence of the Nattamgar at the 'Bajanaikudam', examined Sannasi, Vellayan and Suppammal, whose names he had ascertained from Karutha Veeran. He examined Thangammal also at the same place and the examination of these witnesses lasted until day-break. Andi was not examined then because he had left the village in search of the prisoner, who had last been seen by Karutha Veeran, Sannasi, Vellayan and Suppammal running towards the north after cutting Karuppayee's throat.

5. The prisoner could not be found, though search was made for him in various villages but on the 29th May, eleven days after the occurrence, Thungan Chetti (8th Prosecution Witness) who is the father of Sannasi, was sleeping in his cattle-shed adjoining his house in the western part of the village, when he was roused at midnight by some one tapping his leg. He found his visitor to be Alagiri Thevan, the prisoner, who on being questioned as to why he had come said "I cut the neck of Kongapattiyar's daughter. What do they say? Do they say they will protect me or take away my life?" Thungan Chetty replied that he did not know what was "in their minds" and the prisoner then asked if Kongapattiyar and his son were at home. On being told that they had gone to Kamakapatti in search of him, he said "My elder brother came here. Do you know what became of the matter about which he came?" Thungan Chetti answered that the prisoner's elder brother had come but he himself did not know what had been said. Then the prisoner said "Go and bring my elder sister and Andi. I will talk to them about what my elder brother came here for and then go". By the term 'Elder sister' the prisoner meant Thangammal, Kongapattiyar's junior wife, and Thungan Chetty went and called her and Andi, saying "Alagiri Thevan who cut Karuppayee has come. He wants you both. He is near the western house; you go and talk to him; they have been searching for him; he has now come; we may seize him now; I will go and bring men". By the words "western house" Thungan Chetty indicated the house in which Kongapattiyar's family had once lived and which was about 12 yards south of his own house and cattle-shed in the western end of the village. Then Thungan Chetty, accompanied by Kathammal, Karuppayee's mother, went to collect

men in the village for the purpose of arresting the prisoner, while Thangammal and Andi went and found the prisoner near Thungan Chetty's cattle-shed. Thangammal caught hold of the prisoner's hand and asking him why he had murdered Karuppayee, went on talking to him in the hope of detaining him until the villagers came to the spot and arrested him. When Thungan Chetty and some men from the village approached, Andi also caught hold of the prisoner's hand and tried to detain him, but the prisoner extricated himself and evaded pursuit by running into the standing cholam crops. Warrants for the prisoner's arrest and for the attachment of his property were issued and, in the end, he surrendered himself to the Inspector of Police on the 6th August.

6. Beyond asserting innocence and stating that he was employed as a pannaigar by one Thavasi Thevan of Chinna Kattalai, the prisoner has made no attempt at defence. Tavasi Thevan, examined as a witness on his behalf, deposes that he never saw him or heard of him.

7. In obedience to the injunction given by the High Court, each of the witnesses for the prosecution, some of whom were tendered for cross-examination at the previous trial, has now been examined in chief at length and all of them, except the Constable who took Karuppayee's corpse to the hospital at Periakulam and the Medical Officer who held the *post mortem*, have also been cross-examined at length in order that matters appearing to require explanation might be cleared up.

As to the omission on the part of the boy Karutha Veeran to mention to his elder step-brother Veeran the presence of Sannasi, Vellayan and Suppammal at the scene of offence, the explanation given appears to me most reasonable. Karutha Veeran, weeping, and terrified by what he had seen, merely told his step-brother of the fact of Karuppayee's murder and his step-brother, horror-stricken at the news, at once called his mother and step-mother and the villagers and ran to the place where Karuppayee's corpse lay. If, at the moment of consternation, he had paused to enquire calmly and deliberately who the witnesses of the occurrence were, and if Karutha Veeran, a child seven years old, whose attention was rivetted on the fact of his step-sister's death, had mentioned in detail the evidence available for the prosecution, such conduct would, in my opinion, have been wholly unnatural and any statements made to prove it would have been incredible.

