

(1) பக்கங்களின் எண்ணிக்கை

(2) புதுக்கித் திருப்பிய நாள்

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம்

16

18/5/93

19/5/93

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

15/5/93

அரளாணை எண்.

மு. கோப்புத் தாள் எண்.

2327

அச்சகம்

பலவகை

நாள் :

10-11-1888

199

11/02

மடிக்கவோ சுண்டபடி கையாளவோ கூடாது.

10TH NOVEMBER 1888, No. 2327, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From S. HARVEY-JAMES, Esq., Secretary to the Government of India, Legislative Department, to the Chief Secretary to the Government of Madras, dated Simla, the 23rd October 1888, No. 1906.

Referring to the letter to your address from the Secretary to the Government of India, Home Department, No. 1620, dated the 16th instant, I am directed to forward draft of a Bill to abolish the office of Coroner of Madras, and to beg that the Governor in Council will be so good as to favor the Government of India with his opinion thereon.

2. I am to add that the Honorable Mr. Hutchins is to be asked to take charge of the Bill on his arrival in Calcutta.

ORDER—dated 10th November 1888, No. 2327, Judicial.

Copies of the Bill, with Statement of Objects and Reasons, will be forwarded to the Honorable the Judges of the High Court, the Advocate-General, and the Commissioner of Police, Madras, with the request that they will favor the Government with their opinion on the provisions of the Bill at an early date.

(True Extract.)

Ag. Chief Secretary.

To the Honorable the Judges of the High Court, with C.L., } with Bill and Statement of Objects and Reasons.
" Government Solicitor,
" Commissioner of Police,

Exd. W. H. French.

Gobt. of 1888 Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 10th Nov. 1888, No. 2327.

NOVEMBER.

Bill.

Forwarding to certain officers, for opinion, copy of a Bill to abolish the office of Coroner, Madras, and directing publication of the same with Statement of Objects and Reasons in the Fort St. George Gazette.

STATEMENT OF OBJECTS AND REASONS. 2/27

THE Governor of Fort St. George in Council having, after consultation with the High Court, decided to abolish the office of Coroner of Madras, it has become necessary to introduce this Bill for the purpose of amending the Coroners Acts of 1871 and 1881 and accommodating to the circumstances of a presidency-town the provisions of the Code of Criminal Procedure, 1882, which relate to inquests, in so far as those provisions are to have effect in the Town of Madras.

The October, 1888.

28
222

GOVERNMENT OF INDIA
LEGISLATIVE DEPARTMENT.

*Proof of 19-10-82.
Spare copy No. 3.*

ANNEXURE

TO

Bill to abolish the Office of Coroner of Madras.

(Statement of Objects and Reasons.) C

Govt. C. Press, Simla.—No. 408 L. D.—19-10-82-350

BILL

TO

Abolish the Office of Coroner of Madras.

WHEREAS it is expedient to abolish the office of Coroner of Madras and for this purpose to amend the Coroners Act, 1871, the Coroners Act, 1881, and the Code of Criminal Procedure, 1882; It is hereby enacted as follows:—

1. The Act shall come into force on such day as the Governor of Madras may by notification in the Fort St. George Gazette appoint in this behalf.

2. For section 3 of the Coroners Act, 1871, the following shall be substituted, namely:—

“3. Within the local limits of the ordinary original civil jurisdiction of each of the High Courts of Judicature at Fort William and Bombay there shall be a Coroner. Such Coroners shall be called respectively the Coroner of Calcutta and the Coroner of Bombay.”

3. (1) For the preamble to the Coroners Act, 1881, the following shall be substituted, namely:—

“Whereas it is expedient to amend the Coroners Act, 1871, in manner hereinafter appearing; It is hereby enacted as follows:—”

(2) Sections 2, 3 and 4 of the Coroners Act, 1881, are hereby repealed.

4. (1) Clause (e) of section 1 of the Code of Criminal Procedure, 1882, is hereby repealed.

(2) Sections 174, 175 and 176 of that Code shall, in their application to the area comprised within the local limits of the ordinary original civil jurisdiction of the High Court of Judicature at Madras, be read as follows, namely:—

“174. (1) An officer in charge of a Police-station, on receiving information that a person—

- (a) has committed suicide, or
- (b) has been killed by another, or by an animal, or by machinery, or by an accident, or
- (c) has died under circumstances raising a reasonable suspicion that some other person has committed an offence,

Incl. 4727/82

shall immediately give intimation thereof to the Commissioner of Police and, in the absence of any rule or order under the next following section to the contrary, proceed to the place where the body of such deceased person is, and there in the presence of two or more respectable inhabitants of the neighbourhood, make an investigation, and draw up a report of the apparent cause of death, describing such wounds, fractures, bruises and other marks of injury as may be found on the body, and stating in what manner, or by what weapon or instrument (if any), such marks appear to have been inflicted.

"(2) The report shall be signed by such Police-officer and other persons, or by so many of them as concur therein, and shall be forthwith forwarded to the office of the Commissioner of Police.

