Explanation may

பொ. ப. புது எண். 24

——————— துறை.

குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக கட்டினின்றும் எடுக்கப்பட்ட தாள்.

அச்சு / பல்வகை / வாலாயம் எண் ———————, தேதி ——————— 19 .

எடுத்த தேதி.	எதன் பொருட்டு: துறை.	நடப்பு எண்	ஆண்டு.	தாள் எடுக்கும் எழுத்தர் அல்லது சிற்றெழுத்தர் சுருக்கொப்பம்.	திருப்பிக் கொடுத்த தேதி.	சிற்றெழுத்தரின் சுருக்கொப்பம்.

[G. / 11.]
200—7-9-96.

Judicial (1897) Department.

ORDINARY Mis

G.O., No. 376

Confidential No 19

DATED 17 - 3 - 97.

[Despatch Abstract.]

Enquiring of the Collector of Kistna whether he considers it desirable that a special officer should be deputed to help him in the investigation ~~in~~ of certain c of supposed ~~cas~~ bribery in Kistna

BACK PAPERS.

G.O.	No	Department.	Date.	G.O.	No.	Department.	Date.
	R No 443	Jud	16-3-97				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cri	4109						

Judicial (1897) Department.

CURRENT No. 835

Order

From

D. M., Kistna,

C. No. 20/Tour

Dated 25 Feb
Received 1 March } 97
Registered 1 March
Enclosures 5
Spare copies

SUBJECT.

Requesting to arrange for the deputation of the Crown Prosec or some other counsel from Mas to oppose a certain crimina appeal in the session Kistna

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No	Department.	Date.
7	CRO	1117	

106
107
108
109
110
111

original Jamakarchu of the 11th witness
at with regard to item G1 in C XV (Count 2
the charge) and of its corresponding entry
in XIV Ledger which was a huzur payment
which he should have in the ordinary
of things known personally, he shuffled
gave most amusing answers – he said
did not know who paid it – who told
to write the payment and where the
ccused was at the time it was paid. There
an item of annas 12 cart hire paid
the accused's cart to go to the Head Assistant
llector's Office for abkari sales on 9-8-89
t Bezwada. There is a credit and debit
Rs 3935-13-1 and Rs 3583-8-0 in the
ccused's name and there is a payment of
3583-8-0 under deposits for abkari leases
ken at Bezwada on 8-8-89 – there is accused's
nature at end of the entries of 29th August
– all these items being admitted by the
as true, I can draw no other inference
these than that the accused was at
wada on 8-8-89 and on 9-8-89 and that
paid the item Rs 2 to Dalayats.

11th witness S. Venkatanarasimhachar
Tempalle Gumasta, seemed more
te than the 2nd witness M. Sankarayya-
ees is a worst specimen of false

was meant the accused's office and that
various initials and signatures affixed
accounts exhibited in Court were affixe
the accused in token of his having ca
scrutinized the correctness of the en
the accounts and that wherever an i
objectionable payment was found in
original Jamakarchu accounts receive
the Khandam gumastas, it was debit
the gumasta who sent the accounts a
who incurred the charge unnecessaril
without authority from the accused.

What does all this indicate? It ind
that the accused was the sole manager,
every item of charge incurred came wit
his (the accused's) knowledge – he check
and passed it and that none of the K
gumastas had authority to debit an
without the accused's sanction.

23. The 2nd witness M. Sankaray
acknowledged the writing in C II, C
C XIV and C XV as his, and swore
all the entries therein embodied were
entries. In regard to items a3, a4, a
in C II (counts 1 & 3 of the charge) an
sponding entries in C XIII Ledger, th
unhesitatingly swore he copied

r Perjury. 13th witness G. Sundararamayya
the son of the worshipper in the accused's
emple and the accused's hanger-on. 12th
ness Gavarrazu is under obligations to the
ed as the accused made him a gift of
out of the profits of the business for his
rriage. The evidence of these men is
refore interested and partial.

nd witness Movva Sankarayya and 15th
itness Jasti Rattam are of no better description
an the 6th, 12th & 13th witnesses. Sankarayya
as similarly obliged to the accused because
e accused let him off with Rs100 he owed
im and the latter is a poor man of the
ame caste as the accused and the resident
the same as the accused's village of which
accused's son is the village munsiff.
se two witnesses in spite of their dogged
stinacy – apparent prevarication and
reluctance to speak the truth, admitted
d 18th witness Sriramulu was always
is house, going out only on occasions
was commanded by the accused to go
the Jamakarchu accounts of the Khandams
d to be sent by the Khandam gumastas
the accused – that by huzur chitta
meant the chitta kept under the
18th ac's orders – that by huzur was
nt the accused – by huzur office

rents of Taluks or of the Beswada Distillery

21. Hostile witnesses. 2nd Moova Sankara
5th witness Mavchalla Rayannah and 15th
Jasti Rattam. These were the huzur gum
of the accused and 11th witness Satuluri
Narasimhacharyulu was the Khandam
in charge of Lempalli. 12th witness Lakk
Gavarrazu was the Khandam gumasta o
Agiripalli. 13th witness Ghantasala Sun
varamayya was the Khandam Gumasta
Tamirisa. 6th witness Challamrazu Venk
Subbarayudu Distillery gumasta of Besw

22. The prosecution have called witnesses
and 13 to prove that the accused managed
whole business but they came to court deter
to help the accused at any cost. They tw
tables — they swore that 18th witness mana
the business jointly with the accused — that
accused never went beyond Siddhantam a
Beswada — that 18th witness managed ev
connected with their Khandams — facts
are quite inconsistent with the record
books — whose genuineness they did not

By the suspicious demeanour they put
the most reluctant quibbling manner in
they spoke while in the witness box, the
themselves to be reckless liars. Of the
witness is one who was previously

spectable witness — though formerly the
ccused's Khandam Gumasta, now an independent
bkari renter in Gudivada — he swore that he
ted entirely under the accused's orders — he
e no money without the accused's permission —
his Jamakarchu accounts always
the accused — he kept office copies of those
unts which he transferred to the accused's
e at Siddhantam at the end of each year
r record

14th witness Pochiraju Bahiraju — Khandam
umasta of Vuyyuru — swore in entire corro
oration of the 8th witness A. Venkatramayya.

9th witness Gorrepati Venkayya of
Ghantasala speaks of payments in which
accused's son is concerned and so his evidence
not in point in this case.

10th witness Silam Naganna Naidu of
Bandar — he said nothing — he was asked
out the distillery and the distillery accounts —
said his nephews had a share in the
tillery with the accused and that the
masta in charge of the distillery Challam
aju Venkatasubbarayudu (6th witness) wrote
him that the accused's son took the accounts
ting to the distillery. This signifies that
cused or his son were the sole custodians
18th a ccounts whether relating to abkari
ents
ed

has fined us - if you don't show favour, our
business can't get on - Therefore you must not
strict with us - if you are strict - I might
sustain loss". The witness swears that
the accused said to Challa Gurumurti Pa
when he paid Rs 50. the first item of
in the case. This version of the witness
borates the entries in C II a3 & a4. It
to be remembered that in D. accused says
Ramasvami was with him at Gannavar
and Gudivada and other places and he knew
was paid there and what services or fav
were obtained.

15. 3rd witness Chitta Durgayya is equa
an important witness. He swore that he
wrote Exhibit D from the dictation of
accused and the accused after it was
signed and sent it on to Ramasvami
the accused made him write because
was a former gumasta of the accused
a resident of the same village as the a

16. 7th witness Janga Seshayya Naid
Ellore is the brother of a deceased Sub
of the accused - he said he knew nothing
the business personally because his decea
brother was looking after it.

17. 8th witness Adivi Venkatar

fused to send more accounts. The accused
ut letter Exhibit D - The witness produced
hibits D. E. F. G and H. Letter D refers to
alleged conversation between the accused's
and Sriramulu at Bandar which this
s testifies to. Just at this stage
the alleged conversation took place,
ther the accused nor the accused's son
d have possibly anticipated Sriramulu's
of going to a criminal court. The
nversation was natural and was one
ich should happen in all business
atters and business discussions and
ere is therefore no reason for looking upon
with suspicion.

this witness further swore that he was
mate with the accused - he was his
lation - he held the survey stones
tract in his name for the accused -
accompanied the accused wherever
went - was present at whatever he did
also did petty works the accused bade
do and in this he is generally corroborated
ther witnesses notably 2nd witness Morra
karayya.

further swore that he saw the accused
s 50 item a4 C II to Challa Gurumurti
I would give the witness' own words:
ccused (A. Subrahmaniam) spoke to
Pantulu in my presence. Collector

of the business and that the initial letters
were abbreviations of the names of various
public officials & servants – that a few
days after this meeting he laid the compl
before the District Magistrate and
the account books, 17 books, which c
the suspicious items into his hand

14. 4th witness G. Ramasvami deposed
confirmation of what the 1st witness alleg
and added that after the receipt of Exh
C and C I and the books C II to C XX
he handed them over to the 1st witness b
the latter said that some more books were
due and he should write for them. Before
could write, he and 1st witness Sriramulu w
to meet the accused's son at Bandar – Sri
disputed with the accused's son about
suspicious entries of initial letters and th
accused's son told him that those entries
not false but were actual payments to Va
Revenue Inspectors and other officials – I
here extract the witness' own words. "He
said we did not enter these items falsely
could we get on with the business without
to officials and we entered what we paid"
he (witness) said to the accused's son – "
mind what has been paid, send the other
accounts which Sriramulu wants" – a
son asked him (witness) to write to th
for them – he wrote accordingly but

3. 1st witness Gorrepati Sriramulu of
Ghantasala deposed he was subpartner
of the accused from 84 to 92–93 – he had
share in the rent – the accused was the
manager of the business – he expended
y – he kept accounts while for his own
– he (witness) did whatever the accused
red him to do – he was occasionally
uted to buy Jaggery for the Beswada
istillery and to fetch remittances and that
he never did anything on his own responsibility –
that the business ~~being~~ having closed finally in 1893,
he demanded the settlement of accounts –
the accused was putting him off with idle pretexts
and at last when he persisted and wrote
letters, the accused sent 23 books to the 4th
witness Ramasvami for being made over to him
and that when he made Ramasvami write
r the remaining books, the accused instead
sending the books sent a letter to Ramasvami
say that no more accounts would be sent.
amasvami said he received accused's reply
say so – he looked into the books, found
picious entries of charges debited to initial
s – asked Ramasvami about them – Rama
vami said they were not fictitious – he
he was aware personally of a few payments –
at some days after this when he and
masvami came to Bandar, they met the
sed's son and asked him about the suspicious
– the accused's son assured him that
to payments made for the benefit

These items of illegal payments to public ser
appear in what is termed Sadar Khata, o
Khata or account which is proved to be an
account for debiting all gifts and othe
payments which are not expected to be ite
and it is further proved that all cha
debited to Sadar Khata are expunged f
total assets of the business at the part

11. Oral evidence. The prosecution at f
cited 18 witnesses including the 1st witnes
(complainant) but subsequently gave up
of them on the ground that they were ga
over by the accused and asked for 2 additi
witnesses who were also summoned – after
examination of these 10 witnesses, the pr
secution called for more. They asked for 5 m
witnesses whose names were ascertained
the examination of the 2nd prosecution wit
Movva Sankarayya. These were the K
gumastas said to have been acquain
with the payments and other matters
connected with the case. These latter hav
also been summoned.

Therefore 15 witnesses have, in all, been e

All the gumasta witnesses both Huz
Khandam proved hostile, save two, of
Khandam Gumastas Adivi Venkatrama
and Pochirazu Satirazu.

