

OF THE

2^d Edition

Dated 17th Dec 1895.

INDEXED.

[illegible]

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	6034		1875				

హిందూలు క్రింద వ్రాసిన అంశాలను అనుసరించి
యొక కవునితో మద్రాసు వారిది వ్రాసినట్లు
నకు -

రాజమండ్రి నంబూరిశ్రీనివాసాచార్యుల నున్న పరిశీలనాపత్రం
బడిన ఖరీదీసం 4139 కేడియంలనుబట్టి ఆనేనుబట్టి
యేతననుకేరిగింబగలండులకు ప్రార్థించులు
ప్రాసుకొన్న పిత్తలనువిన్నపములు.

యోగేశ్వర తలుచుచున్నప్పుడు ఆ మనస్సును పూర్వమునకు నువ్వం
రుకొన్నాను. అది వాత బలము కల వాడు వ్రంగుకొన్నాడు. మొదట
ఆయంతు కలవాడిని పావనముగాని అవసరమైనను ముగించు
కొనుటలు వ్రంగుకొని వాని వద్ద బంధము పుచ్చుకొని వానిని విడిచిపెట్టుచును
యోగేశ్వరుని కర్మలను పావనము చేయుచును. అని వ్రాయన వినవలసియున్న
యందులు యిందులుగాని పంపాన అప్పి అను మనస్సులు కట్టిన గీత వ్రాసె
పబడినది. అది నొవికరించి. నన్ను వాడు చేయదలచి పావనముగాని
యోగేశ్వరుని నువ్వని నన్ను వ్రాసెనది. అని ముందు తలుచుచు పావనము
వాని నన్ను పట్టుకొని నుచు మిందే కనుగొనినాను. యోగేశ్వరులు గువా
గువాగాని నొక్కొక్క గానీయలేదు. కొని నీతలు మిగిలిన నులుకు నొలు
మిందే గుగాని వలసియున్న యిచ్చలకు పులకు పావనముగాని నొక్కొక్క
నొమిందే సాక్షియును పరికించి నాను. ఆ మనస్సును పూర్వమునకు నువ్వం
నెయిండుట చేత ను నొవికరించి అయిన పంపాన అప్పి అను మనస్సు
ను అనుమం ను మిందే నన్ను పట్టుకొన్నాను. యంతు కలవాడిని విడి
చిపెట్టున అది వాత యంతు కలవాడు కలగించుచును. కొనుట్టు
తలుచు కనుగొనిన నొక్కొక్క అయిన కనుగొనిన కనుగొనిన కనుగొనిన కనుగొనిన
చి నన్ను కలగించుచును విడిచి వ్రాయుచును కనుగొనిన కనుగొనిన
నుచు నొక్కొక్క.

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ಶಾಖಾಂತ್ರಿನಿರ್ದೇಶಿಲು
10 ಡಿ ಸೆಂ 1895

Аппендикс

Superintendent Central Jail

"Prayer for mercy"

"Vergut"

From
Kadryala Subbaidu
alias Subbaya
Condemned prisoner No 4139
Central Jail, Rajahmundry

To

His Excellency the Right
Honourable the Governor in
Council, Madras.

Dated 10th December 1895

Received

No 359

Praying for mercy on the ground
that he is innocent and that the
Case was made up by the Police
against him.

To

His Excellency the Right Honourable
the Governor in Council, Madras.

The humble petition for mercy presented
by Condemned prisoner No 4139 Kadryala
Subbaidu alias Subbaya of the Central
Jail, Rajahmundry.

I did not commit this crime. Formerly
I kept that woman, afterwards she was kept
by a yankala man. At first the Police arrested
the yankala man and detained him for two days
in their custody and let him off by taking a
bribe from him. There were no eye witnesses in
this case. Pannipani Appi the owner of the house
in which the deceased lived was once sentenced
to six months rigorous imprisonment and she is
my enemy. She wanted to bring about my ruin
and informed the Police that I committed the crime.
Upon that information the Police arrested me and
made up the case against me. No one of the
neighbours were cited as witnesses in this case,
but two kapus who live far away from the
scene of the offence and these were tutored by
the

prayer for mercy"

"Vergrut"

From
Kadryala Subbasa
alias Subbaya
Condemned prisoner No 4139
Central Jail, Rajahmundry

To

His Excellency the Right
Honourable the Governor in
Council, Madras.