Similarly with regard to the witnesses Sannasi, Vellayan and Suppammal, the reasons they assign for delay in giving information themselves seem to me perfectly credible. They ran to their houses from the scene of the murder, but before they left the place they saw Karutha Veeran running in the direction of his house from which Andi was approaching; they naturally concluded that Karutha Veeran would at once tell his relations of the occurrence and they knew that a crowd of villagers immediately went to the garden where Karuppayee had been murdered. Their names were mentioned by Karutha Veeran as soon as he was examined by the Head Constable and they themselves were examined the same night in the presence of the Nattamgar. Their names were not mentioned in the inquest paper for two reasons. The first is that they had not been

examined when the inquest paper was prepared, as the Head Constable was anxious to send the corpse for medical inspection as soon as possible, and the second is that in the form of inquest paper then prescribed and in use, the names of witnesses other than relatives of the deceased were not required to be entered. In the new form, which is now used, a sub-head—"abstract of evidence of other persons examined"—has been introduced and is numbered 8½, but there is no such head in the old form and no other head under which the names of these witnesses could have been recorded. The translation of the inquest report was made on one of the new forms for submission to the High Court, but the head numbered 8½ was struck out so that the form on which the translation was written might correspond with the form on which the original was prepared. Under all these circumstances I can see no ground for suspecting that the statements made by the three witnesses Sannasi, Vellayan and Suppammal are not true in every detail.

Lastly with regard to Thangammal's conduct in leaving her step-daughter Karuppayee in the field with the man whom Karuppayee had refused to marry and who was being sent away in consequence of his threatening to stab her, Thangammal swears that she did not know the reason why the prisoner was leaving. She was busy in the kitchen while Veeran, his mother and his father were talking to the prisoner at the entrance of the house and all she understood was that the prisoner was going to his own village. That the reason for the prisoner's departure was not generally known is shown by the fact that Andi states that the prisoner was the pannaigar of his family at the time of the murder and he himself was not aware of the prisoner's threat. Moreover, though Thangammal did not notice Sannasi, Vellayan and Suppammal in the adjoining garden when she went home, she had seen them working there when she went to the field carrying congee for Andi. In addition to this circumstance, her evidence and that of other witnesses shows that the owners of other gardens surrounding the field had been working in their gardens during the morning and that some were still there, while others had gone home for the midday meal. Considering these facts, it appears to me that the idea of the prisoner murdering Karuppayee in a public place at midday is not one which could have reasonably suggested itself to Thangammal when she left the prisoner in the field where Karuppayee was collecting fuel while Karutha Veeran was grazing sheep close-by.

8. In the evidence for the prosecution there is only one contradiction. This is between a statement made by the boy Karutha Veeran that he told his step-brother Andi that Sannasi, Vellayan and Suppammal were present and a statement made by Andi that Karutha Veeran did not do so. Considering what the feelings of these two witnesses must have been at the time, Karutha Veeran having seen the murder and Andi having, immediately after the murder, seen Karuppayee's corpse, I do not think that any importance can be attached to this contradiction and in connection with this point it may be observed that Andi himself saw Sannasi and Vellayan baling water in their garden in the morning and saw them sitting on the mound near their well when he went home with Thangammal to fetch bullocks, though he did not perceive Suppammal who was gathering grass among the cholam plants. In one respect, there is a slight difference between the statements made by Vellayan (4th Prosecu-

tion Witness) and those made by Veeran and Thangammal. Vellayan says he went when Veeran was starting for the Police Station from his house and told him that on hearing Karutha Veeran's cries, he and his companions ran to the garden and saw the prisoner cutting Karuppayee's throat. Veeran however does not recollect whether Vellayan did, or did not speak to him and Thangammal says Vellayan did not come to her house so far as she knows. But Thangammal did not even notice Veeran starting for the Police Station, as she was weeping and I do not consider that there is anything suspicious in Veeran and Thangammal not remembering, in their agitation and distress, every one who spoke to them or came to their house. One other point which demands notice is that Thungan Chetty was cross-examined with regard to the deposition he gave before the committing Magistrate and his deposition has been filed as exhibit I in order to show that the statements he has made in this Court differ from his previous statements. Here he has said that the prisoner, on the night of the 29th May, asked him if Karuppayee's relations meant to protect him or to take away his life, but the following is the passage in his former deposition to which his attention was drawn and which has now been made evidence in this Court.— "The accused Alagiri Thevan embraced me saying "O brother", and I said to him 'why did you come, you sinner? you committed that atrocity?'. He said he had committed the act through ignorance and stupidity and I asked him and he said 'my elder sister and my elder brother came here to settle the matter amicably. You should help and compromise the matter and protect me'. So far from there being any contradiction in substance, it appears to me that the previous statement made by the witness confirms his present testimony which receives further corroboration from the fact that the prisoner's visit to Thungan Chetty was reported to the Police on the 30th May.

