

Law (General) (1932) Department.

MS. SERIES.

G.O. No. 500

DATED 10-2-1932

(78 sheets)

[Despatch Abstract.]

Convict - Classification - Madura District - S.M. Kumaraswami Ayyar -
C.C.No.19 of 1932 on the file of the Additional District Magistrate,
Madura - B class - Ordered.

BACK PAGE

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

FURTHER PAGE

G.O.	No.	Department.	Date.	G.O.
o.	1881	K.G.	10-5-32	

பாதுகாப்பு பிரிவு
 செப்பனிருவர் பெயர் : *R. V. Srinivasan, Madras*
 செப்பனிருவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள். *10-5-2009*
 செப்பனிரு குடித்த நாள். *10-5-2009*
செ. குமார் *செ. குமார்* *செ. குமார்*
 சரிபார்க்கும் சரிபார்க்கும் சரிபார்க்கும்
 முதல் முதிபாள முதல் முதிபாள முதல் முதிபாள
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C.C.10/32-5-18-1932

1/2 500 *Hand. 724 A*
 5-2-32
 Madura Dt. Magistrate's Office,
 Dated the 27th January 1932.

From
 M.R. Ry. Mac Bahadur K.V. Kunhiraman Nair Avl., B.A.,
 Addl. Dt. Magistrate, Madura.
 To
 The Secretary to Government,
 Law (General) Department, Madras.
 Through
 The District Magistrate,
 Madura.
 Sir,

CRIMINAL JUSTICE - C.C.10/32 - Prisoner - S.M. Kumaraswami Ayyar - classification.

2-5 info I submit herewith a copy of my judgment in C.C.10 of 32 on my file. The prisoner was provisionally placed in 'C' class subject to further enquiry. I learn that the prisoner S.M. Kumaraswami Ayyar comes of a well-to-do Soursashtra family in Madura Town. He is a merchant and a chemist. Having passed his F.A. course, he prosecuted his further studies in the Victoria Technical Institute at Bombay and obtained a diploma in dyeing and chemistry. He was engaged in a dyeing industry in this town which produced a decent income. He owns properties to the extent of Rs.50,000. As regards his character and antecedents, there is nothing bad against him. I cannot say that he is having a superior mode of living but at the same time he seems to be accustomed to the life adopted by well to do Indians. I recommend that he may be placed in 'B' class.

p.s.s-A-28-1-32.
 Rev. 1497-32 Ch.
 Forwarded
 My personal inclination is to class this convict as 'C' but the question of class depends upon what the Government intended the superior simply.
 Addl. Dt. Magistrate

Witness examined.

3/500

Sheik Jaffar, Sub Inspector of Police, Central Station, Madura.

N i l.

Exhibits filed.

Prosecution:- A. Cyclostyled leaflet.

For Defence:- N i l.

JUDGMENT.

C.C.No.10/32.

The accused is charged by the Sub Inspector of Police, No.1 station, Madura town with offences under section 17(2) of the Criminal Law Amendment Act and section 4 of Ordinance V of 1932. He is the dictator of the Madura Taluk Congress Committee which has been declared by the Local Government as an "Unlawful Association" within the meaning of section 15 of Act XIV of 1908. The accused is the fifth dictator, the first four having already gone out of the job. On the 14th notices were circulated under the signature of the accused stating that foreign goods and British goods should be boycotted and yesterday evening at about 4 O'clock he went with a posse of volunteers and picketed the foreign good shops of Haji Moosa Saif and Sulaiman in the Amman Cannadi at Madura. The police went up to the scene and asked the accused to go away which he refused to do. He was arrested.

P.S.1 speaks to these facts. The accused was asked whether he is the dictator of the Madura town and taluk Congress Committee and whether he picketed the foreign good shops yesterday evening as alleged. He said "Yes" to the question put by the Court. A charge was therefore framed under section 17(2) of Act XIV of 1908 and section 4 of Ordinance V of 1932 in that he as dictator was managing the affairs of the Unlawful Association and did the overt act of picketing foreign and British good shops. He pleaded guilty to the charge. I therefore find him guilty of the offences under section 17(2) of Act XIV of 1908 and section 4 of Ordinance V of 1932 and sentence him to undergo rigorous

imprisonment for two years and
rigorous imprisonment for six weeks
section 17(2) of Act XIV of 1908 and rig
for six months for the offence under secti
No. V of 1932. I further direct that the s
concurrently.

e/- K.V. K. Nair
Addl. Dt.

(True copy)

P.K.V/16-1-32.

Adl. Dt. Magistrate

Copy to the ...

16-1-32

Cr. J. No. 124-3,314-28-2-31.

2/ 4
500

In the Court of the Addl. Dt. Magistrate, Madras.

JUDGMENT IN CALENDAR CASE No. 10 1932 ON THE FILE
OF THE Addl. Dt. MAGISTRATE OF Madras.

Dated the 10th January 1932.

Present:- M.K. Ry., Rao Bahadur K.V. Kunhi Raman Nair Ayl., B.A.,

Addl. Dt. Magistrate, Madras.

Complainant ...
... Rex through Inspector of Police,
Madras Town. Cr.No.11/32 Central
Station, Madras.

Accused ...
... S.M. Kumaraswami Ayyar.

Offence ...
... Being a member of an unlawful
association, having managed the
affairs of that association and
picketed the foreign goods
shop in furtherance of the object
of that association - sec.17(2)
of the Criminal Law Amendment Act
XIV of 1908 & sec. 4 of Ordinance
V of 1932.

Guilty.

Sentence ...
... To suffer R.I. for two years and
pay a fine of Rs.200/- in deft
to 6 weeks R.I. for the first
offence and R.I. for six months
the second offence, the sentence
to run concurrently

This case coming on for hearing before me today the co
delivered the following judgment.

5/50 Law (Genl) Dept.
[C. No. 724A] From the S. M. Madura,
p. 1 of Ref. 1497-32 C₄ dated 2-2-1932.

Convict - Classification - Madura
St. - S. M. Kumaraswami Ayyar.

A.S.

The Addl. S. M. Madura, who
convicted S. M. Kumaraswami Ayyar,
recommends that the prisoner may be placed
in 'B' class for the reasons given in his
letter on page 1 of. The S. M., however, remarks
that his inclination is to class the convict
as 'C'. For orders.

5/2/32 cur
5/2

Particulars given in the
A.S. letter clearly
indicate that this is a
case for 'B' class.

5/2

6/2/32



C₂ B class.
7. 2. 32.

A.S.

A draft order is submitted.

5/2/32 cur
8/2

Signature

When received for Fair-
copying.

When copied	..
When examined	..
When signed	..
When despatched	.

Date _____

Initials

Law (Genl) DEPARTMENT

Convict - Classification -

Madura St. - S. M. Kumaraswami
dyar - C.C. No. 10 of 1932 on the
file of the A.D.M. Madura - B class -
ordered.

READ AGAIN G.O. No. _____, dated _____ 19____

READ ALSO :—

g. No. 724A From the S. alb. elhadura, No. 1497-32 dated 2-2-1932 ^{Ref.}

ORDER.

elbis

No. 500, dated 10. 2. 1937

The Govt. direct that
S. M. Kumaraswami Ayyar
convicted on the 16-1-1932 in
C. C. No. 10 of 1932 on the file
of the A. D. M., Madurai, be
classified as 'B' class prisoner.

To

The D. M. Madura!

The G. G. of Prisons

noted in the Register