

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2528.

Dated 5th Dec 1895

INDEXED.

[Despatch Abstract.]

SENTENCE OF DEATH.

Declining to interfere with the--passed on convict No.2016,
Soran, ⁱⁿ Tinnevely Sessions Case No.43 of 1895, and directing that the
law shall take its course.

BACK PAPERS.

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

FURTHER PAPERS.

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

FORM No. 53.

Nominal Roll of Convict No. 2016 Soraw

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.
Murder Sec. 302. I.P.C.	Suffer to death	11. 10. 95	Sessions Judge Tirunelveli	35	Good	Good	Sentence of death confirmed and appeal dismissed	Nil

Palamcottah Jail Office,
1st September 1895.

Rules 701 and 704.

K. Sanyal Surgeon Major
Superintendent of District Jail.
Palamcottah

Being very old and unable to execute the duties entrusted to him, his father nominated the petitioner, who was appointed in his stead.

2. That the petitioner married his sister's daughter. She was a little girl then. The deceased woman was his neighbour. Her husband was a young boy and in course of time, the petitioner and herself had close intimacy with one another.

3. Some of the petitioner's relatives arranged for another marriage, as his wife was but a young girl. This, the deceased woman, with whom the petitioner was in criminal intimacy, came to know and told the petitioner one night that she heard something about his remarriage and that while she is as his concubine, he need

To,

The Right Honourable

The Governor in Council

Fort. St. George

Madras.

The humble petition of Council - No 2016

Soraw who is now under Sentence of death
in Calcutta Case No 43 of 1895 of the Sessions
Court of Trivendrum, most respectfully sheweth:-

That the petitioner's father
was a Vettian appointed by Government.
Being very old and unable to execute the duties
entrusted to him, his father nominated the
petitioner, who was appointed in his stead.
2. That the petitioner married his sister's daughter.
She was a little girl then. The deceased woman
was his neighbour. Her husband was a young
boy and in course of time, the petitioner and
herself had close intimacy with one another.
3. Some of the petitioner's relatives arranged
for another marriage, as his wife was but
a young girl. This, the deceased woman, with
whom the petitioner was in criminal intimacy,
came to know and told the petitioner one night
that she heard something about his remarriage
and that while she is as his Concubine, he
need

need not consider about anything. ^{the father}
Placed Confidence in her words and refused
to marry this girl. This caused a good deal
of expenditure to the petitioner.

4. A year after the above Circumstances, some
of the relatives of the petitioner arranged for
another marriage. The deceased woman got
this information and came to him one night
and told him that he should not marry any
other girl and that he should set aside the first
wife also, and marry herself; and further she
not only said that the relatives of his first
wife defame her name, but also added that
in case he does not marry her, she would lose
her life at his feet. When the petitioner heard
this, his mind changed totally and at once
set aside his first wife and declined to
marry the other girl that was arranged for
him. There was a great deal of expenditure
even on this occasion. Since the petitioner
refused to marry the girl, many of his
relatives were not on good terms with him.
His aunt who was nursing him refused
to do so. All these Circumstances put
the petitioner to great distress and he had
to cook his own meals and do his work.

5. One day the petitioner told the deceased
woman, that as she did not consent to
marry him as promised, there was no hope
to cook for him and therefore suffered. He lost
his first wife and his relatives on account
of

of her. He asked her what she had to tell him
then. She took him to her house with the consent
of her mother and allowed him to stay there for
three months.

6. After three months time, for some
reasons unknown, the mother of the deceased
woman drove him out of the house and
sent her daughter to her husband's house. Then
the deceased woman did not like to stop with
her husband and consequently returned to
the petitioner. They both lived together about
5 years and had a male child.

7. The petitioner met the deceased woman
in a Chokun field, when he was returning
from a neighbouring village, where he had
been to demand one supran to pay the land
tax. He repeated his entreaties to her and told
her that she deceived him by breaking her
promise; to which she replied that no one
would like to fall into a well if he is asked
to do so; and further spoke in such insulting
language that he could not bear it. The
petitioner was enraged when he thought of
his fate that led him to hear such abusive
words from the deceased woman at a time
when he lost his wealth and relatives, and
stabbed her with the knife he always possessed.
She died.

