

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 790.

Dated 18th Apr 1895

INDEXED.

[Despatch Abstract.]

CRIMINAL LUNATIC

Directing that--Kadarappa confined in the Bellary District Jail be sent to the Lunatic Asylum at Madras for safe custody and treatment.

and

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2541		96				
	1576		1-10-96				

judicial history file

publ.

CURRENT No. 1774

From.

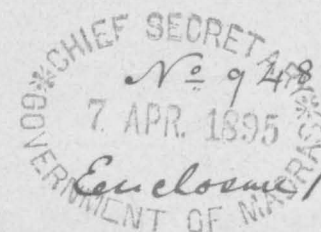
The Sessions Judge
Bellary

To,

The Chief Secretary
to Government,
Madras

Station - Bellary

Dated 4th April
Despatched 6th - 1895
Received 7
Apr 8



Reporting the case of one Kadarappa who was committed to this Court and who has been found to be of unsound mind and incapable of making his defence.

MR 9/4

Are there no papers of 89 re
This man's previous confinement in a 2. a
Also please put up 2 latest precedents.

MR 9/4

530

9-3-95

9-3-95

Chp

CURRENT No. 7
No. 948

Sessions Court Bellary
Dated 4th April 1895.

From,

Lewis Moore Esquire,
Sessions Judge, Bellary.

To,

The Chief Secretary
to Government,
Madras.

Sir,

I have the honor, under section 466 Criminal Procedure Code, to report for the orders of Government the case of one Kadarappa who was committed to this Court (Session Case 25 of 1895) on a charge under section 436 P. C. but who has been found to be of unsound mind and incapable of making his defence.

Mischief by fire or
explosive substance with
intent to destroy a house
&c.

2. Kadarappa was sent up by the Magistrate charged under section 436 P. C. with having committed mischief by fire knowing that it would be likely that he would thereby cause the destruction of a

building used as a human dwelling. From the evidence however that I have taken it appears that this man in the first instance set fire to a thorn hedge situated at a little distance from the house of the 1st witness which does not reach up to that house and that he then went and set fire to another thorn hedge which surrounds a sheep fold belonging to the village Magistrate of the village. There were no sheep in this fold and it is not close to any building. These thorn hedges are of no value and it does not appear that there was any danger of any building being injured in consequence of the acts of the prisoner. It therefore appears that Kadarappa cannot be charged under section 435 or section 436 and that the only section under which he could be proceeded against is section 426, a bailable offence.

3. The District Medical Officer Surgeon Major Evans has been examined and he deposes that Kadarappa has been under his observation for the last three

weeks in the District Jail and that he is of unsound mind and incapable of making his defence. He states that he further has ascertained that this man was sent to the Lunatic Asylum in Madras on the 10th May 1889 and discharged as recovered on the 20th August in the same year (vide Exhibit A). He is of opinion that the man is not responsible for his actions and that it would not be safe to let him return to his village but that he should be retained in confinement.

4. As the case has been now found to be one in which bail may be taken Kadarappa could be released on sufficient security being given that he shall be properly taken care of under the first clause of section 466 C. P. C. He has now been sent up from Palavoyi village, Kalyandrug Taluk, Anantapur District while it appears that his native place is Kadiri in Cuddapah District. None of the villagers from Palavoyi who have come in here in connection with the case are willing to give security for

him and in consideration of the strongly expressed opinion of Surgeon Major Evans to the effect that he is not a person who could safely be permitted to return to his village but that he should be retained in confinement I have not made enquiries through the District Magistrate of Cuddapah as to whether there is any one in his native village who is willing to give security for him but have reported the case to Government with a view to his being confined in a Lunatic Asylum. The Assessors have given it as their opinion that he is incapable of making his defence.

I have the honor to be,

Sir,

Your most Obedt. Servant,

Very truly
Yours
Sessions Judge.

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

Judicial Department



PROCEEDINGS OF THE ADRAS GOVERNMENT.

READ the following letter from the District Magistrate,
Sess. Judge, Bellary No. 1774/95

ORDER—dated 14 April 1895, No. 790.

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

The Superintendent of the District Jail at Bellary will forward criminal lunatic Kadavappa at once to his destination and intimate the despatch to the Superintendent of the Asylum by letter accompanied by all necessary papers.

3. The medical history sheet of the lunatic Kadavappa has not been forwarded as required by the rules. It should now be prepared at once and forwarded direct to the Supt. of the Asylum.

Under Secretary. 10-4-95

18/4/95

To the District Magistrate,
Superintendent, Lunatic Asylum, Madras, with papers.
Surgeon-General.
Inspector-General of Police.
Inspector-General of Prisons.
Supt. of Jail, Bellary.
Dm. Bellary.

DESPATCHED
22 APR 95
IN M.S.