

# Judicial (1895) Department.

ORDINARY MS.

G.O., No. 517.

DATED 9<sup>th</sup> Nov: 1895.

INDEXED.

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[Despatch Abstract.]

CRIMINAL LUNATIC DESIGADU.

Directing that --confinèd in the Vellore Central Jail be sent  
to the Lunatic Asylum, Madras, for safe custody and treatment

*Recd*

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

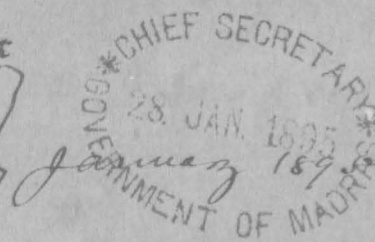
# FURTHER PAPERS.

| G.O. | No.  | Department. | Date. | G.O. | No. | Department. | Date. |
|------|------|-------------|-------|------|-----|-------------|-------|
| C    | 1153 |             | 1895  |      |     |             |       |

NO. 357  
 From  
 The District Magistrate  
 For the Arch.

To  
 The Chief Secretary  
 to Government  
 G.O. Dept.  
 Madras.

Date 26<sup>th</sup>  
 Deskd 27<sup>th</sup>  
 Recd 28<sup>th</sup>



Enclosures: 5

Ref: on Current to 40 of 1895  
 magd

Subject.

Lunatics

Submitting for orders  
 of Government the case  
 of a Criminal — Desigadu  
 and recommending that  
 he be confined in the  
 Government Lunatic Asylum,  
 Madras.

Lunatic History file

Ref: on 207  
 4-2-95

The Dist. Magistrate should  
 submit the Sub-magistrate's  
 final order staying proceedings  
 which should have been  
 passed after the examination  
 of the Civil Surgeon on the  
 2nd Nov. The order now  
 received, Magistrate proceedings  
 which dated 5th October  
 sent up 24<sup>th</sup> is only an interim order.  
 2

St. Augustine Street. Despd  
 4-2-95

No 45  
Incl. 2

Submagistrate's office

Wallapa, 29<sup>th</sup> Decemr 74

S

The District Magistrate,  
North Bresh.

Most Honored Sir

In resubmitting the endorsement  
on my arzi, No 44, dated the 9<sup>th</sup> Instant  
I respectfully beg to state as follows:—

2. One Desigadu the accused in  
Calendar Case No 643 of 74 on the  
file of this Court has been charged  
with 'house-breaking by night' and  
'theft in a building'—non bailable  
offences, punishable under Sections  
457 & 380 I.P.C

3. During the course of the Enquiry,  
the said Desigadu was found to be  
of unsound mind incapable of  
making his defence. My predecessor,  
who had the opportunity of seeing him  
in the witness-box and the District  
Surgeon, who kept him under  
observation, spoke of him as follows:—

"He behaves very rudely and talks

'incoherently in Court. Sometimes, he  
'talks well; and at others he simply  
'laughs. At times he raves like a  
'mad man, and begins to fall upon  
'the witnesses and abuses them very  
'vilely. He has not been in a position  
'to cross-examine witnesses." The District  
'Surgeon said that Desigadu is not  
'dangerous". In all probabilities he  
is harmless lunatic. He was a little  
irritable. He is, I consider, weak  
minded. He is not capable of defending  
himself in the charge which is  
brought against him."

4. A medical History Sheet and  
the certificate of the Medical Officer  
in Form A (as per Schedule to Act  
XXXVI of 1858) are herewith sub-  
mitted, as directed

5. The brother-in-law of Desigadu  
one Chinna Manthadi of the village  
of Tirumalakuppam, has given a  
Khazianah that he is prepared to take  
Desigadu to his house and to take

proper care of him — keep him secured  
at home without letting him go out —  
and to produce him before this Court  
whenever he is summoned to do so.  
The said Chinna Manthadi has  
married Desigadu's Sister. The Village  
Munsiff of Tirumalakuppam has also  
said he would he would make  
necessary arrangements with the said  
Chinna Manthadi for the safety of  
Desigadu

I hereby  
Sd/- Subramania Iyer  
Sd/- Submagistrate

(True copy)

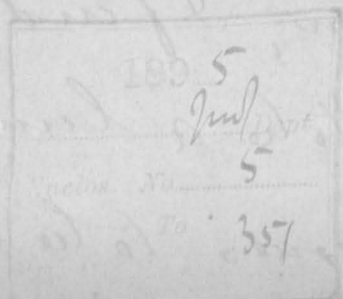
Attest  
For Sd/- Magistrate  
Chol. Iyer  
Amol. Iyer

Proceedings of the Submagistrate  
of Wallaja, dated, 5-10-1894.