12. I would first summarize the evid
of the non-hostile witnesses and the
the hostile witnesses.

mitted by all the witnesses as genuine
d the entries contained in them true
d the accused does not dispute it. Further-
ore the signatures and initials of the accused
ever they occur in these Exhibits have
shown to be the accused's. There is the
used's signature at end of the transactions
e 28th February 1889 in C II. There is
signature of the accused at the end of
transactions of 28th August 1889 in C XV.
e first and the 3rd items of payments are
ments copied into C II from the Jamakarchu
count of Tenpalle Khandam sent by Satuluri
ikatanarasimhacharyulu, 11th prosecution
ness, but the original Jamakarchu being
possession of the accused, the prosecution
as not been able to produce it.
hese items are items of money paid to
lic servants whose names or designation
given fully against the entry. Instances
initial letters do not occur in this case.
ainst item 1 – a_4 Exhibit C II – the name
Challa Gurumurti Pantulu is fully given
d the payment is noted as having been
ade according to the huzur order.
gainst item 3 – a_7 & a_8 C II – is written –
evenue peons – Rs 2
l water (wardes) R 1
st item 2 – g_1 C XV – is written
to Sadar Khata. amount paid to
wo. Rs 2"

asvami on 14.2.95, the su

which Exhibit D was written to him, F by the
son and D by the father - the accused. In an
the accused's son asks Ramasvami to rai
a loan of Rs 300 for him and send it
to him by the bearer of the note. Th
proof of the fact that the relations
the accused or his son and Ramasva
14-2-95 were good and that he was st
their trusted agent.

G was a letter written by the accused's
to Ramasvami on 18-12-94 that is 22 d
subsequent to the sending of the accou
books to him and in this the accused's
entreats Ramasvami to arrange for a spee
and amicable settlement of Bandar af
referring presumably to Sriramulu's
disputes. It is a letter of a remote dat
proving that Ramasvami was an ol
adherent of the accused.

10. Of the various account books C II
C XXIV filed, Exhibits C II, C XIII,
and C XV are directly connected with
case.

The 1st & the 3rd counts of charge
a4. a7 & a8 appear in C II Day Book an
also in Ledger C XIII.

Count 2 - G1 appears in C XV Day
and also in C XIV Ledger.

The books as has been already sai

The money I spent in the Gudur suit as well
the money your brother has drawn for himself
nd spent, you may yourself settle. In the
eanwhile you must come once to me without
e and speak to me.

If you write and send reply by Chakali
otadu, the bearer of this letter, telling me
when you will be coming, I will send you
the pony, or bring Sriramulu with another
person who understands accounts. If he comes
here, he can see all the accounts he wishes to
. Write to me what you propose doing."

The writing and the signature in this have been
proved by the prosecution and the signature
is not denied by the accused though the
letter is contended to be a fabrication on
which I shall dwell at length in commenting
on the defence evidence.

Exhibits E. F. G & H are papers which
passed from time to time either between
the accused and G. Ramasvami or between
the accused's son and Ramasvami. These
have been filed to show that the accused
and the accused's son were intimate with
Ramasvami and reposed great confidence
in him.

The writing and the signatures of these
Exhibits have been proved and not
ntested by the accused. Exhibits F & G
for special notice. F was written to
asvami on 14.2.95, the same day on

to disclosures which almost border on his adm of the payment of illegal gratifications to pub servants. I append a translation of its content

" In your letter you say that Sriramulu w the other abkari account books, the Jumas Day Books and ledgers, to be sent to him. He to have said to my Srirayya that in the boo already sent, there are false entries of charg not made - would he believe the other accou if I send them — how business, whether abkari or other business, could get on without giving anything to any one — is known only to those who managed it. It is rather very difficult after the completion of the business to convince Sriramulu who was sitting at home doing this and that work. You used to be with me now & then at Gannavaram and at Gudivada and you know what was given and what favours were obtained. I am unable to understand how he (Sriramulu) thinks that when we carry on a business, it could be carried on successfully without payment of remuneration. It is not proper that he should expose me in this manner when I told him that he is to have his share only in those in which there was profit. The whole affair is known to you. Therefore I will agree to any settlement you or your brother may propose witho these books or accounts being brought in public. It is good to both of us if settled like this.

} Letters dated 14-2-95, 18-12-94 and 21-9-92 respectively from the accused's son to G. Ramasvami, 4th prosecution witness.

hibits A, B, C, and C I have been put in to prove at there were disputes between the accused and first witness in regard to the settlement ccounts relating to the abkari business hich the 1st witness was a minor partner d that the accused sent account books II to C XXIV to the 1st witness through the 4th witness Ramasvami as accounts pertain ing to the said abkari business. The exhibits A, B, C and C I as well as the account books xhibits C II to C XXIV have been proved to be true and genuine and that C II to C XXIV are accounts kept in regular course of business.

A & B are letters from the accused and his son, promising to send the account books to the 1st witness — these two were communi cations between the accused and his son on one side and the 1st witness on the other. C & its enclosure C I is a communication between the accused and the 4th witness Ramasvami. In C, the accused gives more than ordinary caution to Ramasvami regard to the custody of the accounts nd forbids his placing them within the reach of his (accused's) enemies.

Exhibit D. This is a document materially important to the prosecution. It is a letter to the accused's confidant Ramasvami in which the accused commits himself

8. I will go into the evidence in the following o

1st — Documentary evidence.

2nd — Oral evidence given before the charge.

3rd — The evidence given by the prosecu
witnesses in their cross examinat
after the charge.

4th — Defence evidence both oral and
documentary.

9. Documentary evidence. The prosecution
filed the undermentioned documents whi
have been received and marked.

Exhibit A. Letter dated 28-10-94 from the
accused to 1st witness.

B. Post card dated 22-10-94 from
accused's son A. Suryanarayana
to the 1st witness.

C. Letter dated 27-11-94 from th
accused to G. Ramasvami, 4th
prosecution witness.

C I. List dated 27-11-94 of accou
books sent with C.

C II to C XXIV. Account books rel
to the business sent by the accu
with exhibits C and C I to G. Ra
-svami, 4th prosecution witness

D. Letter dated 14-2-95 from the ac
to G. Ramasvami, 4th prosecutio
witness.

E. A memo without date from the
accused to G. Ramasvami, 4th pro
witness, ordering him to atte

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s relevent under sections 11 & 14 of the Indian
vidence Act, and that it was admissible
nder XVI Bombay 429 to 434 cited by the
avcutor; but after the prosecution was ove
before a specific charge was laid against
t accused – the items were divided into
rious groups and the accused was charged
y on three specific counts as provided
r section 234 C.P.C.

The accused reserved the cross examination
and asked permission for availing himself
of the privilege of recalling the prosecution
witnesses under section 256 C.P.C and
refused to make a statement when questions
were put to him under section 342 C.P.C
on the ground that he placed his case
entirely in the hands of his legal advisers.

7. The items charged in this case are:-

Item 1.- Rs 50 paid to Challa Gurumurti
Pantulu, Head Gumasta of Ganna
-varam Deputy Tahsildar's office,
on or about 28-2-89. Item a_4 in
exhibit C II.

Item 2.- Rs 2 paid to the dalayats of
the Head Assistant Collector's office,
Beswada, on or about 9-8-89.
G1 in Exhibit C XV.

Item 3.- Rs 3 paid to the Revenue peons
and jail warder of Gannavaram
Deputy Tahsildar's office on or about
30-9-89. Items a7 + a8 in Exhibit
C II.

the accused's Pleaders raised a number of
preliminary objections and all of them were
duly discussed and rulings were given. The
ruling was given in writing and it is rec
with the case. It is therefore unnecessar
one to speak about them in this Judgm
I have however to make a special men
of one objection and that was about the
trial in this case of the accused's son, A
Suryanarayana, being prejudicial to him

The objection was allowed. A. Suryanaray
who was at first returned as the 2nd accus
in the case was excluded from the case, the
prosecutor ordered to institute a separate
prosecution against him and this case was
proceeded with, only against one of the accused
A. Subrahmaniam.

5. Evidence both oral and documentary
was put in by the prosecution and the payme
of so many as 18 items of bribery was proved

The evidence on all the items was admitte
as the oral testimony touching all of the
was the same and that the entries of pay
were so intermingled with one another, the
it was not possible to ~~yecked~~ the prosecutio
other at the first them to the adj
The accused indefini
of the evidence out
but it was pou thly ro
cring him to at

the Ramasami – they disputed about the charges
the book debited to initial letters – Sriramulu
spected they were false – Accused's son and
amaswami said they were true – they represented
ents of bribes and rewards to public servants
the interests of the business and the accused
hearing of this from his son, refused to send
accounts and requested Ramasami to
to him at Siddhantam with Sriramulu and
that the accounts were settled personally
with him – Sriramulu pining under the
maltreatment which the accused had previously
given him at Siddhantam when he went there
on the same errand refused to go there and
went up straight to the District Magistrate
and laid the complaint with the account
books wherein there were entries of illegal
payments.

Because the complaint of Sriramulu
disclosed items of bribery to public officials
of Revenue, Police, Abkari and other depart
ments and because it was incumbent
on the district magistrate as the Executive
head of the district to see how far the
imputations made, touching the official
conduct of the public servants concerned
was true, he took the case into his own hands
and appointed a prosecutor to conduct
case.

In this case Adusumalli Subrahmaniam of Siddhanti, Gudivada Taluk; and his son Adusumalli Suryanarayana have been prosecuted for giving illegal gratifications to various public officials and servants under sections 161 & 109 I.P.C.

2. The prosecution was first launched by a private person Gorrepati Sriramulu of Ghantasala and it was subsequently taken up by the District Magistrate and conducted before me, by a Prosecutor appointed by the District Magistrate and permitted by this Court to do so under section 495 C.P.C.

3. Previous to my discussing on the details of evidence produced and the merits of the case, I would give an outline of the case, and in doing this, I shall of course confine myself to the evidence before me.

The Accused Adusumalli Subrahmaniam was an abkari renter of Gudivada & Nuzvid Taluks uninterruptedly from 1884 to 1892 and he also had the Bezwada distillery – he carried on his business on an extensive scale in the three Taluks of Gudivada, Nuzvid and Bezwada – occasionally he took under him a few subordinate partners and G. Sriramulu was one of them. Sriramulu was his partner from the beginning to the end – he had one fifth share in the lease. The accused Subrahmaniam laid out the requisite capital, held the management of the business

exclusively in his hands – he had a huzur office under his direct supervision, appointed Gumastas in charge of Khandams into which he divide his rent Taluks – also appointed other serv settled the subleases, received the rents from the sub lessees and the shopkeepers, all the expenditure incidental to the busines accounts of receipts and charges rendered t by the Khandam Gumastas and maintained books and ledgers in his own office in which transferred all the credits and debits in the Khandam accounts.

The business having come to a final termination in 1892-93 and the profits due to G. Sriramulu for his share not having been definitely settled and paid to him, Sriram demanded of the accused the winding up of the accounts. The accused delayed till misunderstandings arose between them.

After repeated demands and entreaties at last in November 1894, the accused 23 books of accounts to G. Ramasvami, 4 prosecution witness, Sriramulu's divided br and the accused's confidant. Ramasvami delivered the accounts to Sriramulu, but did not satisfy Sriramulu – he thought there were more books to be sent and th the accused was keeping them back. He ask Ramasvami to write for the rest of the boo but before writing, there was an in between the accused's son and S

IN THE COURT OF Head Quarter Deputy MAGISTRATE, KISTNA.

Calendar Case No. 38 of 1896

JUDGMENT.

Name of the Complainant. Regina (Gorrepati Sriramulu of Ghantasala, Bandar

Name of the accused Adusumalli Subrahmaniam of Siddhantam, Gudivada Taluk.