8. The petitioner did not commit this
murder willfully; if he had any intention to
do so, he would have done it very easily when
he

A. 11. 11. 11.

He was friendly.

I. In Conclusion the petitioner most humbly prays that His Excellency the Governor in Council will be pleased to go through the records of his Case and pardon him for the murder he committed from want of sense, which a man in low position is devoid of.

G. D. G. D. G. D.

Signed in my presence this day of 1st December 1895.

K. S. S. S.

Surgeon Major

Supt. of Jail

Signed in my presence this day of 11th December
1886.
K. S. J. J. J.
Superintendent

To the Prisoner

IN THE HIGH COURT OF JUDICATURE AT MADRAS,

Tuesday, the nineteenth - day of November,

One thousand eight hundred and ninety-five.

PRESENT:—

The Honourable Mr. Justice Shephard.

and

The Honourable Mr. Justice Davis.

Referred Trial No. 78 of 1895.

Soran

Prisoner.

Trial referred by the Court of Session of the *Judicial* Division
for confirmation of the sentence of death passed upon the said Prisoner in Case
No. 43 of the Calendar for 1895.

CRIMINAL APPEAL No. 597 of 1895.

Appeal by the Prisoner against the said Sentence.

This case coming on for hearing, the court delivered the

following

judgment:— There is no doubt the

Prisoner killed the woman by cutting

her throat. He pleaded ^{guilty} to the charge

of murder, and does not withdraw

his pleas in appeal. We are

unable

unable to find any extenuating circumstances in the case. The abuse of the woman's mother was no real provocation, and the prisoner's act seems to have been premeditated, for he waylaid the deceased in a secluded place.

From his own account it was jealousy actuated him to the crime. We confirm the sentence of death and dismiss the appeal.

By the court.

God hunter
Deputy Registrar,
20-11-95
appellate side.



JUDGMENT IN
TINNEVELLY SESSION CASE NO. 43 OF 1895.

Committed by L. Kallapiran Pillai, 2nd Class Magistrate of Virudupatti.

EMPRESS.	...	V.	...	Prisoner.	Soran.	} Defended by Pleader S. R. Krishnasami Iyengar at the expense of State.
OFFENCE.	...	...	...	Murder, section 302, I. P. C.		
PRISONER'S PLEA.	...	...	...	Guilty.		
FINDING OF JUDGE.	...	...	...	Do.		
SENTENCE.	...	...	...	Death subject to confirmation by the High Court.		

Serial Number.	Description of accused.						Date of				
	Name.	Father's name.	Caste or race.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	Apprehension or appearance.	Commencement of trial.	Close of trial.
1	2						3				
	Soran.	Maiyan.	Pallar.	Vettian.	Puthalakurichi Mela Amathur Village.	30	17-5-95	17-5-95	18-5-95	11-10-95	11-10-95

Defendant Soran a Pallar aged 30 a Vettian pleads guilty to the charge under section 302, I. P. C., of murdering his mistress Meyal at Kariseri on 17th May 1895 in a field, by stabbing her on the neck with a knife.

2. Defendant makes a full confession and understands the consequences thereof. There are no circumstances given in evidence before the Committing Magistrate to reduce the offence to any thing less than that charged, and defendant is convicted on his plea.

3. The circumstances of the case as shewn in the evidence before the Committing Magistrate, and in defendant's confessions before the Village Munsif, Sub-

Magistrate of Virudupatti and this Court are as follows:—

4. The defendant and the deceased were on terms of criminal intimacy for four or five years. Defendant wished her to leave her husband and marry him. This was prevented by the woman's mother, who continually abused him for his misconduct. Defendant met the woman on the morning in question in a cholam field and in vain repeated his entreaties to her to marry him. Her mother came and abused defendant, who then stabbed the deceased in the neck with a suri knife having a six inch blade. The woman died almost immediately from shock and hemorrhage, the left carotid artery being severed.

5. The mother raised an alarm and two witnesses Sakkanan and Tungan came up. Another witness Sundara Maniagan arrested defendant, who had the bloody knife in his hand, and blood on his person, and handed him over to the Village Munsif Nallappen Asari.

