

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2602.

Dated 17th Dec: 1895.

INDEXED.

[Despatch Abstract.]

SENTENCE OF DEATH.

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

Encl

superintendent - D. J. L. 1895

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	6033		1875				

Dec 20/1

Petition for habeas corpus

హిందూ అనుభవక స్థానాన్ని విడిచి వేరొక స్థానానికి తరలించి
యిది కవులకు మేల్కొనెను నానా దివ్యములు
నకు.

రాజమండ్రి సెంట్రల్ జైలు లోనున్న ఉరికిక్రీవిధింప
బడిన బియ్యదీసెం 4151 సర్వ సుద్ధి ప్రాప్తమై తనను
కేసుకింజ గుండులకు ప్రార్థించు బుద్ధిమంతులను
పిలుచును విన్నవించులు.

నేను విన్నవించుచున్న కేసు గా మనవి చేయునది యీమనగా నా
బాధను నేను బహిష్కరించు. నా పిన తండ్రులకు కుటుంబము నావిధానము.
వాళ్లు తాగి వ్రేండ్ల నా బాధను బహిష్కరించు. నా వివాహము వ్రేండ్ల నాను.
కొందరు ముఠాపట్టె గా నుండు లభితు నా వివాహములు రాజమండ్రి
లోనున్న కొందరు వ్రేండ్ల కొందరు పలుకుబడి గల వాంతు గా నున్నాను.
అందువల్ల నా బంధువులు నా జ్ఞాతలతో కలిసి యంత్రుల కేసు
ను నా వివాహము వ్రేండ్ల నాను. బిచ్చగా నున్న నా పిన తండ్రుల నాను బంధువులకు వికార
విపత్తుగా వచ్చి నాను. నేను వికార విపత్తుగా నుండు వచ్చినా కొద్ది యిం
నెరములు కలిగినవి. నేను యింకొక వచ్చినప్పుడు నా పిన తండ్రులకు కుటుం
బము గుఱువులు గుఱువులు బంధుత్వానికి కష్టం లుండు బుద్ధియు. వాళ్లు
తాళిని జగదముడ నుండొనె వ్రేండ్ల కొందరు నా యింకొకరు గుఱువుల
పరున్నాను. బంధుత్వానికి యున్న నా పిన తండ్రులకు కుటుంబము
బుద్ధి నా బాధను కుటుంబము బహిష్కరించు. నేను వివాహము వ్రేండ్ల
నీతిను, వాళ్లు పిచ్చి బుద్ధికి వాళ్లు యింకొకరు బంధువులు గుఱువులు
కుటుంబము వ్రేండ్లను, వాళ్లు కుటుంబము బంధువుల కత్తి కేసు
వ్రేండ్లను సర్వసాధారణము గా నాను గుఱువులు గుఱువులు
నన్నయ్య యింకొకరు. అందువల్ల నన్నయ్య కుటుంబము నా పిన తం
ద్రులకు కుటుంబము దుకొన్నాను. కుటుంబము తన్నయ్య కేసు
కవులను తన్నయ్య నాను కుటుంబము వ్రేండ్లను నుండి విడుదల చే
యట గుఱువులు వ్రేండ్ల యింకొకరు ప్రార్థించు బుద్ధియు.
రాజమండ్రి సెంట్రల్ జైలు సర్వ సుద్ధి కేసు

రాజమండ్రి సెంట్రల్ జైలు
ది 10 వికంబు 1875

[Signature]

Superintendent of Jail

2. 401
Petition for Mercy
"Urgent"

From
Sarvasuddhi Krishnamma
Condemned prisoner No 4151
Central Jail, Rajahmundry.

To

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

Dated 10th December 1895.

Received

No 360

Praying for mercy on the ground
that he is innocent and that his
Rais-men who are his enemies
brought about his ruin by falsely
accusing him of the Crime

Enc. No 2

Petition for Mercy
Enc. No 4

To

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

The humble petition for mercy presented
by Condemned prisoner No 4151 Sarvasuddhi
Krishnamma of the Central Jail, Rajah-
mundry.

I beg to submit that I did not
kill my wife. My Cousins are my enemies.
They killed my wife while they were in a
drunken state and shewed the blame upon me.
My Cousins are influential among my relatives
at Rajahmundry as they are in a somewhat
well to do position. Hence all my relatives
sided my Cousins and throw the whole blame
upon me. I went to Vizagapatam to see my
uncle's wife who was ill and on the very night
I returned from Vizagapatam this offence was
committed. When I returned home I found
my Cousins and my neighbours quite drunk
and quarrelling. I quietly laid myself down
on the floor of my house without joining them
in their quarrels. In a fit of anger one of my
Cousins

who was quite drunk struck
 my wife and killed her. I being
 a poor man, was not generally
 liked by my neighbours who
 are my relatives for I seldom
 go to their houses even when they
 called me for any treat, not was
 I able to treat them. On account
 of this they all sided my Cousins
 to bring about my ruin. There-
 fore I pray that your Excellency
 in Council will exercise the pre-
 rogative of mercy and order my
 release from Jail

Rajammamma Central Jail }
 10th December 1895 } Sarvasuddhi Kistannama.