9. No suggestion has been made that any of the witnesses are actuated by hostility against the prisoner, while on the contrary the evidence of Thangammal shows that all the members of Karuppayee's family were in favour of her marriage with him. The additional investigation which has now been made and the cross-examination to which the witnesses have been subjected have, in my opinion, completely removed any doubts which rested on the case for the prosecution and there is absolutely no reason for discrediting the evidence adduced against the prisoner. The testimony of the eye-witnesses, as well as the testimony regarding the admissions made by the prisoner furnish, in my opinion, conclusive proof that he deliberately and barbarously murdered Karuppayee. Hence concurring with the assessors I convict him of murder. There is not a single extenuating circumstance in the case and the only punishment I can inflict is the punishment of death. I must therefore sentence the prisoner Alagiri Thevan to be hanged by the neck until he is dead. This sentence is subject to confirmation by the High Court and the prisoner is informed that if he wishes to appeal he must do so in seven days.

Madura,

10-12-94.

W. DUMERGUE,

Sessions Judge.

Madura (True Copy)
Session Court
19-12-94

To The Superintendent of the Jail, Madurai
For delivery to the prisoner Alagiri Thevan (No 9484)
with reference to his application dated 14 Dec 1894

Serial Number.	DESCRIPTION OF THE ACCUSED.						DATE OF.				
	Name.	Father's name.	Caste.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	Apprehension.	Commencement of trial.	Close of trial.
1	2						3				
S. C. 59 of 1894.	Alagiri Thevan.	Solamuthu Thevan.	Kallan.	Cooly.	Kanniamputty.	About 35.	18th May 1894.	18th May 1894.	6-8-94.	4-12-94.	5-12-94.

Explanation of delay.

S.T.

Enclosure 2

Duplicate

IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Hereby day, the *twenty-third* day of *January*
One thousand eight hundred and ninety-three *five*.

PRESENT :—

The Honourable *Sir Arthur J. P. Jones, Kt., Chief Justice*
and
The Honourable Mr. Justice *Parker.*

Referred Trial No. *62* of 189*4*.

Alajiri Tevan — Prisoner.

Trial referred by the Court of Session of the *Madras* Division
for confirmation of the sentence of death passed upon the said Prisoner in Case
No. *59* of the Calendar for 189*4*.

CRIMINAL APPEAL No. *681* of 189*4*.

Appeal by the Prisoner against the said Sentence.

This case coming on for hearing, *The Court delivered the*

following
judgment:— It is urged
that there are some discrepancies
in the evidence for the prose-
cution and that the conduct
of the witnesses is in some
respects

respects improbable. First
 of all it is said to be
 strange and unaccountable
 for that witnesses 3, 4 and
 5 did not go back with
 the villagers to the place
 where Karpaya's Corpse
 was lying and tell them
 what they had seen. But
 all these witnesses are
 young and it was ~~in~~
 natural that they should
 have been frightened at
 what they had seen. That
 they were really present
 and might have seen
 what occurred appears
 from

from Andis' residence, and
 the Head Constable got their
 names from Karmtha Veeram
 in the course of the night
 while he was making ^{enquiries}
 The inquest report had been
 despatched before enquiries
 were made of them by the
 police. With reference to
 the objection that Thean-
 -mal would not have left
 her step-daughter in the
 field with the man who
 had threatened to cut her,
 we observe that Thean-
 states she did not know
 the

the reason why prisoner
 was about to leave and
 return to his village. From
 Veeran's evidence it would
 appear that Kathammal
 was present when the prisoner
 was ordered to go away and
 that Thengammal was
 moving about the house
 and might not have ^{heard what} ~~been~~ ^{said}
 This does not appear un-
 natural when it is remembered
 that Karupayi was Kathammal's
 own daughter, and would
 naturally ^{have} complained first
 of all to her own mother

of the threat used ther.
 rather than to her step-mother.
 There seems no reason
~~whether~~ ^{whether} to doubt the direct
 evidence for the prosecution
 that prisoner committed
 the murder, and the evidence
 leaves no doubt either as
 to the crime or the motive for
 it.