Offence Count I. Abetting the commission by Challa Gurumurti Pantulu of the offence, of a public servant accepting or obtaining a valuable thing Rs 50 without consideration: Count II. Abetting the commission by the Public servants Dalayats of the Head assistant Collector's office of the same offence by accepting or obtaining Rs 2.
Count III. Abetting the commission by the Revenue peons & the Jail warder Public servants of the same offence by accepting or obtaining Rs 3.
Punishable under sections 165 & 109 IPC

Finding Guilty in all the three counts.

Sentence Count I. To undergo 6 months simple imprisonment and to pay a fine of Rs 500 or in default to suffer additional imprisonment of the same kind for three months.
Counts II & III. To undergo 3 months simple imprisonment & to pay a fine of Rs 250 or in default to suffer additional imprisonment of the same kind for 6 weeks on each count

DESCRIPTION OF ACCUSED.							DATE OF					
Serial Number.	Name.	Father's Name.	Caste or Race.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	Apprehension.	Commencement of trial.	Close of trial.	Explanation of delay.
1	2	3	4	5	6	7	8	9	10	11	12	13
1	Adusumalli Subrahmaniam	Adusumalli Bapiridu	Kamma	Cultivation	Siddhantam	60 years	1889	Before the district magistrate 18-3-96 Before this court 14-7-96	-	31-7-96	8-2-97	

between the accused's son and S

List of items of bribes in which the identity of the public official concerned cannot be proved for certain, vide latter portion of para 5 of covering letter

Number in the General list	Date	Item	Amount	Exhibit No.	Remarks.
32	31-8-89	Debit. Per contractor's order. Paid to Sahib.	20 25	C 2	Believed to be the Mahammadan Sub Registrar of Gannavaram of the time.
36	14-8-89	To shroff. హు (Hu)	2	C 4	Believed to be Gudivada Shroff Muthamsetti Subbarayudu now in Bandar Taluk.
47	1-1-90	Debit. Present. చ॥ వెం॥ (Cha॥ Vem॥)	100	C 5 & C 4	Believed to be Chamarti Venkatachalam Pantulu, the Sub Inspector Gudivada and now at Bezwada.
48	11-2-90	Debit to Sadar (Contingencies) ledger. To Pantulu Garu for one item.	275-14-0	C 5 & C 13	Believed to be some Deputy Tahsildar of the late Nuzvid Division
49	11-2-90	To small Pantulu. per item	50	C 3 & C 13	Believed to be Challa Gurumurti, late Head Gumasta, Gannavaram Do.
50	11-2-90	To Shroff	25	C 3 & C 13	Believed to be Nuzvid Shroff Kambhampati Punnayya.
53	30-11-90	Debit to Sadar ledger. Paid at Gudivada to వ॥ వెం॥ (Va॥ Vem॥)	100	C 18	Believed to be late Gudivada Sheristadar Varanasi Venkata Ramayya.
	31-12-88	Debit. under the contractor's order paid to [illegible] Regis[illegible]	1-0-0	C 2	This is Nuzvid Sub Registrar's [illegible]
	[illegible]-9-90	Do [illegible]	1-0-0	C 5	[illegible]
9	17-10-89	Debit to Sadar ledger. Paid to Hospital peon	1-0-0	C 5	Believed to be Gudivada Hospital peon.
59	-9-90	Debit. Paid to shroff	4-0-0	C 23	Nuzvid Shroff
60	-9-90	Debit. To shroff	2-0-0	C 17	Gudivada shroff
61	26-11-90	Debit. Sadar. To shroff	1-0-0	C 17	Do
68	24-6-90	Debit to Sadar ledger. To మ॥ సు॥ (Ma. Su) as present	7-0-0	C 5	Believed to be Muthamsetti Subbarayudu, Taluk Shroff of Gudivada now in Bandar.
72	13-6-90	Debit to Sadar ledger Paid to చ॥ వెం॥ (Cha. Vem).	3-0-0	C 6	Believed to be Chamarti Venkatachallam, Abkari Sub Inspector.
76	9-9-91	Debit. to R. I	11-0-0	C 7	Looks like Vuyyur Revenue Inspector.
78	31-12-91	Debit to Agiripalli farm Sadar ledger. Date 2nd. Paid to shroff	15-0-0	C 12 & 18	Believed to be Nuzvid Shroff K. Punniah
82	23-2-91	8th January 1891. సా॥ రి॥ గు॥ (Sa॥ri॥ gu॥)	5-0-0	C 17	Believed to be Gudivada Registration Clerk.
83	1-8-91	Debit to Sadar account Paid to సా॥ రి॥ (Sa. ri)	15-0-0	C 17	Do Sub Registrar.
84	Do	Do Khata. Paid to జ॥ (Ja).	1-0-0	C 17	Do Do - Jawan (or peon).

List of items of bribes in which the identity of the ... ved for certain,

86	30-9-91	Debit-R-I. [illegible] (Aa. Pa.)	2-8-0	C 17	Believed to be Akunuri Parthasarathi & for another fault.
87	30-9-91	Debit-do. Khata [illegible] (Po-Sa.)	10-0-0	C 17	" Gudivada Police Sergeant or Head
88	7-12-91	Debit to Sadar account Paid to (Po) [illegible] at Gudivada	10-0-0	C 17	" Gudivada Police.
89	14-12-91	Debit to Sadar Khata Paid to (Sha) [illegible]	10-0-0	C 17	Believed to be Gudivada Shroff Muttamsetti Subbarayudu.
98	31-1-91	To R-I. - -	15-0-0	C 9	A Revenue Inspector of Nuzvid.
101	22-9-91	Present to Shroff	2-0-0	C 12	Believed to be Nuzvid Shroff Kambhampati Punniah.
109	14-9-92	Paid at Gudivada to [illegible] (Sha)	10-0-0	C 12	do Gudivada Shroff Muttamsetti Subbarayudu.

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P.U.
25-2-97

P.U. 25/2/97.

J. N. Atkinson
26.2.97
District Magistrate.

Enclosure A

pd 7
5

O. No. 835

Enclosure A

Serial Number 1	Date 2		Amount 4	Exhibit Number 5	Remarks. 6
1	31-5-87		2-8-0	Book No: 19	In connection with survey stones contract of Kollai
2	Do	:darow garu.	0-14-0	Do	He was Taluk gumasta of Gudivada. now dead
3	24-6.87	Debit. To the Kalasies of the Engineering department	0-8-0	Do	
4	19-7-87	Debit. Amount given to Gudivada peons.	0-4-0	Do	
5	11-9-87	Debit. Amount given to peons as present	0-8-0	Ex I	Nuzvid Taluk
6	29-9-87	Debit. Amount given to peons as present	2-0-0	Do	Do
7	Do	Debit. Amount given to Gannavaram ~~Registration~~ D II (Re) peons under Sundries. dated 25th	2-0.0	Do	Revenue peons of Gannavaram.
			2-0-0	Do	
	29-.	Debit. Given to co to peon gratis	0-8-0	No. 2020.	Begum [illegible] of [illegible] Subramhanyam - Personal chetta
11	13-8-88	Present to dalayats	2-0-0	C 2	H. Asst. Collector's Office.
12	13-9-88	Debit. Sundries given to ~~Register (ation)~~ peon	1-0-0	Do	Registration peon, Gannavaram.
13	Do	To Gannavaram Taluk peon	0-6-0	Do	
14	-10-88	Debit. Sundries. to Salt peons	4-0-0	Do	Gannavaram Taluk.
15	Do	Debit. Sundries. given to Salt peons	0-6-0	Do.	
16	-88	Debit. To the Head Collector.	2-0-0	Do	
17					

29-11-88	Debit. Given to the dalayats of the Head Assistant Collector, Godavari District.	1-0-0	C 2	
30-11-88	Given to Madireddi Kotappa Gannavaram Jail warder, under annual mamul.	1-0-0	Do	Yearly mamul to Gannavaram Jail warder Madireddi Kotappa.
4-12-88	Debit - Given to Taluk peons	1-0-0	Do	
6-12-88	Debit - Given to Tahsildar's washerman.	0-4-0	Do	
31-12-88	Debit. Given to Registrar peon under the Contractor orders. dated 4th	1-0-0	Do	Registrar's peon. Gannavaram.
28-2-89	Debit to "Sundries" Khata. To Challa Gurumurti Pantulu Garu according to Huzur order dated	50-0-0	C 2 & C 13	Disposed of in C. C. No $\frac{38}{1896}$.
	[illegible] to	2-0-0	C 15 & C 14	
30-9-89	Debit to Sundries Khata Given to Revenue peons 2-0-0 To Gannavaram Jail warder 1-0-0 3-0-0	3-0-0	C 2 & C 13	
2-11-89	Debit to Sundries Khata To Taluk gumasta	10-0-0	C 5 & C 4	Gudivada Taluk Gumasta. Name unknown.
30-11-89	Debit to Sundries Khata Given to K. P. gratis	25-0-0	C 15	Khambhampati Punnayya - Taluk Shroff - yet in Office.
13-12-89	Given as present to the duffedar in Gudivada dated 19th	1-0-0	C 5	Syed Sheriff. Pensioned. Said to be dead.
17-2-89	Debit to Sundries Khata Given to Gudivada Police peon	0-8-0	C 2	
31-5-89	dated 25th. Given to Gannavaram Office washerman Pulligadu	1-0-0	C 2	Deceased now.

18-8-89	Debit to Sundries Khata. To Bandar Court peons.	0-8-0	C 2	
31-8-89	Debit - Given to Sahib according to the orders of the contractor.	25-0-0	C 2	The witnesses in C.C No $\frac{38}{1896}$ said that there was a Mahammadan Sub Registrar in Gannavaram at the time & that the accused had constant dealings in Registration office in reference to registration of Powers of Attorney & abkari mutchilakas. District Registrar may be able to give the name and the present station of the man.
— 2-89	Given to peon - . .	0-8-0	C 13	Gannavaram Dy Tahsildar's peon. paid on the same occasion when Rs 50 were paid to Challa Gurumurti Pantulu, vide no 23 supra. Taluk peon working with the Head Gumasta.
— 12-89	To peons . - . .	2-0-0	C 14	Gannavaram Taluk peons.
10-8-89	Debit to Sundries Khata. To 4 abkari peons at R 0-7-9 each - .	0-7-0	C 15	Nuzvid Taluk
14-8-89	To shroff " do " (Hu)	2-0-0	C 4	Gudivada shroff Nathuvetti Subbarayudu now in Bandar Taluk.
16-8-89	To dalayats - . .	1-0-0	C 4	Paid in Gudivada. Either Deputy Collector's or Collector's dalayats.
— 9-89	To Taluk peons - . .	2-0-0	C 4	Gudivada Taluk.

	... ka =vadies (Mohatads)	1-0-0		Gudivada ... Mohans.
4-9-89	Debit to Sundries Khata. Given to Taluk peons.	1-0-0	C 5	Gudivada
2-10-89	Debit to Sundries Khata Given to salt peons for boarding.	0-4-0	C 5	Do
7-10-89	Debit to Sundries Khata Present to postal peons	0-8-0	C 5	Gudivada Post peon.
14-10-89	Debit to Sundries Khata. To taluk peons and dalayats. . . .	3-0-0	C 5	appears in Gudivada account
15-10-89	Debit to Sundries Khata Given to Registration office peons.	1-0-0	Do	Gudwada registration peon.
17-10-89	Debit to Sundries Khata. Given to Hospital peon	1-0-0	Do	Hospital peon of Gudivada.