Mamma

Superintendent
 Central Jail.

"Vergant"

From

Sarvasuddhi Krishnamma
Condemned prisoner no 4151
Central Jail, Rajahmundry

To

His Excellency the Right
Honourable the Governor
in Council, Madras

Dated 10th December 1895

Received

N^o 360

Praying for mercy on the ground
that he is innocent and that his
kinsmen who are his enemies brought
about his ruin by falsely accusing
him of the crime



In the Court of Session, Godavari at Rajahmundry.

CRIMINAL SESSIONS, OCTOBER 1895.

SESSION CASE No. 33 OF 1895.

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

Regina

Vs.

Sarvasuddhi Krishnamma.

The prisoner is defended by Mr. C. Venkatachellam appointed by the Court.

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

Opinion of Assessors :—Not guilty.

1. Gudisena Ayyappa Naidu (Telaga).

2. Khader Patcha Sahab (Mohammedan).

Finding of Judge :—Guilty.

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

SESSIONS CASE No. 33 OF 1895.

Judgment.

The accused in this case, a Shoemaker of Rajahmundry, is charged with the murder of his wife.

2. The evidence shows that the accused and his wife used to quarrel and that accused sometimes left home and returned again. The accused had been at Ankapalle on one such absence and returned to Rajahmundry on the evening of September 6th. That evening he took his supper with his son, a boy of fourteen, the wife cooking the meal for them. That night he slept with his wife, the son sleeping with a cousin next door.

3. About 5 A.M. on September 7th, the son was awakened by his mother's cries and on looking out he saw that his father was stabbing his mother with a cobbler's knife. He went up to them and separated them whereupon his father ran away down the street. This was seen by two neighbours. One man ran to fetch the police but the other man, seeing accused come along with the knife in his hand, went into his house and closed the door. Accused, as he passed, kicked at the door and said, "I have done what I intended to do. What will they do to me? Will they kill me?" The other neighbour had met a constable on the road and he returned with him. The constable says that the woman had fallen forward on her face. He went after the accused and arrested him at the Madiga hamlet. On bringing him back to the house he asked accused what he had done with the knife. The accused showed where he had thrown the knife under a tree in front of the house of the neighbour who closed his door. The constable picked up the knife. It was bloody.

4. The accused and the wounded woman were taken to the station where the witnesses told their story to the Head Constable. The woman was sent to the Hospital where the Stationary Magistrate took a statement from her that morning. In this statement she says that her husband had stabbed her. Four days later she

"Vergant"

From

Sarvasuddhi Krishnamma
Condemned prisoner no 4151
Central Jail, Rajahmundry

To

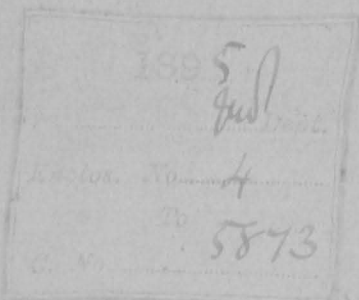
His Excellency the Right
Honourable the Governor
in Council, Madras.

Dated 10th December 1895

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4. The accused and the wounded woman were taken to the station where the witnesses told their story to the Head Constable. The woman was sent to the Hospital where the Stationary Magistrate took a statement from her that morning. In this statement she says that her husband had stabbed her. Four days later she

died. An inquest was held and the witnesses repeated their story. The medical evidence shows that the wounds were the cause of death.

5. Accused denies that he committed this crime. He calls no witnesses.

6. The Pleader who was appointed to defend accused draws attention to the fact that there was no quarrel the previous evening or during the night and that no motive is shown for this very sudden murder.

7. The Assessors say that the son deposed that the woman was stabbed in the yard and the two neighbours deposed that she was stabbed in front of her house. Also, there was no blood upon the hands or cloths of accused. For these reasons they say that he is not guilty.

8. I am unable to concur with the Assessors. I cannot see that there is any such difference in the description by the three witnesses of the locality as would throw discredit upon their evidence. The three witnesses seemed to me to tell a plain story as if it were the truth. Also, the constable was there almost while the murder was still in progress. There was no time to concoct a false accusation. There is no one else who can be suspected of killing the woman. She made a statement to the Magistrate that morning saying that her husband stabbed her. As for the absence of blood it is always possible that if the knife were withdrawn at once the blood might not stain the hand or clothes of the murderer. I imagine that the Assessors have given this opinion, because of the dislike which some persons have for capital punishment.