Read the Evidence recorded in  
Calendar Case No  $\frac{643}{1894}$  on the file  
of this Court

Order

The accused, Desigadu, appears  
to me to be a person of no sound  
mind and therefore not capable of  
making his defence. He behaves  
very rudely and talks incoherently  
in Court. Sometimes he talks  
well and at others he simply  
laughs. At times, he raves like a  
mad man and begins to fall upon  
the witnesses and abuses them very  
vilely. He has not been in a position  
to cross-examine witnesses. From  
what the witnesses have said and  
my own observation, I find that  
the man appears to be a lunatic  
and as such deserves to be under  
medical observation and therefore



Stay further proceedings in the case  
and send the accused Desigadu  
to the District Surgeon to be kept  
under his observation for such  
time as he may think it necessary.

(Signed) J. S. Thumengadams  
2nd class magistrate  
5-10-94

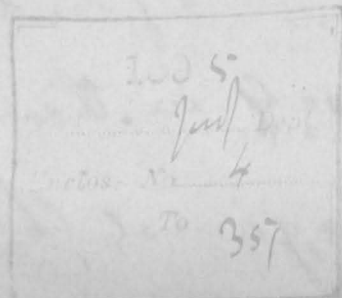
(True copy)

(Signed) Y. Subramaniya  
2nd class magistrate

(True copy)

Allen page  
For D.D. magistrate

Chd 2/4  
Comd 4/4



Deposition

Before the 2nd class Magistrate of Walaja Taluk

Calendar Case no  $\frac{643}{1894}$ .

Dated 2-11-94.

Name — Dr. C. Adams

Father's name — "

Caste — European.

Age — "

Profession — District Surgeon

Residence — Vellore

Language — English

On oath.

I have examined Desigadu. He  
was under my observation for about  
10 or 12 days. I am of opinion that  
he is not dangerous. In all possibility  
he is harmless lunatic. He was a  
little irritable. He is, I consider,  
weak minded. He is not capable  
of defending himself in the charge  
which is brought against him.  
He was, as a rule, clean in the jail.

except on or two occasions when he  
was a little dirty

(Signed) C. Adams  
By D. Simpson  
A. Arcot

Taken by me. Read over to the Depo-  
nent in English which he understood  
and acknowledged by him to be  
Correct

(Signed) V. S. Srinivengadam  
Submagistrate

(True copy)

(Signed) Subramaniam  
2nd class Magistrate

(True copy)

For D. Magistrate

Compd by  
Compd by

5  
Jul  
3

351

Report No. 40 of 1894

351  
For the Arcot District Magistrate's Office,  
Chittoor, 26th January 1895.

DESPATCHED  
27 JAN. 95

FROM

G. F. J. Fones Esquire,

Collector and District Magistrate,

for the Arcot.

TO

THE Chief Secretary  
to Government  
Judicial Department.

SIR,

Madras.

Under Section 466 of the Code of  
Criminal Procedure, I have the honor  
to submit for the orders of Government,  
the Case of a Criminal Lunatic as  
described in the Wallaja Stationary  
Submagistrates' order dated 29<sup>th</sup>  
December 1894, No 45, a Copy of which  
is herewith forwarded. The Submagis-  
trate has since reported that the lunatic  
relation Chinnamanthadi makes  
a living as a Coolie and is unable to  
furnish any security for taking care  
of him.

2. In these circumstances, I recommend that the criminal insane Desigadu be Confined in the Government Lunatic Asylum, Madras.

3. Copies of the Vallaja Submagistrate's order staying proceedings in the case pending against Desigadu and of the deposition of Dr. Adams made before that Court together with the Medical History Sheet and a certificate in Form A granted by the said Medical officer are herewith submitted.

4. Pending the orders of Government, the lunatic will be detained in the Central Jail at Vellore.

I have the honor to be  
Sir

Your most obedient servant

*[Signature]*

District Magistrate

Cpd & Co  
Compd & Co

From

The District Magistrate  
North Arcot  
Jnd

To

The Chief Secretary  
to Government  
Jnd Sept  
Madras.

Dated 21

Desd

Recd 23

By 25

Inc 23 FEB 1895

Ref on cur no 400 of 95  
mag

Subject

Lunatic

Reporting that no final order staying proceedings was passed in the case of ——— Desigadu.

895

Ref. 207. 4-2-95  
2224 = 13-9-94. 10

Submitted with Ref. to No 207. 4. 2. 95. —

Eb  
28/1/95

No 9

Submagistrate's office  
Wallaja, dated 11-2-95

To

The District Magistrate,  
North Arch.

Most Honoured Sir,

With reference to your honor's  
footnote, Ref: on. cur no  $\frac{40}{mag}$  of 95  
appended to Copy of Memorandum  
from the Government, Judicial  
Department, I beg to submit that  
in the Case of the lunatic Desigadu  
no final order staying proceed-  
ings seems to have been passed  
after the examination of the Civil  
Surgeon, on the 2<sup>nd</sup> November  
1894. The only order is my prede-  
cessor's proceedings of the 5<sup>th</sup> October  
1894.