6. Defendant has been on remand since the murder, and makes no attempt to defend himself by instructing the Pleader appointed on his behalf. After hearing his Pleader I find no reason to inflict a sentence of transportation only.

7. Defendant Soran is sentenced to be hanged by the neck till he is dead, subject to the confirmation of the High Court. He is informed that if he wishes to appeal he must do so within seven days.

11th October 1895.

(Signed) BANNATYNE MACLEOD,
Ag. Session Judge.

(True copy)

J. D. Sannirayan
Sheristadar

To Prisoner

5700

Virupatti

PALAMCOTTAH DISTRICT JAIL OFFICE

No. 1223.

1st December 1895

From

Surgeon Major J. C. Sanyal
H. E. UPSHON ESQUIRE

Superintendent, District Jail,

Palamcottah.

To,

*The Chief Secretary to Government—
Fort St. George
Madras*

SIR,

Encls: 3-

- 1. Petition for mercy*
- 1. English Petition*
- 1. Copy of Judgment of the District Court*
- 1. Copy of Judgment of the High Court*
- 1. Affidavit*

I have the honor to submit herewith a petition for mercy from Cornick do 2016 Saraw under sentence of death in Linnemly Sessions Case do 43 of 95, and beg to inform you that the prisoner will not be executed until a definite reply is received from Government.

*I have the honor to be
Sir,*

Yours most obedt. Servant

H. Sanyal
Surgeon Major

Supdt. of Jail.

1895-

5700

From

Jud

The Superintendent-
District Jail
Palamcottah

To

The Chief Secretary
to Government
Fort St. George
Madras

Dated 1st December 1895-
Recd. 3rd

Enc 4

cto 1238

Submitting a petition for
mercy from Convict-cto
206 Soran under sentence
of death in Tinnivelly
Sessions Case cto 43 of 1895.

E

675/495

Not marked E as

Should have been by Supt

675:2.4.95-

579:15.3-958c

1289:24.5.84 AC

J
48. 200-21-5-95

JUDICIAL DEPARTMENT.

Current Number. 5700.

FOR ORDERS.

APPEAL for mercy from Convict No. 2016

Soran

under sentence

of death in Tinnivelly Sessions Case

No. 43 of 1895, which sentence has been

confirmed by the High Court.

The Superintendent of The Palamcottah

L.P.

Jail certifies that the sentence

will not be carried out until a definite reply from

Government has been received.

The Capt's letter was not
marked 'urgent' on the
packet as it should have
been. This will be pointed
out.

At.
3/12/95

W. J. 12
4/11/95

Nothing can be done for
the Petitioner, I am afraid - There
abuse is hardly an extenuation
of murder in a class of life in
which abuse is frequent & foul.
The petition should be dismissed.

MS

4/12/95

Enc. No. a clear case of murder

W
5 Dec

25

4/12/95

PETITION FOR MERCY.

VERY EMERGENT.

Hon'ble Member and Circulation.

(FOR ORDERS.)

[J.]
[16.]
1,000-5-2-94.

Judicial Department.



Gr.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter, dated *1. Dec 95, No 1223.*, from the Superintendent of the *D. Jail at Palani*, forwarding petition from Convict *No 2016 Soran* under sentence of death in *T. S. S. Case No. 43* of 1895, confirmed by the High Court of Judicature.

Read also letter, dated _____ from the Registrar of the High Court, Appellate Side, forwarding the record of the case.

ORDER THEREON, *5th December* 1895, No. *2528*

Having considered the circumstances of the case as set forth in the foregoing papers, the Right Hon'ble the Governor in Council sees no reason to interfere with the sentence of death passed on Convict *No 2016 Soran*

2. The law will take its course.

3. *The Supt's letter was not marked 'Input on the docket as it should have been. (True Extract) (From orders)*

5/12/95
5712/95
Chief Secretary.

To the Superintendent of the *D. Jail, Palani* for communication to the Prisoner.
" Inspector-General of Jails
" Hon'ble the Judges of the High Court, with papers returned
H. C. J. with C. L.

e 4/12 / C 4/12
124/12 / R 5/12