Dated 10th December 1895

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The humble petition for mercy presented
by Condemned prisoner No 4139 Kadryala
Subbasa alias Subbaya of the Central
Jail, Rajahmundry.

I did not commit this crime. Formerly
I kept that woman; afterwards she was kept
by a yankala man. At first the Police arrested
the yankala man and detained him for two days
in their custody and let him off by taking a
bribe from him. There were no eye witnesses in
this case. Pannappa Appa the owner of the house
in which the deceased lived was once sentenced
to six months rigorous imprisonment and she is
my enemy. She wanted to bring about my ruin
and informed the Police that I committed the crime.
Upon that information the Police arrested me and
made up the case against me. No one of the
neighbours were cited as witnesses in this case,
but two kapus who live far away from the
scene of the offence and these were tutored by
the

... can no give evidence against me.
Because I had kept that woman for some
time before, the Police arrested me on suspicion
at the instigation of my enemy Pampama Appi
and after the yankala man was let off the
whole case was made up against me. Therefore.
I humbly pray your Excellency in Council will
exercise the prerogative of mercy towards me
and order my release from jail.

Rajahmundry Central Jail }
10th December 1895 }

Kaadiyala Subbadu

My dear

Superintendent, Central Jail



... can give evidence against me.
Because I had kept that woman for some
time before, the Police arrested me on suspicion
at the instigation of my enemy Pampama Appi
and after the yankala man was let off the
whole case was made up against me. Therefore
I humbly pray your Excellency in Council will
exercise the prerogative of mercy towards me
and order my release from jail.

Rajahmundry Central Jail }
10th December 1895 }

Kadavala Subbaow

Myman

Superintendent, Central Jail

our no give evidence against me.
Because I had kept that woman for
in your mercy
"Urgent"

From
Kadiyala Subbadu
alias Subbaya
Condemned prisoner No 4139
Central Jail, Rajahmundry

To
His Excellency the Right
Honourable the Governor
in Council, Madras.

Dated 10th December 1895.

Received

No 359

Praying for mercy on the ground
that he is innocent and the case
against him was made up by the
Police.



In the Court of Session, Godavari at Rajahmundry.

CRIMINAL SESSIONS, OCTOBER 1895.

SESSION CASE No. 37 OF 1895.

Present :—G. T. MACKENZIE, Esq., Sessions Judge.

Regina

Vs.

Kadiyala Subbadu alias Subbaya.

The prisoner is defended by Mr. K. Ramabrahmam appointed by the Court.

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

Opinion of Assessors :—Guilty.

1. Kesarazu Lakshmi Subbarayudu Garu (Brahmin).

2. Vatchavaya Narasimharazu Garu (Kshtrya).

Finding of the Judge :—Guilty.

Sentence :—To be hanged by the neck until he is dead, subject to confirmation by the High Court.

SESSIONS CASE No. 37 OF 1895.

Judgment.

The accused in this case is a man of the toddy-drawer caste who is charged with the murder of this concubine.

2. Accused for the last year had lived with a young woman of the fisher caste and they rented a room in a house in Cocanada.

3. The owner of this house and his wife went to the fields in the morning, leaving behind them a daughter, aged eight. Accused and deceased were both at the house. The child says that she and deceased worked preparing rice for cooking, when accused came, leaping over the low wall, and pushed the woman by the neck into the room, fastening the door. The woman then cried out, "Subbadu is killing me."

4. The child rushed away to give the alarm. In the street she met two Kapu neighbours who were coming from the Railway Station. She told them and then ran on to the field to tell her father and mother.

5. The two Kapu men went to the room and found the door fastened. Within the woman cried that Subbadu was killing her. The witnesses called out to the accused to let the woman alone and he replied from within that he would leave her after he had killed her. Witnesses sought for a crowbar to force open the door but found none.