1-1-90	Debit. Gratis. Cha. Vem (WO 11 DO 11).	100-0-0	C4 & C5	Chamarti Venkatachalam Pantulu, the Sub Inspector in Gudivada and now in Bezwada.
11-2-90	Debit to Sundries Khata. To Pantulu Garu. Accu (.	275-14-0	C 5 & C13.	According to Pay abstracts - Vadapalli Pattabhiramayya. He joined Gannavaram Dn in October 1889 and continued there till September 1890. C. Rangachailu B.A & B.L was in charge from March 1889 to October 1889. Before him there was Gollapudi Nagabhushanarow Pantulu: he was there from 15th October 1888 to 11th March 1889 and in the first fortnight of October 1888, Srinivasa Raghava Chailu, the present Tahsildar of Nandigama was in charge. The payment was one made personally by A. Subrahmaniam on 11.2.90 and this payment appears in what is called the Arrears Chitta of Nuzvid contract from 1st October 1888 to 30th September 1889. It is not possible to say which of these incumbents received it. The 18th witness swore that the accused's son told him that it was a payment sent to a departed Tahsildar (Dy Tah) Daula or Naula Narasimham. This last official left the Dn in 1883 and was beyond the accused's rent area and there is no reason apparently for paying him. It seems to me that there was somebody behind the curtain pulling the strings that the fault might be laid at the door of a dead man. D. Narasimham died in 1892 January.
11-2-90	To Shroff	25-0-0	C 3 & C13	Gannavaram Shroff. That these three payments were made on the same day and noted in the order of the rank of the officers is worthy of note. The payments must have been made to men existing in office then.
6.7.90	To Pi(S)Officer .	1-0-0	C6	Petty officer - Salt & Abkari - Gudivada Range.
2-8.90	Debit to Sundries Khata. To the Police Gratis.	26-0-0	C5 & C14	Gudivada Police.
30-11.90	Debit to Sundries Khata Given to Va. Vem. in Gudivada	100-0-0	C18	Varanasi Venkataramayya, then Taluk Sheristadar of Gudivada. There are two witnesses swearing to this. This item is sub judice against the son.
10.2-90	Debit to Sundries Khata. Given to dalayats - .	1-0-0	C16	Nuzvid account
30.4.90	Dated 20th. To ~~Salt~~ Do" (Sa.) peons	0-2-3	C16	Batta or dieting charges of Salt peons of Nuzvid.

28-6-90	Debit to Sundries Khata. Hire for the cart in which the Inspector was taken to inspect the arrack at Vemanda on the 19th.	1-8-0	C 16	Cart hire paid for the cart in which the Revenue Inspector of Gannavaram was taken to inspect the arrack consignment at Vemanda.
30-9-90	To peon Medisetti Venkatasvami – dated 3rd	2-4-0	C 16	Gannavaram Taluk peon.
30-9-90	Expenses in the case detected by the Salt.	47-0-0	C 16	Rs 2-0-0 fine imposed in the case. Rs 20-0-0 for arrack utensils (probably buying them at the sale under forfeiture). Rs 25-0-0 Extra expenses probably for securing low fine – Gannavaram Taluk.
-9-90	Debit. Given to shroff	4-0-0	C 23.	Nuzvid shroff.
-9-90	Debit. To shroff	2-0-0	C 17	Gudivada shroff
26-11-90	Debit. Sundries. To shroff	1-0-0	C 17	Do
-11-90	Batta to salt peons.	0-1-3	C 17	Gudivada Taluk

	... (Sa. Ja.) given to (Salt peons).	3-4-0	C 17	Gudivada Taluk.
Do –	Debit. Boat hire given to Salt (Ja) (~~peons~~)	2-0-0	C 17	Boat hire for Salt peons.
19-10-90	Debit to Sundries Khata. To Dalayats for Dasara festival mamul.	1-0-0	C 9	Dasara mamul for Dalayats.
24-10-90	Debit to ditto Khata. To police peons. dated 26th.	1-0-0	C 9	Police peons. Nuzvid Taluk.
24-6-90	Debit to Sundries Khata. Given gratis to Ma. Su (dou twu).	7-0-0	C 5	Brathamsetti Subbarayudu, Taluk shroff of Gudivada. Please see items 59 & 60. In all Rs 10.
22-1-90	Debit to Gudivada depot Khata. Cost of arrack previously supplied gratis to peons &c	21-0-6	C 5	Cost of arrack supplied to peons &c from time to time.

expected of him. Nothing better under can be

—3·90	Debit. Given to the duffedar, Gudivada Taluk, as present.	1-0-0	C 5	Syed Sheriff - dead.
25·5·90	Debit to Sundries Khata. Given to Re (Da) peon.	1-0-0	C 6	Revenue peon of Gudivada Taluk.
13·6·90	Debit to Sundries Khata. Given to chavadi" ([illegible]")	3-0-0	C 6	Must be cart hire or batta paid to Chamarti Venkata Chalam Pantulu, Sub Inspector.
21-6-90	Debit to Sundries Khata Given to peons + vetties in Gudivada	0-4-6	C 6	Gudivada town vetties + Mohatads.
~~2~~ 7-9-90	Debit. Amount accounted for by Gullapalli Gantayya Garu under "according to your order" after the death of the Revenue Inspector.	15-0-0	C 7	Amount paid to Revenue Inspector of Nuzvid Taluk. Paid when he was alive + noted after he died.
22·10·91	Debit to Sundries Khata [illegible] Dalayats (at	3-0-0	C 9, C 12	At sales (abkari) - Hd Asst Collector. (Nuzvid)
9-91	[illegible] Inspector.	1-0-0	C 7	Looks like Vuyyur Revenue Inspector.
—·9-91	Present to the Collector's dalayats.	3-0-0	C 18	Paid in Nuzvid Taluk - Agiripalli.
31-12-91	Debit to Sundries of Agiripalli Khandam Dated 2nd. Given to shroff	15-0-0	C 12 & C 18	Nuzvid shroff K. Punnayya.
18·12-91	Debit to Sundries Khata of Mykalore Khandam. To the Collector's peons.	0-8-0	C 20.	Either Dy Collector's or Collector's peons.
29·1-91	Debit to Sundries Khata. Present to the duffedar.	1-0-0	C 17	Looks like Collector's
D2	Debit - Present given to the Collector's peons.	0-8-0	C 17	

expected of him

Nothing better

Smith - dead.

23-2-91	Dated 8th January 1891. Ra‖Gu. ([illegible])	5-0-0	C 17	Registration clerk } of Gudivada
1-3-91	Debit to Sundries Khata. Given to Sa‖Ri‖ ([illegible])	15-0-0	C 17	Sub Registrar } of Gudivada
Do	Debit to ditto Khata. Given to Ja ([illegible])	1-0-0	C 17	Sub Registrar's peon } of Gudivada
30-6-91	Debit. To M. Nagabhu=shanaRow Garu accor=ding to Adusumalli Subrahmaniam Garu's letter dated 21st.	70-0-0	C 17	Found by me in my examination of the accounts today. This is not a loan but a gift to Manepalli Nagabhushanam for Dy Tahsildar of Kykalore - first it was noted as loan but the affix which was struck off. Please see below (items 90 & 91) for further remarks.
30-9-91	Debit. Ra Aji A. Pa. ([illegible])	2-8-0	C 17	Found by me today. Revenue Inspector Akunuri Parthasaradhi Naidu then in Kykalore. He is now in Bandar suspended for 6 months on my report for bad work & non submission of diaries.
Do -	Debit to ditto Khata. Po‖Sa‖ ([illegible])	10-0-0	C 17	Police Sergeant. Gudivada Taluk
7-12-91	Debit to Sundries Khata	10-0-0	C 17	Police - Do.

	([illegible] sha) Given to (Shroff) in Gudivada.	10-0-0	C 17	Gudivada shroff for 91: For Nazim for 90, please refer to item 68.
30-6-91	Debit. dated 21st, Loan given to M. Naga=bhushanaRow Garu.	400-0-0	C 22	Items 90 & 85 show that the recipient was one M. Nagabhushana=Row Garu. The former was noted as loan given on 21-6-91 & the latter as a gift made under orders of Adusumalli Subrahmaniam on 21-6-91. The former occurs in the advance account & the latter in the Kykalore [illegible] account.
31-3-92	Credit from Manepalli Nagabhushanam Garu	400-0-0	C 22	Items 91, 92, 93 & 94 show that M. Nagabhushana Row referred to in 90 is Manepalli Nagabhushanam Garu. It follows therefore that the person referred to in 85 is also Manepalli Nagabhushanam Garu. The affix of Row to the name is either a trick for covering the true name or an honorific which in common parlance is given also to non-brahmin officials whether Vaisyas or Sudras in the Northern Circars or is a mere mistake of the writer who noted the payment.
31-3-92	Debit. Given to M. Nagabhusham Garu on 21st June 1891.	400-0-0	C 22.	Rs 400 appears in advance ~~[illegible]~~ account as paid to M. Nagabhushanam as loan on 21-6-91 & appears again as received from him on 31-3-92. On the same day the money is noted in the advance ~~[illegible]~~ account (item 91). It is shown as a charge against Adusumalli Subrahmaniam in his personal ledger (item 92). These taken together denote that the recovery in 91 is a nominal adjustment but the money is still due to A. Subrahmaniam. These entries are supported by the entries in the General ledger (C I) Items 93 & 94 & there is the evidence of Movva Sankarayya, A. Subrahmaniam's friend, & hostile witness in the case that the amount (Rs 400) was not repaid and that the entries do not signify repayment by M. Nagabhushanam. Rs 70 remain as gift paid & not returned.
— -92	Credit from Mubadala (advance account) Khata. Amount given to M. Nagabhushanam garu	400-0-0	C 17	

——-92	Debit to Adusumalli Subrahmaniam Garu Amount given to Marep. Nagabhushanam Garu 21st June 1891.	400-0-0	C 17	If steps are taken forthwith & M. Nagabhushanam asked to put in receipts, he may be boycotted unless he had already taken the necessary precautions for procuring the receipts in both the cases. I believe if he had taken one for Rs 400, he could not have taken for Rs 70. I may note that Rs 70 was his pay then & doubtless it was one month's pay given as mamul. The game is worth the chase.
29-6-91	Police	26-0-0	C 4.	Please see item 52. Rs 26 seem to be yearly payment as mamul to Police of some station in Gudivada. Looks like Gudivada Cusba station.
24-1-91	Debit cost of arrack supplied to Tahsildar's palankin bearers and peons.	0-15-0	C 8	Cost of drink to Tahsildar's bearers & peons. Gudivada Tahsildar.
Do	Debit to sundries Khata Present to Ta. Da (Du	0-8-0	Do	Same day. Tahsildar's duffedar - Syed sheriff dead.
31-1-91	Gifts 15-14-0 To the police 0-10-0	15-14-0	C 9	Nuzvid Taluk.
7-12-91	Debit to sundries khata			
[illegible]-3-91	[illegible]esent to [illegible] peon	1-0-0	C 9	
2-2-[illegible]	To Collector's duffedar	1-0-0	C 12	
	Present to shroff	2-0-0	Do	
31-12-91	To Collector's peons	0-8-0	C 12	
31-5-92	To (Police peons) & (Rs. 2) [illegible] (Po. java. according to Suryanarayana Garu's order dated 6th May.	1-10-0	C 13	
30-9-92	dated 30th. To the Karnam of Kanaparapalle	4-0-0	C 12 & C 18	
Do	Debit to Sundries Khata of Kykalore Khandam. Mamul given to the [illegible] (Po.) (Police)	15-1-0	C 12	

to speak definitely. Nothing better
expected of hi

for me to go over them again
to parted ear pledge from both

13

udivada shroff. mamul paid in 90 (items 59, 60 & 68)
paid in 91 (item 89)
His case is for 92. man is now in Bandar Taluk.

ry one of the departments with whom he had bu
aid their mamuls, their batta, their boat hire &
its, in season & out of season. At every payment
100 & more shown as ~~mamul~~ received from Subral
personally to higher officials from his persona
separately by him and that for purposes of bu
the said items as receipts & payments in hi
business.
this personal ledger, if it can be caught, will un

(Sd) C. Krishnasvami
Dy Magistrate

ranslated

J. W. Atkinson
26.2.97
District Magistrate.

25.2.97.