We cannot but confirm
 the conviction and sentence
 and dismiss the appeal.

By the Court

H. M. L.

Registrar
 Appellate Side.

(True copy)

W. D. D. D.
 Sessions Judge

To the Superintendent of Jail
 for delivery to the prison ~~Madura~~
 Madura

To

~~The District Magistrate,~~

Madurai,

~~Through the Sessions Judge,~~

Madurai
 Sessions Court
 29th Jan'y 1895

E.D.

18/11

Inclosure - 3

duplicate.

IN THE HIGH COURT OF JUDICATURE AT MADRAS.

Witness my hand and seal, this *twentieth* day of *January*,
One thousand eight hundred and ninety-five.

PRESENT :—

The Honourable Sir Arthur J. B. Collins, Kt, Chief Justice

and

The Honourable Mr. Justice

Parker.

Referred Trial No. 64 of 1894.

Referred Trial No. 64 of 1894
 W 26 Alagiri Zewan ————— Prisoner.

Trial referred by the Court of Session of the *Madras* Division
for confirmation of the sentence of death passed upon the said Prisoner in Case
No. *59* of the Calendar for 1894.

Criminal Appeal No. 631 of 1894.

Appeal by the Prisoner against the said sentence.

Order :—This case coming on for hearing: Upon perusing the Petition of Appeal, and the record of the evidence and proceedings of the said Court of Session, and upon hearing the arguments of *Mr. J. G. Smith* Counsel—engaged for the defence under G. O., dated 17th December 1884, No. 3273, Judicial, and of the Public Prosecutor in support of the conviction; **it is ordered** that the sentence of death passed upon the said Prisoner *Magiri Senan,*

be, and the same hereby is, confirmed, and *his* Appeal dismissed.

By the Court.

(Signed) Arthur Collins
Chief Justice

by G. A. Parker,
Judge

4 mlu

~~To~~
The Sessions Judge of the

~~Division.~~

~~(in duplicate.)~~

Two copies to be transmitted to the Supreme Court of each of the 13 States in the
in the Sessions Court.

(True copy)

Madura
Sessions Court
29th Jan'y 1895
300-11-17-93.

W. D. Wood
Seth's Ridge

To The Superintendent of Tail
Madura

25/12/20

Order of the High Court.

Referred Trial No. of 189

Confirming the sentence of death
passed on the prisoner in
Session

Case No. of 189

No. 1

[illegible]

1894 டிசம்பர் 15 அன்று கீழ்க்கண்ட
பிரதான அமைச்சர் கீழ்க்கண்டபடி
அமைச்சர் கீழ்க்கண்டபடி
லிபிட்டு 9484 கீழ்க்கண்டபடி
கீழ்க்கண்டபடி

[illegible]

Madura

2^d February 1895.

Edward

Superintendent of Rail

No. 1

To

His Excellency the Governor
in Council, Fort Saint George

The humble petition for mercy
of Convict No. 9484, Alapiri Swan,
now confined in the District Jail
at Madras under the sentence
of death passed upon him by
the Sessions Judge Madras in Calcutta
Case No. 59 of 1894.

Sheweth,

That, as the High Court
ordered the retrial of the case
by the same Sessions Court, the
Sessions Judge arrived at his
original decision only. The pe-
titioner would have met with
justice if the case had been
transferred to some other District
for retrial.

That the petitioner begs the
Government will be pleased to
consider that this case is a
concocted one.

That the people of the deceased
deposed that the petitioner went
to their house and asked them
to become friends saying that
they would gain nothing by
bringing

bringing him to punishment,
that two of them caught him, and
that he threw them down and
ran away.

That he therefore begs the
Government will be pleased
to consider whether the one
who murdered her would
run away or would go to her
house to effect a peace.