"(3) In any of the following cases, namely:—

- (a) in any case in which the Local Government may by rule so require,
- (b) in any case in which there is any doubt regarding the cause of death,
- (c) in any other case in which the Police-officer considers it expedient so to do,

he shall cause the body to be examined by a medical officer appointed in this behalf by the Local Government.

"(4) The Police-officer may, by order in writing, summon two or more persons as aforesaid for the purpose of the investigation under this section, and any other person who appears to be acquainted with the facts of the case. Every person so summoned shall be bound to attend and to answer truly all questions other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.

"(5) If the facts do not disclose a cognizable offence to which section 170 applies, such persons shall not be required by the Police-officer to attend a Magistrate's Court.

"175. (1) The Local Government may make rules, and the Commissioner of Police may from time to time make general or special orders consistent with those rules,—

- (a) defining the circumstances in which an officer in charge of a Police-station, after giving intimation to the Commissioner of Police of any such event as is mentioned in clause (a), clause (b) or clause (c) of sub-section (1) of the last foregoing section, is not to proceed to discharge any of the further functions of such an officer under that section, and
- (b) prescribing the authority by whom, in any of the circumstances defined in the rules or orders, those further functions are to be discharged.

"(2) The authority referred to in clause (b) of sub-section (1) may be the Commissioner of Police or any of his Deputies or Assistants or any other Police-officer of rank not below that of Inspector, and may exercise any of the powers and shall perform the duties which, but for such rules or orders as aforesaid, might be exercised and should be performed by the officer in charge of the Police-station.

"176. (1) The Chief Presidency Magistrate, or such other Presidency Magistrate as the Chief Presidency Magistrate may depute in this behalf, shall, when any person dies while in the custody of the Police or in prison, and may in any other case mentioned in section 174, sub-section (1), clause (a), clause (b) or clause (c), hold an inquiry into the cause of death, either instead of, or in addition to, the investigation under either of the two last foregoing sections; and, if he does so, he shall have all the powers in conducting

it which he would have in holding an inquiry into an offence. The Presidency Magistrate holding such an inquiry shall record the evidence taken by him as nearly as may be in the manner prescribed in section 362.

"(2) Whenever such Magistrate considers it expedient to make an examination of the dead body of any person who has been already interred, in order to discover the cause of his death, the Magistrate may cause the body to be disinterred and examined."

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

*Draft of 19-10-88.
Spent 10/10/88.*

A
BILL
TO
Abolish the Office of Coroner of Madras.

(Mr.

FROM

No. 1906. *6/27*
S. Harvey James, Esquire.
Secretary to the Government of India,
Legislative Department,

TO

*The Chief Secretary to the Govt of
Madras.*

Dated *Simla*, the *23rd* October, 1888.

SIR,

Referring to the letter to your address from the Secretary to the Government of India Home Department, No. 1620, dated the 16th instant, I am directed to forward draft of a Bill to abolish the office of Coroner of Madras, and to beg that the Governor in Council will be so good as to favour the Government of India with his opinion thereon.

2. I am to add that the Honble Mr. Hutchins is to be asked to take charge of the Bill on his arrival in Calcutta.

I have the honour to be,

Sir,

Your Obedient Servant,

S. Harvey James

Secretary to the Govt of India.

20-5-88-1725
21-6-88-1367
1-3-88-534
1-2-88-287
29-11-88-2327

1/ Judicial

4727

From

The Govt. of India
Leg. Dept.

Dy 23.10.88
1-1-88

No. 1906.

Encl. two

Forwarding for favour
of opinion draft of a Bill
to abolish the office of
Coroner of Madras.

DEPARTMENT

Papers to be read in Proceedings:—

Again G.O., dated

188 , No.

Again G.O., dated

188 , No.

Current No.

of 188 , dated

from

Current No. 4727 of 1888, dated 23/10/88 from the Govt. of India
Legis Dept.

Order 10-11-88 No 2327

Copies of the Bill with
Statement of Objects and
reasons will be forwarded
to the Hon. the Judges of the
High Court, ^{the Adv. Genl} and the Com.
of Police, Madras, with the
request that they will furnish
the Govt. with their opinion
on the provisions of the Bill
at an early date.

see
6/10/88

To the Hon. the Judges of the High Court in the Chb
- Govt. Sec. 3
- Com. of Police 6
- Adv. Genl 1
with Bill.
& State of Ch. 1
Deepd with Bill & Stat. of objects & reasons
17/11/88.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Investigation No.

100-111

~~8~~
2329

Subject

Case No.

49-12-12

Reference to File

Source of Information

Particulars of the Report
[] Internal
[] Confidential

Remarks
[] Information
[] Confidential

70
[] Information
[] Confidential
[] Not for Distribution
[] For Official Use Only
[] For Official Use Only - Confidential

31-7-13 ✓

10/11

11-1-18

29/11/33

Medical

10-11-58

2327

Bill.

Forwarding to
certain officers for
opinion copy of a
— to abolish the
office of coroners &
drachas, and directing
publication of the same,
with statement of
Objects & Reasons in
the Bill for the purpose.