1-92	Gifts) Po. In. (Bhu ave)	0-10-0	C 18
6-92	Presents. Po. In (Bhu ave)	0-10-0	C 18
7.9-92	debit. Given to police in Gudivada	10-0-0	C 22
14-9-92	Given to Sha(S) in Gudivada	10-0-0	C 22
6.5-92	dated 8th Po. In (Bhu ave)	1-4-0	C 12
Do	dated 19th. Po. Di (Bhu Di)	0-14-0	C 12

Remark. General. There is no doubt that this man had placed eve
of any kind under deepest obligations to him - the
hire and also extra amounts now & then on their vi
mamul noted in the above, there are sums of Rs 30, 50,
and paid again to him - meaning that he paid them
funds & showed them in his personal ledger maintaine
contingencies & general expenditure he has shown
name in the chittas & ledgers ~~[illegible]~~ pertaining to the concern
the whole thing but its whereabouts is not known.

to speak definitely. Nothing
expected of hi

udivada shroff. mamul paid in 90 (items 59, 60 & 68)
paid in 91 (item 89)
This [illegible] man is now in Bandar Taluk.

ery one of the departments with whom he had business
aid their mamuls, their batta, their boat hire & cart
ts, in season & out of season. At every payment of
100 & more shown as ~~mamul~~ received from Subrahmaniam
& personally to higher officials from his personal
& separately by him and that for purposes of business
the said items as receipts & payments in his own
business. His personal ledger, if it can be caught, will unravel

(Sd) C. Krishnaswami
Dy. Magistrate.
21

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for me to go over them again
[illegible] pledge from both

swearing and self contradiction – the accused

besides being his former employer is the pres
lessee of his agraharam lands in Gokinampadu,
Gudivada Taluk, paying him an annual rent
of Rs 150. He swore that the Rs 100 – a 3 and a 4
in C II – were taken by the 1st witness and
paid and that he noted the entries under the
1st witness' orders – he did not note the 1st
witness' name in the entry by mistake and out
of trust in the 1st witness. He spoke most
positively about this, whereas touching the
payment of Rs 3 to Taluk peons and jail
warder – items a 7 and a 8 C II – he was
doubtful. In reference to the latter he said
he had no recollection of the person who paid
and of the renter under whose orders he noted
it.

25. The 5th witness Manchalla Rayanna.
He admits the writing in C & C I as his and
the signature in C as the accused's and he
identifies the account books in court
Exhibits C II to C XXIV as the accounts
with C & C I. The signature in D, he says,
looks like the accused's. He is unwilling
to speak definitely. Nothing [illegible] can be
expected of him. He [illegible] under [illegible]

6. Count I. There is the entry of payment of Rs 50 to the Head Gumasta of Gannavaram Taluk, Nuzvid, in account book C II proved to have been maintained in regular course of business. There is oral and documentary evidence to prove that the huzur under whose order this item was paid is the accused - there is a signature of the accused in the account under date 28-2-89 which is proved to be his signature. There is oral evidence to prove that the account had been kept under his personal supervision and that his signature was proof of his having scrutinized the accounts and all the entries in it - there is the accused's admission in C that he was the man who managed the business. There is written record to show (Exhibits 1a, 1b, 1d & 1e) that he managed the business and received a remuneration of Rs 1200 for one year. There is his admission in D and there is the independent oral testimony of the 4th witness G. Ramasvami that the accused paid the said Rs 50 to Gurumurti. The exhibits containing the payments and all other ~~documents~~ accounts exhibited, came from the accused's custody and [illegible] and other accounts pertaining [illegible] to have been

---

for me to go over them again

13

account C II of payment of Rs 3 to Taluk peons and warder. There is the oral evidence of the 11th witness Satuluri Venkatanarasimhacharyulu to show that it was paid to them under orders of the renter and there is the evidence of Moova Sankarayya that Rs 2 in C XV was paid to Dalayats by the Renter and the evidence of Moova Sankarayya, Jasti Rattam and the other hostile witnesses that 1st witness Sivaramulu was also the manager of the business and that he paid some of these objectionable items, is interested, vague and indefinite, supported by no tangible proof of written record.

The accused as abkari renter of Nuzvid had business relations with the Deputy Tahsildar of Gannavaram and Challa Gurumurti Pantulu and the Taluk peons and the Jail warder concerned were Deputy Tahsildar's subordinates and that the dalayats to whom Rs 2 were paid were the subordinates of the Head Assistant Collector who was the selling officer of the abkari lease which the accused had taken. All these facts when considered together warrant the presumption that the accused had committed the offence falling under section 165 [illegible] sub lease [illegible] if he had any to make.

8. The accused pleading not guilty called 8 witnesses on his behalf. The accused also recalled prosecution witnesses 1, 2, 3, 4, 6, 7, 8, 11 & 15 and cross examined them.

29. Witnesses 1, 3 & 4 did not break down in their cross-examination except in a few minor matters. The accused tried to prove that witnesses 1 & 4 were actuated by ill feeling and malice in consequence of a criminal case brought against them by the accused and also of the civil litigation pending between them. The criminal case was dismissed. There is overwhelming documentary evidence to prove the present case and I don't consider that these are sufficient reasons for suspecting the credibility of these witnesses - but for enmity, these offences would not have seen the light of the day.

Attempt was made to show that the 3rd witness was prejudiced against the accused because he accused, tried to eject him from his land of which he was the tenant. The witness frankly admits that he is yet the accused's tenant - that there was a vague and indefinite rumour all

... go over them again

14

He said he wrote at [illegible]
to dictation of Accused
JG

I don't see in what matter this witness could have lied - the writing in D is doubtless his he wrote it and he swore to his having written it. The signature in D is not disputed.

30. The theory of the defence that this document is a forgery is simply fallacious. It is alleged for the defence that the accused when conducting the business used to give out blank papers with signatures for presentation of applications for permits and that the paper on which D was written was one of that kind which the 1st & 4th witnesses should have got hold of and written on without the knowledge of the accused and in proof of these two blank papers, a printed vakalat and a ruled form for application for execution containing 1st witness' signatures have been filed. In the blank papers and in the warrant form there are 1st witness' signatures but there are two signatures in each one below the other, sufficiently apart, which the 1st witness explains are intended for presentation of plaints and application for execution in a civil court containing two signatures one for the application and the other for veri-

... declaration and that ...
-cilable; ~~If~~ if he had taken the sub lease

declaration is needed for a Vakalat. He explains that he sent these papers to the accused's son for being used in a civil suit which he had to file in the District Munsiff's court at Gudivada and at a time when he was not able to attend personally to it and that these forms remained unused as he had in the meantime gone to the Court and presented the applications in person on other papers.

Some of the witnesses of the prosecution who were interested in the accused and some of the defence witnesses swore that the accused used to issue blank papers with his signature for use by the Khandam gumastas in connection with the abkari business, but not one of them was able to produce a paper of the kind in support of the allegation nor state specifically the purpose for which such papers were ever used.

The allegation is ludicrously false and the argument ingenious and repulsive.

It was open to the defence to have put up Katadu, the alleged bearer of D, as a witness on its behalf and proved that he knew [illegible]ying of letter D or if it was only a fictitious he [illegible] to have proved it to be so. This is was a [illegible] that goes a great way

[illegible] been [illegible] but

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them again

31. 8th witness Adivi Venkataramayya stuck on to his original evidence — he did not shake.

7th is only a hearsay witness and whatever he said is of no value.

2nd, 6th, 11th & 15th witnesses — These were men interested in the accused as has already been pointed out.

32. 1st defence witness Jail warder Katappa — he is still warder in the Gannavaram Sub Jail. He admits he was the warder in 1889 in Gannavaram — he was brought to prove that he did not see the accused in Gannavaram at any time. The witness admits in his examination-in-chief he knows the accused and he never saw him in Gannavaram but in his cross-examination, he breaks down most marvellously. He looked at the accused when the prosecution asked him to see and said he did not know if he was Adusumalli Subrahmaniam. He says he knew him when he was clerk in the Local Fund Department. If he had known him for many years and if he was able to swear he did not see him in Gannavaram at any time, it is strange that he should say he was not sure that [illegible]

a[illegible]

-cilable; ~If~ if he had taken the sub lease

His ignorance or want of recollection of the total number of peons the Deputy Tahsildar had when it was a division is simply astounding.

He is one of the public servants who is referred to in the charge which is now under trial and as such he cannot but depose in favour of the accused. Accused's conviction, he must know, might eventually lead to his own.

33. 2nd witness Velivela Venkataratnam a Kamma of Gannavaram. he proves nothing useful to the defence – he swears he saw the accused twice or thrice in Gannavaram and the 1st witness once or twice or thrice in Gannavaram since 1882 or 83 but that he cannot recollect either the date or the month or the year when he saw either the 1st accused or the 1st witness; nor can he state what work either of them did when he went there.

34. The 3rd defence witness Nimmagadda Gangayya a Kamma of Tamirasa. The only fact he swears to in his examination in Chief is that the 1st witness used to go to his village Tamirisa 7 or 8 years ago when the accused held the lease of the Tamarasa K. maam and he used to look after the

was a vague [illegible] in his cross exami

to convert them again

in his village once or twice during 89 or 90 when he saw the 1st witness four or 5 times and he admits his brother is the accused's brother's son-in-law.

35. The 4th witness for defence, Kamineni Gangayya – a Kamma of Korimerla. This witness swears in his examination-in-chief he was a sub partner with the accused in the Gudivada abkari rent of 1889 – he had $\frac{1}{8}$ share – he managed the work in villages around his own and he used to see the 1st witness coming to his villages and looking after the collection of rents and the preparation of Jamakarchu but in his cross-examination he admits he g[illegible]e up all his accounts to the accused and [illegible]eceived his share in the profit from him – that he could produce no written record to prove that 1st witness did the work in his villages as deposed by him and in his examination by the court, he says he could not tell what profit fell to his share and how much of it he received. The evidence is too good to be believed. This seems to be a two-anna witness brought for use, the occasion. If he was really a partner went why not accounts be produced to prove it

36 The 5th witness. Bophana Veerk[illegible] [illegible]econcilable; ~~If~~ if he had taken the sub lease

having seen the 1st witness in Gannavaram in connection with the Abkary business and in his cross examination he says he cannot state the date or month in which he saw the 1st witness at Gannavaram though he remembers having seen him there 3 or 4 times between 85 and 90, and that every time he saw him, he did not see him do any work.

37. The 6th witness Kolli Seethappa a Kamma of Velpur – He is a witness that was given up by the prosecution. In his Examination-in-chief he swears he worked as gumastah in 89 and 90; he used to collect rents in Nuzvid, Hedur, Gannavaram, Ventrapragada and also in Gudwada Taluq. 1st witness used to manage the business more than the accused – that 1st witness used to go to Gannavaram and other places while accused used to be either at Sidhantam or at Bezwada and that he saw the 1st witness in Gannavaram twice in the 2 years he [illegible] as he used to [illegible]. [illegible] examina-
was a vague and leading [illegible] in his cross exami-
[illegible] been [illegible] but

for me to go over them again
48 so far as I can judge from both
[illegible] documentary evidence pro

by stating that he was not gumastah nor was he a partner but he worked [illegible] a bonus of Rs. 200, which he cannot tell in how many instalments he received. His evidence is a tissue of falsehood. What is most noteworthy is that he is unable to state in what capacity he served and that he kept no accounts for the collection he made. This witness is an interested witness; he is a kinsman of the accused.