- mark of Alajiri Swan
(Duce translation)

Madura
2nd February 1895

Edwards
Superintendent of Jail

Chief No. 9404, Alajiri Sewan,
District Jail
Dudhgaon.

Inclosure -

His Excellency the Governor
in Council. Fort Saint George

Dated 2^d }
Received } February 1895.

Es. 1

Enclosures — 3

Submitting for the Consideration of Government that he would have met with justice if the High Court had ordered his retrial in some other District than Madras, and that his case is merely a contested one supported by the depositions (highly improbable) made by the people of the de-

492

Nominal Roll of convict No. 9484, Maguire James.

Crime.	Sentence.	Date of Sentence.	Adjudicating Court.	Branch Age.	State of Health.	Conduct in Jail.	Result of the Appeal to High Court.	Number of Previous Convictions if any, and Date.
Section 302 I.P.C.	Death.	10 "December 1894.	Sessions Judge, Madras.	32 years, 1 month, & 23 days.	Good	Good	Sentence confirmed	Nil

Wheeler Surgeon &
Superintendent of Jail.

Madura Jail office,
9th February 1895.

Enclosure - 2

No. 202

OFFICE OF SUPERINTENDENT OF JAIL

MADURA ¹⁰¹⁹ 2nd February 1895.

From

Surgeon Major J. C. Reeves
SUPERINTENDENT OF JAIL,
MADURA.

To

THE CHIEF SECRETARY TO GOVERNMENT,
FORT SAINT GEORGE.

SIR,

With reference to Rule ¹⁰¹⁹ 287 of Jail Code, I have the honor to forward the enclosed petition from condemned prisoner No. *9484, Alifiri Swans*, in calendar case No. *59 of 1894* on the file of Sessions Court Madura whose sentence has been confirmed by the High Court.

2. The nominal Roll as required by Rule ⁷⁰¹ 250 of the Jail Code is herewith forwarded.
3. The prisoner will not be executed until a definite reply is received to the enclosed memorial from Government.

I have the honor to be,

Sir,

Your most obedient servant.

Reeves
Surgeon Major

Superintendent of District Jail.

5
Jail

492

1895

MADURA DISTRICT JAIL

FROM

THE SUPERINTENDENT OF JAIL,

MADURA.

TO

THE CHIEF SECRETARY

TO GOVERNMENT,

FORT SAINT GEORGE.

Dated

Received

2 } February 1895
4 }

No. 202

Enclosures 25

Subject.

Submits a petition from condemned prisoner
No. 9484, Alagiri Tevan
in calendar case No. 59 of 1894 on the file of
Sessions Court Madura together with the usual
Nominal Roll.

No.

492 of 95

From

Dated

189

FOR ORDERS.

Appeal from Convict
No. 9484: Alagiri Tevan
from the sentence of
death passed on him in the
Madura Session Courts Case
No. 59 of 94 -

The sentence of death
has been confirmed by the
High Court.

The Supdt. of the Madura
Jail states that the prisoner
will not be executed ~~until~~
until a definite reply to his
memorial is received.

See Judgment of the High Court
in C.A. No. 527 of 1894 referred to in
para. 1 of the Sessions Court judgment.
has not been the Govt. office.
4-2

As the case was retried before
the H.C., I think it will be safest to copy
that order & also of the original Sessions
judgment on which that order was
based. Please ask H.C. for them.
In future, before circulating the
papers, please make them complete
in such cases as this.

V.E. 5/2/95
V.E.

Order 527 of 1894 No. 245

The High Court will be requested to
furnish Govt with copies of its judgment
in C.A. No. 527 of 1894 and of the Sessions
Court judgment which formed the subject of
the appeal. These records are urgently
required in order to enable Govt. to dispose of
a petition for mercy received from one Alagiri
Tevan who was condemned to death in Madura
59 of 1894, the sentence being confirmed in

Referenced No. 64 of 1894
Jail No. 64 of 1894
Jail No. 64 of 1894

RECEIVED

5 FEB 1895

M.S.

Mercy

Pern

V.E.

Hm v Cur

When given for copying _____
When copied _____
When examined _____
When signed _____ } 189 .

AGAIN G.O., No. _____
189 , DATED _____

CURRENT No. _____

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