2. After the examination of the  
Civil Surgeon, the Head Assistant  
Magistrate was addressed in

this office aye. no 139 dated 12<sup>th</sup> November  
1894 (Copy enclosed) for his orders  
whether the lunatic may be handed  
over to his relatives, who expressed  
his willingness to take care of him  
and to produce him whenever re-  
quired

3. Under the orders of the Head  
Assistant Magistrate, your house  
was addressed in this office no 44  
dated 9<sup>th</sup> December 1894 in view  
to the orders of the Local Government  
being obtained under Section 466  
C.P.C.

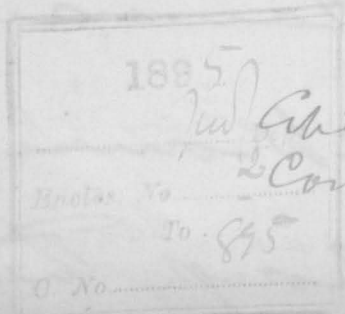
I beg to

Sd/- Subramaniam

Submagistrate

(True copy)

D. C. Magistrate



No 139/1894

Sub. Magistrate's office  
Malaya. 12<sup>th</sup> November 1895

To The Head Assistant Magistrate  
N. arcot.

Honored Sir,

I respectfully beg to report  
that Desigadu, the accused in C.C. No 643  
1894  
on my file was declared to be a lunatic  
by the District Surgeon to whom  
he was sent for observation; but  
he was pronounced to be a harmless  
lunatic. I have sent for the brother  
- in law of this accused and also  
the Village Munsiff of Tirumalai  
- Kuppam to ascertain whether they  
could take care of the lunatic  
and feed him. The brother in law  
has agreed to do the same, and  
the Village Munsiff promised  
to arrange for it. Though the  
affiance alleged to have been

committed by the lunatic  
is housebreaking by night and  
theft in a building and as such  
a non-bailable offence. I am still  
of opinion that the accused  
may be let on bail. I don't think  
he is a fit subject to be sent to the  
lunatic Asylum for treatment.  
I solicit your honors orders on the  
subject at an early date as the prisoner  
is on remand in the Malaya Subjail

I beg to remain,

Honored Sir,

Your Honor's most obed<sup>t</sup> & fervent

(SD) V. V. Otharavengadam,

Sub Magistrate

(True copy)

Sub Magistrate

Refon

No. 40  
Curran  
of 1895

CURRENT NO 895  
North Arcot S<sup>t</sup>. Magistrate's Office,  
Camp, Wandsworth, 21<sup>st</sup> Feb 1895.

FROM

G. J. J. Pomeroy Esquire,  
Collector and District Magistrate,

North Arcot.

TO

THE Chief Secretary  
to Government  
Judicial Dept<sup>t</sup>  
Madras

SIR,

Referring to Government Memo-  
randum dated 4<sup>th</sup> Instant to 207  
Judicial, I have the honor to state  
that in the case of lunatic Desi-  
gadu, no final order staying pro-  
ceedings was passed after the  
examination of the civil surgeon  
on the 27<sup>th</sup> November 1894, the only  
order being the Submagistrate's  
proceedings of the 5<sup>th</sup> October 1894.  
2. A Copy of the Submagistrate's  
order dated 11-2-95 with its  
enclosure is herewith submitted

for

for the information of Government.

I have the honor to be

Sir

Your most obedient servant

*[Signature]*

Dist. Magistrate

*[Signature]*  
Comptroller

[J.  
10.  
300-12-12-94.

Judicial Department



*[Handwritten]* No 357 of 95  
+ 295 of 95

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from the District Magistrate, *[Signature]* Arcot

ORDER—dated *9 March* 1895, No. 517

Under the provisions of Section 466, Criminal P. C., it is directed that criminal lunatic *Besigadu* be sent to the Lunatic Asylum at Madras for safe custody and treatment; the usual periodical reports being made of the state of his mind.

*[Handwritten]* 7/3/95

2. The Superintendent of the *Central* Jail at *Vellou* will forward criminal lunatic *Besigadu* at once to his destination and intimate the despatch to the Superintendent of the Asylum by letter accompanied by all necessary papers.

3. The Dist. Magistrate should have drawn his subordinate's attention to the omission to record a formal finding over staying proceedings, & rectified the defect before reporting to the case for the orders of Govt

(True Extract) (From orders)

*[Handwritten]* 4/3/95

*[Handwritten]* 1.3.95

Under Secretary.

DESPATCHED.  
21 FEB. 95

To the District Magistrate, *Arcot (at)*  
" Superintendent, Lunatic Asylum, Madras, with papers.  
" Surgeon-General. (Pto)  
" Inspector-General of Police. (Pto)  
" Inspector-General of Jails. (Pto)  
*[Handwritten]* Note the subm  
*[Handwritten]* 9/3/95

Confirmed by  
Cr. Lunatics

H.W. (for order)

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.

N.B.—

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