If he really worked two years, collecting money and received a bonus of Rs. 200 – why not accounts be produced to show them?

38. The 7th witness Gudipudi Sobhanadri brahmin of Kesarapali.

He swears he took the sublease of a few of the villages of Gannavaram Taluq between 83 and 87 and that he used to see both the accused and 1st witness going to Gannavaram to settle the subleases, but says that the accused never went to his house in Kesarapali &c between 87 and 90. His statements are irreconcilable; ~~If~~ if he had taken the sublease [illegible] the accused or to his

having seen the 1st witness in Ganna-
-varam in connection with the Abkary

is evidence if true is more favourable
the prosecution than to the defence,
ecause he affirms that in 90 or 91, he
ent to Siddhantam and got his accounts
ettled with the accused, though the 1st
itness was not there, and strengthens the
rmation by adding that he had nothing
o do with the 1st witness and that the
accused settled his accounts though
the 1st witness was absent. This is proof
of the fact that the accused was the
sole manager, a theory which the accused
wishes to disprove.

39. The 8th witness Cherukumalli Sesha-
chelam Brahmin of Bezwada. This was
the Distillery accountant at Bezwada.
he was brought to prove that the 1st
witness used to go frequently to Bezwada
and other places in connection with
Abkary business and the witness said
he saw 1st witness coming and going
on some work or other connected with
Abkary rents and the distillery but
he was not sure when he saw him
and what work he did.

[illegible] in Day book

for me to go over them again
[illegible] from both

Nuzvid Division. It is received a
marked as Exhibit I. He examined
prosecution witness Mova Sankara
about 25 items of payments — 2 to 16 i
C II, 17 to 20 in C XV and 21 to 25 in C V.
He filed old letters Exhibits 26 to 32 —
Two blank sheets of paper with ~~two~~ two
signatures, a blank vakalat with one
signature and a blank form of appli-
-cation for attachment with 2 signatures
of 1st prosecution witness Seetaramulu —
Exhibits 33-34-35 and 36. He asked the 1st
witness's first complaint presented
before the District Magistrate on
18.3.96 and the initial deposition
given by him before the Head Quarter
General Deputy Magistrate on 30.3.96
to be read and added on to the record
as exhibits. They have been accordingly
marked as Exhibits 37 and 38 and filed
with the record.

41. Exhibit I was put in to show that
prosecution 6th witness was huzur guma-
-stah for a time — he swore in his cross
examination that he wrote the main

having seen the 1st witness in Gunna-
varam in connection with the Abkary

it true is more favourable

re-examination I took the witness through some of the items in detail. Items 1a, 1b, 1c, 1d, and 1e — 1a, 1b, 1d, and 1e show that two items of Rs. 1200 each were credited in the day book as received from the accused towards the capital of the business and the same shown as paid to him (accused) as remuneration at Rs. 100 per month for his management of the joint business. I already referred to this in para 26 supra.

The witness admitted the adjustment but as usual he made an improbable and a highly false allegation that he wrote these under 1st prosecution witness's orders.

1c is an item of payment of Rs. 100 as Vecchitham — gift — the witness admitted he wrote it but said he could not say what it meant. He was also asked about 1f Rs. 1000 paid to 1st witness's deceased brother — 1g Rs. 340 remitted to Huzur and 1h Re. 1 batta paid for carrying the remittance. These items are quite irrelevant to this case.

for me to go over them again

from both

1a, 1b, 1d and 1e that the accused man the business and received a large remuneration of Rs. 100 per mensem

42. The exhibits 2 and 4 to 13, 15, and 16 and 17 to 20 show that amounts vary-ing from Rs. 0.4.6 to Rs. 6 was paid to the 1st witness under batta and car -hire for going to different places different times. There is an item Exhibit 3 Rs. 3.15.0 paid to 1st witness for buying jackets for the accused. These were exhibited to show that the 1st witness was managing the business. The 1st witness does not deny going out now and then on commissions given to him by the accused. These items signify that the 1st witness was working more as the accused's servant than as an independent renter. There is not one item of payment of handsome remuneration shown by the accused as having been paid to the 1st witness for work done.

Exhibit 14 shows that the 1st witness was in Bezwada on 16.2.89 — the day on which Rs. 50, 1st count of the charge was paid to Chalta Gummuti and that from 16th to 19th he was in places

having seen the 1st witness in Gauna-
varam in connection with the Abkary

were put in to show that 2.4.0 and 1.8.0 batta and carthire paid to the accused also used to be debited in the accounts suggesting an inference that the smallness of the sums so paid is not the test of inferiority of the person drawing it.

43. Letters exhibits 26 to 32 were put in in proof of the accused's theory that the 1st witness was also the working renter. These letters are intercommunications between the 1st witness and the accused's son - the 1st witness and another person Gudipati Sitharamayya about miscellaneous matters touching the supply of arrack and supply of stones &c. but these are not sufficient to establish the fact that the 1st witness was more than the accused's subordinate or messenger and this cannot ~~be~~ outweigh the most convincing proof that was produced against it.

44. About exhibits 33 to 36 - I have already discussed about these papers when speaking of the accused's proposition that D was a fabricated document.

45. Exhibits 37 and 38 have been exhibited to show that a good many of the facts

Exhibit I therefore tends to benefit

for me to go over them again

48 As far as I can judge from both

and documentary evidence pro

gives a plausible explanation about the omission - he says in the complaint he did not set out the case fully as it was to come off in the sworn deposition and he did not mention in his deposition about the alleged conversations between himself and the accused's son and the disclosure made by him as the Magistrate limited him to the interrogations put by him.

46. The fact that the accounts which form the basis of this charge are accounts kept in regular course of business and that they are genuine and that all the entries in the accounts including those out of which the present charge is drawn are correct and they represent payments actually made is proved by the prosecution, and is admitted by the defence. The fact that Challa Gurumurti Pantulu, the dalayats and the Taluq peons and Jail warder are public servants is not denied. The fact that these payments constitute the specific offence laid by the Court in the case is

having seen the 1st

with the Abkary

2.4.0 and 1.8.0 were put in to show that

and in its argument endeavoured to show, is that both the accused and the 1st prosecution witness being joint renters, managed the business jointly, that the accused was either at Sidhantam or at Bezwada managing the business while 1st prosecution witness went into the various Khandams on collection and other duties and that the items in the present charge and all other items of cognate nature were paid either by him (1st witness) or under his orders and that therefore he is more responsible for them than the accused.

The defence pleaders further argued that the court should, on the evidence recorded in the case, judge which of the two - the 1st prosecution witness or the accused, paid these amounts and if the Court cannot arrive at a satisfactory conclusion on this point, acquit the accused giving the benefit of doubt to him.

47. As I have already discussed

for me to go over them again

48. As far as I can judge from both oral and documentary evidence pro
I am perfectly satisfied that the ac
was the manager - that the conduct
the whole business was in his hands, th
made the payments, that the exhibit D is
spurious and that the evidence of the 3
and 4th Prosecution witnesses touching
is not false or incredible and that
defence evidence is perfectly useless
untrustworthy.

I have no doubt that the
charge is conclusively proved again
the accused and I therefore find him
guilty on all the three counts specif
in the charge. Sec: 165 and 109 I.P.C.

49. The offence is a serious one
affecting the moral tone of the publi
service and the honest administra
of the country and ~~[illegible]~~ calls for a
punishment which is sufficient
strong and repressive and I therefo
sentence the accused to under
6 months simple imprisonment
to pay a fine of Rs. 500 or in defaul
to suffer additional imprisonme
of the same kind for 3 months on

and to undergo 3 months simple imprisonment and to pay a fine of 250 or in default to suffer additional imprisonment of the same kind for 6 weeks on each of the other two counts

(Signed) C. Kristnaswami
8.2.97
Deputy Magistrate

True copy

J. N. Atkinson
26.2.97
District Magistrate

7
Jrd
4
C. No. 1368

7
Jrd
3
C. No. 835

7
1/2478

47

Stat. t showing the time taken in the disposal of Case No. 38 of

The case was filed before the Di Magistrate on 18.3.96 and it was on the sa day transferred to the file of the Head Qu General Deputy Magistrate.

The latter received the case issued notice to the complainant to ap on 30.3.96 – took the complaint into depo on the latter date.

The complainant having dep that the Bezwada Distillery and other acc were in the custody of Vadapalli Purushott in Bandar and of the accused himself Sidhantam, the Magistrate issued two sea warrants and sent them for execution to Stationary Sub Magistrates of Bandar an Gudiwada.

Both these warrants were returne on the 7th April – The former without any accounts and the latter with a few ~~accoun~~ book

The deputy Magistrate sent fo the complainant again and took his dep on 23.5.96 at Bandar.

On 25.5.96 he returned the reco with his letter No. 71 dated 25.5.96 to the Distr Magistrate.

The case with the books was sent to me on 5-6-96.

I have to note here that no list
of processes to be summoned for the pro-
tion was taken by the Head Quarter
Deputy Magistrate though he
examined the complainant twice.

I issued notice to complainant on
7th June to appear on the 13th June and
file list of witnesses. The complainant
d not appear

A 2nd summons was sent to him
24.6.96 to appear on 1st July with the
ist - but he did not appear, at last
e appeared on the 14th July and filed the
ist for 17 witnesses. 7 of Bandar Taluq, one
f Nuzvid Taluq, six of Gudivada Taluq, two of
ezwada Taluq, one of Ellore Taluq Godavari
istrict.

Considering the distance where
from the witnesses had to come, the
case was posted for hearing on the 31st July
1896 giving them 17 days' time.

On the 31st July the Complainant and
the accused and prosecution witnesses 11
out of 17 were present: the summonses on the
others were not served personally on them.
Both the sides asked that all the witnesses
should be sent for, examination commenced
and concluded without any long interval

4/ between

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v/ between their examination - hence the
case was posted to 8th August at Ban
and witnesses present were bound over a
absent witnesses fresh processes were
On the 8th August 96. I could not be at
Pamarru owing to my absence at Challa
on flood duty and the case was post
sine die as then I could not tell wh
and where I could conveniently tak
case again.
On 20th August I returned to Banda
from Avanigadda but on the night
the 22nd I was ordered off to proceed to
Iyyanampudi to help the D.P.W. in
closing the breaches and restoring irr
-gation and navigation.
In the meantime a petition from
the complainant Kotrepati Sriramu
for the appointment of a Public Pros
-cutor was referred to me and I sent
back with the recommendation tha
one should be appointed. I was on
in camp till the 13th September in
Gudivada Taluq looking into the land
sales and irrecoverable items of arrear
of that Taluq which were more pressing
and also in the disposal of office work
of which there were enormous accumu

[illegible] to note here that no list in consequence of interruption ~~of~~ to work caused by the floods.

2. On the 13th – I returned to Head Quarters. sent my clerk to find out if any vakil was appointed to conduct the prosecution. I also saw the Huzur Sheristadar – on being informed that Mr A. Pundari-kakshudu Pantulu was appointed, I issued notice to him, and also to the accused's vakils – and sent out fresh summonses to the parties as well as their witnesses for their appearance at Bandar on the 28th, by which time Abkary sales of both Gudivada and Bandar were expected to be closed.