6. The owner of the house and his wife came from the field and then the groans of the woman indoors were still heard. The wife was sent by the three men to the Police Station and she returned with the Head Constable and four constables. The Head Constable called to accused to open the door and accused answered. A sound was heard within as if he were washing himself. After some time he opened the door and came out with his hair and cloths wet. He was at once arrested.

our no give evidence against me.
Because I had a woman for
21.10.95

2

7. The corpse of the woman lay in the room with numerous wounds from a toddy-drawer's knife which lay beside her.

8. Word was sent to the Magistrate who came to the spot and took a statement from accused in which he confessed that he had murdered the woman. The Magistrate also heard the story of the witnesses. An inquest was held at which the witnesses repeated their story. The corpse was sent for examination.

9. The Medical evidence shows that there were about ninety-five wounds on the corpse which was that of a strong young woman. The skull was fractured, probably by a blow from this knife. The knife is a toddy-drawer's knife, like a small sickle.

(y) 10. Before the Magistrate in court, the accused withdrew his confession. His defence now is that he had left the woman because he suspected her of bad conduct with a Verikala man, that it was this Verikala man who killed her and that accused went with the crowd to see what had happened and was at once arrested. He named one witness for the defence to say that accused left the woman for a time and on that day went to take her back, but this witness is since dead.

11. The Assessors give an opinion that the accused is guilty.

12. The Pleader who was appointed to defend the accused contended that it is utterly unlikely that three men would stand outside a door listening while a woman was being murdered and would not find a crowbar somewhere to break open the door. If it be believed that accused killed the woman then it must be presumed that there was some grave and sudden provocation for the act.

13. In this case I see no reason whatever to disbelieve the plain story which the witnesses have told. As for provocation, the burden is upon accused to show that there was any provocation which would palliate this crime.

14. Concurring with the Assessors, I convict Kadiyala Subbadu of murder, under Section 302 of the Penal Code and, subject to the confirmation of the High Court, I sentence him to be hanged by the neck until he is dead. The accused was informed that if he wishes to appeal he must appeal within seven days.

G. T. MACKENZIE,
Sessions Judge.

October 9th, 1895.

Copy applied for 10.10.95.

Copy ready 19.10.95.

Copy despatched 19.10.95.

(True copy.)

(By order)

Sheristada
19.10.95

IN THE HIGH COURT OF JUDICATURE AT MADRAS,

Tuesday, the third day of December,
One thousand eight hundred and ninety-five.

PRESENT:—

The Honourable Justice Shephard,
and

The Honourable Mr. Justice Davies.

Referred Trial No. 77 of 1895.

Kadiyala Subbadu alias
Subbaya } Prisoner.

Trial referred by the Court of Session of the Godavari Division
for confirmation of the sentence of death passed upon the said Prisoner in Case
No. 37 of the Calendar for 1895.

CRIMINAL APPEAL No. 293 of 1895.

Appeal by the Prisoner against the said Sentence.

This case coming on for hearing, the Court delivered the

following

Judgment. There can be no
doubt that the woman was
murdered by the prisoner in the
most brutal way. Jealousy may
have

have been the motive but there is
no evidence of any immediate
provocation to palliate the crime.

We must dismiss the appeal and
confirm the conviction and
sentence.

By the Court.

C. G. Olthunter
Deputy Registrar
4-12 Appellate Side.

5
2
5872

V.C.

1 Petition in Vernacular
or translation
Copy of Judgment of Sentencing Court
H. H. Court.

Superintendent of Central Jail.

5,000-5-91.

Deputy Registrar
Central Jail Office,
10th December 1895.

Rules 701 and 704.

Petition for mercy.

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.	Section 302 IPC.	9 th October 1895.	Session Court, Godavari.	35.	Good.	Good.	Confirmed.	Previous convictions nil.

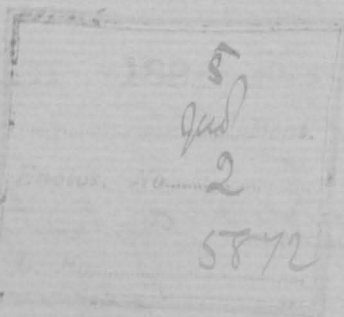
Nominal Roll of Convict No. 4139 Madhaya Subbarao alias Subbarao.