9. I convict Sarvasuddhi Krishtnamma 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.

10. The prisoner was informed that if he wishes to appeal he must do so within seven days.

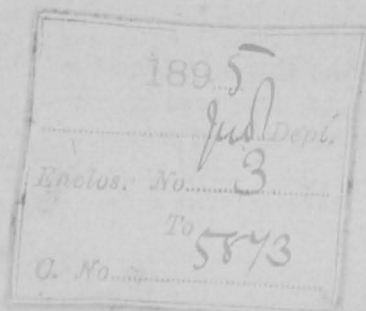
G. T. MACKENZIE,
Sessions Judge.

October 11th, 1895.

Copy applied 11.10.95.
do ready 21.10.95
do despatched 21.10.95

(True copy.)

(By order)
Sd/-
Shri. S. S. S. S.
21.10.95



Duplicate.

IN THE HIGH COURT OF JUDICATURE AT MADRAS.

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

PRESENT:—

The Honourable Mr. Justice Shephard,
and

The Honourable Mr. Justice Davies.

Referred Trial No. 75 of 1895.

Sarvasuddhi Krishtnamma—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. 33 of the Calendar for 1895.

CRIMINAL APPEAL No. 591 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 the woman's death was
caused by her husband the
prisoner. She said so herself in
her statement taken by the Magistrate
immediately

immediately after the stabbing and cutting which resulted fatally. The prisoner's son and two neighbours also prove as eye-witnesses that it was the prisoner who inflicted the wounds of which the woman died. When arrested the prisoner showed the place where he had thrown the Cabbler's knife with which he had committed the crime. The Assessors seem to have found a difficulty in convicting because of a supposed discrepancy between the witnesses as to the actual spot where the woman was cut, but we gather that the "vakili" referred to by the deceased was the front of the house, which the two neighbours allege was the scene of the offence, and

and that the son's statement that he had to pass through the house to the place of crime had reference to his passing from the back of the house to the front of it and not from the front to the back.

We dismiss the appeal, and confirm the conviction and the sentence of death.

By the Court.

C. G. Ordhunk
Deputy Registrar,
H. 12 Appellate Side.

K. G. K. L.

Enclosure No 4.

Enclosure No 5.

Nominal roll of Condemned
prisoner No 4151 Sarvasuddhi
Krishtnamma.

1895
Enclos. No. 1
To 1893
C. No.

1895
Enclos. No. 2
To 5843
C. No.

No 1924

"Petition for Mercy" "Mergut"
Rajahmundry Central Jail
10th December 1895

CURRENT NO 5843

From J. E. Young Esqre
Superintendent, Central Jail
Rajahmundry.

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 4151 Sarvasuddhi
Krishtnamma sentenced to death in the
Godavari Sessions Case No 33 of 1895.

2. 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

1 Petition in Vernacular
1 Do translation
1 Copy of Judgment of Sentencing Court
1 Do High Court.
1 Nominal roll

Petition for mercy
CURRENT NO. 5873
Urgent

From

The Superintendent,
Central Jail
Rajahmundry

To
The Chief Secretary
to Government
Madras

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

No 1924

Enclosures 5

Forwarding a petition for mercy
from Convict No 4151 Sarwasudhi
Krishnamma with all the
necessary documents.

J
43. 200-21-5-95

JUDICIAL DEPARTMENT.

Current Number. 5873

FOR ORDERS.

APPEAL for mercy from Convict No. 4151

Sarwasudhi Krishnamma under sentence
of death in Sodam Sessions Case
No. 33 of 1895, which sentence has been
confirmed by the High Court.

The Superintendent of The Rajahmundry

Central Jail certifies that the sentence
will not be carried out until a definite reply from
Government has been received.

The petitioner says his cousins
killed his wife, but of this
there is absolutely no evi-
dence. On the other hand,
there is the evidence of eye-
witnesses (one of them the
Petitioner's son) that he committed
the murder & no cause is
shown why they should not
be believed - The petition should
be dismissed

RS

13/12/95

Geo. Besides the testimony of
the eye witnesses there is the
dying declaration of the
murdered woman.

W

15 Dec

JS

13/12/95

AT

13/12/95

W. 13/12/95

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. 5. 1924, from the Superintendent of the Central Jail at Rajahmundry, forwarding petition from Convict No. 4151 Sarvasuddhi Krishnamma under sentence of death in *Sivan* Session Case No. 33 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. 1896, No. 2602

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. 4151 Sarvasuddhi Krishnamma

2. The law will take its course.

(True Extract.) (From records)

W. B. 16.12.25
Chief Secretary.

M.
16/12/25

Copied
16/12

To the Superintendent of the Central Jail, Rajahmundry
for communication to the Prisoner.
" Inspector-General of Jails.
" Hon'ble the Judges of the High Court, with papers returned.
M. C. J. with C. K.

Depot

C. 13/22

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

189 .

READ 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.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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

Judicial (1895) Department.

ORDINARY MS

[illegible]