On the 28th September Mr. Pundarika-kshudu Pantulu appeared and asked time to enable him to study the case – two days time till the 30th September was given and at the same time summonses were issued for two witnesses of Gudivada Taluq newly cited by the complainant and also a warrant for Kolli Seethayya who failed to attend was issued.

On the 30th. The vakils on both sides came to the Court too late to begin the case though I was present in Court before 7 a.m., and asked for adjournment till

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the 1st October 1896.

3/

On the 1st October, when the case wa about to begin, the accused's vaki raised objection to Mr. A. Pundarika -kshudu Pantulu's appearing for the pro -secution as he produced no vakalat -namah from the District Magistrate.

Mr. Pundarikakshudu Pantulu reque an adjournment till the 3rd October to enable him to produce it and it was granted.

On the 3rd October. Mr. Pundarikakshudu Pantulu appeared and said that the Vakalatnamah was not come and so asked for further adjournment. To avoid too frequent adjournments the case was posted to 7th October (4th was Sunday and 6th Mahalaya Amavasya holiday)

On the 7th October Mr. Pundarikakshudu Pantulu filed the Vakalatnamah and he asked for an adjournment till the 8th October and it was allowed.

On the 8th October again both the vakils appeared and the accused's vakils asked for further adjournment and it was refused, but the witnesses having bitterly complained of their stay in Bandar from the 28th September to 8th October

ed 8th October and having asked for
us ermission to go to their houses for
2. the Dasara important Hindu festival and
ut myself having heavy work during the
s Dasara in keeping peace and order in
the town and in preventing the expected
disturbance by Amabbayi and expecting
cat to go to Madras on casual leave, between
the 18th October to the 25th October, which
was granted, I gave the adjournment till
the 2d November 96 at Bandar and distinctly
warned both the sides that no further
adjournments would be given under
any circumstances.

I preferred taking up the case
always in Bandar in consequence of the
danger of carrying the account books —
a cavidy load of books — from place to place
in camp, with me — It may be noted
here that at Head Quarters I had to
keep the account books under the Head
clerk's lock and my personal seal,
secured in the safest possible manner
in one of the office almirahs.

On the 2d November, the examination
of the witnesses began — 1st witness
Gorrepati Sreeramulu was examined
from 12 noon to 6 P.M. and his exami-
a.m. was not concluded that day.

pati Sreera
continued after it was cl
2d witness of Govva Sankarayya's
-nation was partly done.

4th November. Deepavali Holi

On the 5th November the examinat
of Allovva Sankarayya was re
but it was not concluded that

On the 6th: The Vakils on both si
prayed for suspension of the trial
day in consequence of their othe
engagements in District and Sub C

On the 7th Only one of the two
Mr: Hanumanta Row appeare
Mr: Pundarikakshiah Pantulu
come till about 5 P.M. and Mr.
Hanumanta Row said he could
without his colleague.

On the 7th at 5 P.M. Mr. Pundar
Pantulu and the accused's vakils
and asked for adjournment til

Here I should state that acco
the programme of my tour or
and submitted to Collector, I
have been at Mukkollu but
this case that detained me.

[illegible] asked for

which if I postponed, I should
ler the Act give further notice
days, I refused to adjourn it to
10th and agreed to take it up on the
though ~~he~~ it was a public holiday.

Movva Lakkarayya's exami-
ion was concluded on this date.
itness G. Sreeramulu was again
in and further documents 11
filed and witnesses 3 to 7 were
mined on this date and for the
mination of the remaining wit-
es the case was posted to 11th instant.

— Vadlamannad.

the 11th I upset my programme
hurried back to Bandar on a
unt of this case and examined
ed 10th witnesses. On this date
osecution gave up 6 other witnesses
eled and put in a list on 13.11.96
additional witnesses living in
fferent places Nuzvid and Gudi-
[illegible]. The vakils both for the
Prosecution and the accused asked
pretty long adjournment and
ested that the case might be taken
up

[illegible]

I posted the case for the 3rd Dec
at Bandar as I arranged to be out
Camp till the 1st December.

3rd December — Case proceeded wit
Prosecution witnesses 11, 12, 13, 14,
examined and case closed. 10th D
case posted for argument — Va
on both sides applying for copie
depositions of all the witnesses.

10th December. Vakils were not rea
for argument and so it was adjour
to 12th December.

12th December. Arguments heard

19th December. Charge framed and
rulings given on various prelimin
objections were read out and the accu
statement taken and adjourne
for defence to 9.1.97 after the Chr
-mas holidays.

9.1.97. Prosecution witnesses
3, 4, 7, 8 and 11 who were recalled w
cross examined and reexamin
and also 1st defence witness ex
amined. Adjourned to 11.1.9
other witnesses and warrants we
issued for the absent witnesses of
20.1.97 — they were sent out for
execution

pointed by the District Superintendent
[illegible] Police (I would here state that the
absent witnesses were previously
prosecuted and punished and the
accused also punished by for-
feiture of his bond)

[illegible].1.97. 2nd & 3rd defence witnesses
examined.

[illegible].1.97. All other witnesses appeared
except Sankarayya and the warrant
was not returned - the case
was made to wait for the next
day.

[illegible].1.97. 14th & 15th prosecution witnesses
and defence witnesses 4, 5, 6, 7
and 8 examined and adjourned
to 23.1.97 waiting for 2nd witness
Movva Sankarayya.

3.1.97. witness Movva Sankarayya
did not appear though 2 warrants
were issued. 3rd warrant was
issued and case adjourned to
27.1.97 - he was absconding.

7.1.97. Movva Sankarayya was
at last arrested by the Stationary
Sub Magistrate of Gudivada and
brought but the prosecutor and
the defence vakils not having

come

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come on plea of other work, the
examination was adjourned to
30.1.97. 1st prosecution witness
reexamined - 2nd prosecution
witness Movva Sankarayya
examined and the case adjourned
for final hearing on 1.2.97

1.2.97. Case argued by both sides
at great length and adjourned
to 6.2.97 for judgment. Judgment
not being ready - adjourned
again to 8.2.97.

8.2.97. Judgment delivered.

15 prosecution witnesses were examined
8 defence witnesses were examined.
The accused having refused to
cross examine the prosecution
witnesses in the usual course, asked
for them to be recalled and allowed
to be cross examined under Sec. 25
C.P.C.

This and the examination of so
many as 26 account books of 5 years
abkary transactions of Gannavaram
and Nuzvid had to be filed and
examined in this case - besides a
large quantity of other documentary

evidence

-idence, produced - which was subject-

-ed the case too unwieldy and cumbersome and this was not possible to complete the case earlier.

(Signed) C. Kristnaswami

Deputy Magistrate.

Submitted in obedience to the District Magistrate's order on calender and copy of Judgment in C.C. No 38/1896 on the file of this court. (District Magistrate's Calender No 120/1897)

(Signed) C. Kristnaswami

Deputy Magistrate

3

(True copy)

J. N. Atkinson

26.2-97

~~Collector~~

District Magistrate

DC 25/2/97

1897
Jud Dept.
Enclos. No. 3
To
C. No. 1368

1897
REVENUE DEPARTMENT.
Enclos. No. 2
To Current No. 2478

1897
Jud Dept.
To
C. No. 835

List of enclosures accompanying letter C No 20/Jud of 1897, dated 25.2.97

1 A statement marked A showing items of bribes

2. A special statement of bribes in which the public official concerned cannot be identified for certain. This is extracted from No 1.

3. Copy of Judgment of the Head Quarter Deputy Magistrate in calendar case No 38/1896.

4 Explanation of delay in Do

J. N. Atkinson

26.2.97

District Magistrate

1897
Jud Dept.
Enclos. No 2
To
C. No 1368

1897
Jud Dept
Enclos. No 1
To
C. No 835

1897
REVENUE DEPARTMENT.
Enclosure No 3
To Current No. 2478

No –

Kistna Collector & Dt. Mag.
Camp Bezwada, dated
25th February 1897.

CURRENT No. 835

From
J. N. Atkinson Esquire,
Collector, and District
Magistrate, Kistna.

To
The Chief Secretary to the
Government of Madras.
Madras

Sir,

On 18th March 1896, a man named Gorrepati Sriramulu, accompanied by a pleader, appeared before me and presented a petition stating that he wanted me to compel one Adusumalli Subramhanyam, a former partne of his in business, to produce accounts of the partnership business. I said I had no power to interfere. He pressed the request, and afte some conversation urged as a reason that woul induce me to act, that the account books refer to would disclose a very large number of bribes given to Government servants. I said that I was only a magistrate, and could not interfere unless a criminal complaint were filed. He at once asked me to record a ^×complaint on oath from him. This I did. He had with him 17 books of account, and in one of them he showed me, as an exhibit, an item of Rs 50 said to have been paid to

× of abetting a public servant in taking a bribe alla Gurumurti, then Head Gumasta of Nuzvid Taluk, but since deceased. I was about to make a note on the record that complainant had with him 17 books of account, of which he produced one; when he begged me not to do that. After some consultation with the pleader who accompanied him, he said he would file 5 of the 17 books. I said I would make a note that having 17 books with him he produced 5. Again he begged me not to do so; and after a little further consultation with the pleader he filed all the 17 books.

2. I transferred the case for disposal to the Head Quarter General Deputy Magistrate M. R. Ry N. S. Somasundara Sastri. Complainant's private object was to compel production of certain other books of account. He alleged that in these there were entries of many other bribes. On his application the Deputy Magistrate issued a search warrant for these books, but they have never been found.

This seems to be a mistake - apparently he means the Prob^y Dy Magistrate — H.B.

3. The case proceeded very slowly, and at the beginning of June I transferred it to the Head Quarter Deputy Magistrate. Its progress was as slow thereafter, and judgment was only pronounced on 8.2.97, the accused being convicted under Sections 165 and 109 I.P.C on 3 distinct heads of charge, and sentenced in the aggregate to one year simple imprisonment and Rs 1000 fine, wit a further term of imprisonment in default. A copy of the judgment and of the Deputy Magistrate's explanation of the delay is enclosed. The explanation is very unsatisfac The Deputy Magistrate is supreme in his own Cou and might and should have insisted on greater expedition.

The D.M. has no doubt wigged him for this separately W.

4. As the case was one of considerable public importance and intricacy, at the suggestion of the Deputy Magistrate, I directed the local Public Prosecutor to condu the prosecution; but on his representation that the accused was an intimate perso friend of his, and that they had had private business transactions together for many years, I subsequently appointed the a 1st grade pleader, M. R. Ry A. Pundarikakshudu, to conduct the prose=cution. I trust that Government wil approve my action. It was by this pleade that the 3 particular heads of charge wer selected on which evidence was concentrate

all selected after careful consideration those on which he thought the chance of a conviction was best. Probably his reasons were sound; but I should have preferred to have passed by the ~~last~~ two last counts, which deal with payments to peons, and have selected larger items, such as those paid to Manepalli× Nagabhushanam, which, if paid at all, must have been distinct bribes and not mere "tips".

Dr Tahr. of Kaikalūr. Rs 1770. vide item 85 in list A. + three other items

5. Enclosure A of this letter is a list extracted from the book of account produced, showing all the payments which there is sufficient reason to believe were made to Government servants. Government will observe that these payments fall under 3 descriptions:-

i. Those in which names are given in full, whether with or without official designation.

ii. Those in which initials are given coupled with official designation.

iii. Those in which only official designation is given.

There are other items of payment in the account books, which there is some reason to believe were made to Government servants, which the certainity is less. I learn

indirectly, on the authority of one who is related to a member of the firm that in the books for which search warrant was unsuccessfully issued, there are entries of payments aggregating Rs 10000 or more, mostly to subordinates of the Salt and Abkari Department at Beswada.