I have the honour to be
Sir
Your most Obedient Servant
M. M. M.
Superintendent, Central Jail

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Enclosure No 5

Nominal roll of Condemned
prisoner No 4139 Keadiyala
Subbaiah alias Subbaya.



1 Petition in Vernacular
1 do Translation
1 Copy of judgment of Sentencing Court
1 do High Court
1 Nominal roll

NO. 1923

Petition for mercy

Prasannaiah Central Jail
10 December 1895

From J. E. Young Esq
Superintendent, Central Jail
Prasannaiah

To The Chief Secretary
to Government
Madras.

Sir,
I have the honour to submit for
the orders of the Government a petition for
mercy together with the marginally noted
papers from Convict No 4139 Keadiyala Subbaiah
alias Subbaya sentenced to death in the
Godavari Sessions Case No 37 of 95

I certify that the prisoner will not be
executed until a definite reply is received
from Government.

I have the honour to be
Sir

Your Most Obedient Servant

Myra

Superintendent, Central Jail

5872
Petition for mercy
"Urgent" J. N.

From

The Superintendent
Central Jail
Rajalmondy

To

The Chief Secretary
to Government
Madras.

Dated 10th December 1895
Despatched 10th December 1895
Received 12th

No. 1923

Enclosures 5

Submitting a petition for mercy
on Convict No 4139 K. Subbadu
alias Subbaya with
all the necessary documents.

J
43. 21-5-95

JUDICIAL DEPARTMENT.

Current Number. 5872

FOR ORDERS.

APPEAL for mercy from Convict No. 4139

K. Subbadu alias Subbaya under sentence

of death in Sodanai Sessions Case

No. 37 of 1895, which sentence has been

confirmed by the High Court.

The Superintendent of The Rajalmondy

Central Jail certifies that the sentence

will not be carried out until a definite reply from

Government has been received.

The petition repeats the story he
told before the Sess. Ct. about
a Guntakalan having killed
the woman. But the evidence
is clear that he was heard
killing the woman & was ar-
rested on the spot when he
came out of the house where
her corpse was found. He also
confessed on the spot to the
Magistrate who came up, though
he afterwards withdrew his
confession; and even without
his confession there is no
reason for not believing the
witnesses. The petition
should be dismissed.

M

13/12/95

Yes, the law must take its course

JG

14/12/95

I agree

W

15 Dec

M
13/12/95.

M
13/12/95

JR
18/12/95

PETITION FOR MERCY.

VERY EMERGENT.

Hon'ble Member and Circulation.

(FOR ORDERS.)

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

Judicial Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following letter, dated 10 Dec 95, No 1923, from the Superintendent of the Central Jail at Rajahmundry, forwarding petition from Convict No 4139 K. Subbaramaiah Subbiya under sentence of death in Sidanur Session Case No. 37 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, 17 Dec 1895, No. 2601

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 4139 K. Subbaramaiah Subbiya

2. The law will take its course.

(True Extract.)

(From notes) 12
16.12.95

Chief Secretary.

16/12/95

Coburn 16/12

To the Superintendent of the Central Jail, Rajahmundry,
for communication to the Prisoner.
„ Inspector-General of Jails, Madras
„ Hon'ble the Judges of the High Court, with papers returned.

H. C. J. sent to H.

17/12

C 13/12
C 14/12

When given for copying _____
 copied _____
 examined _____
 signed _____

189

AGAIN G.O., No.
 189

DATED

REMI No.

ENCLOSURES TO G. No.

DEE OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

APERS NOT FILED UP, BRING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.
 Q = Copy heading only.

Judicial (1895) Department.

G

I

SENTENCE OF DEATH.

Declining to interfere with the--passed on convict No.
4151, Sarvasudhi Krishtnamma, in Godari Sessions Case No.33 of 1895,
and directing that the law shall take its course.

incl

superintendent - 12 Jail