6. The accused has lodged an appeal in the Sessions Court, which is to be heard on March 10th, but I have directed that application be made to adjourn the hearing till 18th idem. I understand that accused has engaged a barrister from Madras. The pleader who has hitherto conducted the prosecution is a man of only mediocre ability, and without any claims to be considered an advocate. Having regard to the grave public interest that attaches to the case I recommend that the Public Prosecutor Madras, or some other Madras Counsel be appointed to oppose the appeal in the Sessions Court, the more so, because I learn that the Sessions Judge has already admitted the accused to bail, an

+ Mr A. F. Pinhey

ing so has let fall certain comments which lead me to think he considers the conviction wrong, on legal and technical grounds, as for instance that none of the Government servants implicated have been charged.

7. It remains to be considered what further action is called for against those who are said to have accepted bribes. I enclose copy of a list of all these cases, drawn up by the Head Quarter Deputy Magistrate. The only individuals that can be identified with any approach to certainity are:-

Name	Office held at present.	Amount & date of bribes.	
Ch. Gurumurti	Late Head Gumasta, Nuzvid Taluk, now dead.	i Rs 50	28.2.89
Kambhampati Punnayya	Shroff in late Nuzvid Division, now Nuzvid Taluk.	i 25	30.11.89
3. Manepalli Nagabhushanam.	Formerly Deputy Tahsildar, Kykalore, now Stationary Sub Magistrate, Tenali.	i 70 ii 400 iii 400 iv 400	30.6.91 Do 31.3.92 — 92
4. Madireddi Kotappa	Jail warder, Gannavaram	i 1-00 ii 1-00	30.11.88 30.9.89
5. Medisetti Subbarayudu	Nuzvid Taluk peon	i 2-40	30.9.90
6. Pulligadu	Mashalchi of Nuzvid Taluk Office Now dead.	i 1-00	31.5.89

8. I have taken the explanation of No: 3 M. Nagabhushanam. He denies the receipt of any bribe, but admits that he received a loan of Rs 600, which is not yet fully liquidated. His case wi be specially reported to the Board of Revenue in due course.

9. An enquiry will be held into the case of No: 2 K. Punniah, and his prosecution ordered if found necessary. The cases of Nos: 4 & 5 ~~in~~ may I think be dealt with departmentally.

Ph
25.2.97

I have the honor to be
Sir,
Your most obedient Serva

J. N. Atkinson
26.2.97
District Magistrate

Confidential

Urgent

From

The District Magistrate,
Kistua.

To

The Chief Secretary to
the Government of Madras
in the Judicial Department.

Dated 25th February 1897
Despd
Recd

C No. 20/Tour of 1897

Enclosures. 5

Subject.

Requesting to arrange for the deputation of a barrister from Madras to oppose a certain criminal appeal in the Sessions Court, Kistua.

to

Ito -

[9/19]
200—29-7-6.

Public (1897) Department.

~~CURRENT~~ No.

Confidential No. 78

U.S.

This requires no action. The previous papers are in circ

18/15/3/97

Order

From

J.N. Atkinson Esq, I.C.S.

No.

Dated 10
Received 13
Registered 15 } March 97
Enclosures -
Spare copies. -

SUBJECT.

States that he does not think there is any one in Rajahmundry better than the pleader he has already engaged for opposing ~~for conducting~~ the appeal in a bribery case

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Confidential.

Camp Yanamadala.
10th March 97.

CHIEF SECRETARIAT
13. MAR. 1897
GOVERNMENT OF MADRAS

Dear Mr [illegible]

Your D.O. of 4th reached me today.

I don't know that there is anyone in Rajahmundry much better than the pleader I have already engaged in Masulipatam. I am enquiring. They are all a poor lot.

Yours sincerely
J. N. Atkinson.

C 2/3/97
R /3/97

G.D.
25
1,000—14-12-96.

Judicial DEPARTMENT.

C. No. 835

~~H. E. THE GOVERNOR.~~
THE HON'BLE MR. BLISS, C.I.E.
~~THE HON'BLE MR GROSE, C.I.E.~~

SUBJECT.

Conduct of a criminal appeal
Kistna.

FOR ORDERS.

I don't know of anyone [illegible] whom it would be worth while to send up to oppose this appeal. If the D.M. thinks the pleader who conducted the prosecution before the lower Ct. is not competent to deal single-handed with the appeal he [illegible] engage a man from the bar [illegible] Rajahmundry to lead in the

I agree that the Dt Magte's [illegible]planation of delay is very [illegible]satisfactory – It should be [illegible]ted agst him in the R.D.

I also think that the D.M. should either have retained this important case on his own file or should have sent it to a Divn Magte for disposal – In any [illegible] he should have seen that [illegible] delay did not occur –

It appears to me that there is [illegible] an opportunity of unravelling [illegible] of the systems of paying all [illegible] bribes which are believed [illegible] be common in the N. Circars & that every endeavour should therefore [illegible] the [illegible] cuted – This is the system under which

wer

trates

The papers relate to a case of bribing the public serv in the Kistna district. The accused – one Adusumalli Subra has been found guilty by the Head Quarter Deputy Magistrat and sentenced in the aggregat to one year's simple imprisonment and Rs 1000 fine, with a further term of imprisonment in default. – The accused has filed an appeal in the sessions court.

The points calling for orders are :–

(1) The District Magistrate asks that his action in having appointed 1st grade pleade M.R.Ry. A. Pundarikakshudu to conduct the prosecution before the

Deputy Magistrate as the
tna Public Prosecutor was an
timate personal friend of, and
d had business transactions
h, the accused, may be
proval. This may, it is
bmitted, be done.

Express sanction, except to the payment of the fees, is not really necessary, – please see G.O. 2087 J. / 9.10.95

Mr Atkinson requests that,
ving regard to the importance
the case, to certain adverse
mments already made by the
ssions Judge and to the fact
at the accused has engaged
barrister from Madras whilst
e pleader who conducted the
osecution is a man of only
ediocre ability, the Public
Prosecutor, Madras, or some
ther Madras Counsel may be
eputed to oppose the appeal.
It is not known whether by
Public Prosecutor the District
Magte. means the Govt. Pleader
who is *ex-officio* Public Prosecutor
throughout the Presidency or the
Crown Prosecutor who is the
Public Prosecutor for the ~~Public~~
town of Madras. Apparently
the former is meant. Submitted
that

vide flag

No doubt

be made to get to the bottom of it. The best way, I should say, to do so would be to place an honest & smart Dy Col. on special duty – He would probably do work of this kind better than a Covenanted officer.

The case should be sent to the R.D. with the recommendation that such an officer should be appd.

2/3/97

The case is not of sufficient importance to send up Mr. Powell, or any one else from Madras, & that as the Public Prosecutor of Kistna cannot manage the case on acct. of his friendship with the accused the D. Magte. may be wired to to appoint a local pleader. The Kistna bar is strong & there surely ought to be some one there good enough to oppose the appeal.

that, ~~Mr Powell may be instructed to appear.~~

(3) The delay of the Deputy Magistrate in disposing of case. The case was transf. to M.R.Ry. C. Krishnaswami Nayudu on the 5th June 1897 and the judgment was delivered on the 8th Feb 1897. The District Magistrate does not consider the explanation of the Dy. Magistrate as satisfactory, but has no doubt warned him, & the matter does not seem to be important enough to call for Govt's interference.

W. 1.3.97

The list sent up is a most extraordinary document and the matter is one which I submit should form the subject of investigation by a European Officer. There are many persons who could easily be traced from the data. The most wholesale system of bribery and douceurs appears to have existed and it seems desirable ~~[illegible]~~ to make a decided effort to hunt down any one concerned. I do not think that Mr Powell would be of much use in this case but it is questionable whether any member of the local bar man should be employed

1/3/97

C.S.

Note
vide further G.O.
R No. 443, 16-3-97
app. the Hon N.
Subba Rao Public
Prosecutor for this
case on a fee of Rs
500

D.O. d 4-3-97.

My dear Atkinson,

With reference to your letter D.O. 20/Tour of 25th ult. requesting that the Public Prosecutor, Madras or some oth Madras Counsel may be deputed to oppose the appeal filed by Adusumalli Subramania of Siddhantam in the Kistna Sessions Court I ~~write~~ am to say that if you consider the pleader who conducted the prosecution before the lowe Court is not competent to deal singlehanded with the appeal, you should engage a man from the bar at Rajahmundry to lead in the case.

(From orders,

4.3.97.

4/3/97

J.N. Atkinson Esq. ICS
Desp 4/3/97

P.T.O.

Extract –

se the following telegram to Mr. Atkinson.

g.

No 138 Your letter 25th February. ~~ease~~ appoint good local pleader to ~~the~~ appeal ~~2nd case~~ in Sessions.

Despd 4/3/97

No. 20 Tour

4/3/97

Note for CS

Please see sheet below

Yes

---

2 Hon'ble Mr Grose, C.I.E. 5/3/97

C 12/3/97

G. / 25.

1,000—14-12-96.

Resubmitted to Hble with reference to H.E. the Governor's note

11/3/97

C. No. 835

Judicial DEPARTMENT

2 H. E. THE GOVERNOR.

~~THE HON'BLE MR. BLISS, C.I.E.~~

1 ~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Conduct of a criminal appea in Kistna.

FOR ORDERS.

Submitted to the Hon'ble Mr Grose C.I.E. and His Excelle the Governor with reference to the Hon'ble Mr Bliss' propos to place a Deputy Collector on special duty to enquire into cases of bribery in the Northern Circars.

A telegram & D.O. have gone to Mr Atkinson saying that he should engage a vakil from Rajahmundry to oppose the present appeal.

4/3/97

I am afraid that what would be gained by sending a Sp. Dep. Collr on this special duty wd not compensate for the expense. But it will be best not to issue orders till the appeal in this case is decided.

JG

6/3/97

Perhaps it might be well to ask the Collector if he would like to have a special officer sent up to help him to investigate the matter.

A.SH. 9.3.97

Yes — It is not a case, I think, for waiting until the appeal in ~~this~~ case is decided. ~~There~~ are apparently dozens of cases in which douceurs have been given under the system of feeing every Govt servant with whom the payer is likely to come into contact — This is the system under which

Let the Collr be asked

JG

14/3/97

wealthy Zemindars such as
izianagram are believed to
ld in their pay all or almost all the
ading native officials in their
trict. It does seem to me that
a chance offers of getting to the
tom of a system of the kind, it should
advantage of, and that the
in whether the results will
pensate for the expense should
t for a moment be taken into
nsideration. The object is to purify
the public service, not ~~to make a profit~~ to obtain a return which can
estimated in money.

HB
12/3/97

Yes.
A.S.H
24/3/97

CS Jud. DEPARTMENT.

rst copy sent.

eturn

patched

Papers to be read in proceedings:—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 835 of 1897, dated 25/2, from Dt. Magte, Kistna

" " " 189 , " , "

" " " 189 , " , "

No 376 d/ 17 March 18

ORDER Mis

With refce to paras. 7 et seq. of her letter,

~~The~~ Collector of Kistna will be requested to report whether he ~~desires to have a~~ considers it desirable that special officer should be deputed to help him to investigate the various cases of supposed bribery to which his letter refers.

(From orders)

16/3/97

Desp'd 18/3/97

Am., Kistna (A)

Rev. Dept. (A)

with Dy. Magte's judgement & explanation to be returned

& copy of Hon Mr Bliss' note

CONFIDENTIAL.

Judl. Dept 1897.

G.O. No. 377 dt

17.3.1897

20 1/75 1662/RH/75

identi

P&M

Restored on 2.4.75

246/77 MS356/

14-12-77