

Law General (1931) Department.

Miss SERIES.

G.O. No. 648

DATED

13-2-31

(58 sheets)

[Despatch Abstract.]

onviet:-

Classification - Madras - V.A. Sundaram, Krishna Bai
and Kamala Bai - C.C.No.3028/31 on the file of 2nd Presidency
Magistrate, Madras - Recommendation of the 2nd Presidency Magistrate
accepted.

Department.	Date.	G.O.	No.	Depu.
FURTHER PAPERS				
Department.	Date.	G.O.	No.	Depu.

மாதுகாபு பிரிவு-1

செப்பனிருவர் பெயர் : **செ. வெங்கடேசன்**
செப்பனிருவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள். 12/03/2009
செப்பனிரு முடித்த நாள். 18/03/2009

சரிபார்க்கும்
முதல் முதிபாள
கையொப்பம்

சரிபார்க்கும்
2ம் முதிபாள
கையொப்பம்

சுராமச்சி
உதவிபாள
கையொப்பம்

C.F. 32

In reply, please quote
number, date and short
title

DEPARTMENT.

Received

Registered

From (Name) **L.R. RV., Rao Bahadur B.V. Sri Hari Rao** **B.A., B.L.,**

(Designation) **2nd Presidency Magistrate,**

Post Box (STATION) **George Town, Madras.**



Telegraphic Address

Secretary to Government,
Law (General) Department,
Fort St. George, Madras.

Recd No. **3028/31**, dated **28th February 1931**

Sir,

ENCLOSURES

1 copy of judgment

COPIES

**V.A. Sundaram. (accused 1).
 Mrs. Krishna Bai. (accused 2).
 Kamala Bai. (accused 3)**

With reference to G.O. No. 1135 Law (General) Department, dated 15th March 1930, I beg to report that I have to day convicted the three marginally noted congress picketers of an offence under section 143 I.P. Accused 1 is sentenced to undergo rigorous imprisonment for a period of six months and accused 2 and accused 3 who are ladies are sentenced to undergo simple imprisonment for a period of six months each. The Police report that accused 1 is the son of the Village Munsiff of Vellalore village, Pedamur taluk. He passed F.A. He states he is a journalist and that he was for some time private Secretary to **Pandit Madan Mohan Malaviya**. His salary is not known. I recommend that he may be classed as a 'B' class - prisoner. Accused 2 is the wife of Mr. Hari Rao of Mylapore who is the grandson of the late Sir T. Madhava Rao. Accused 3 is the wife of Mr. Lakshuman Rao, Zamindar of Melmandai, Tinnevely, now residing at Mylapore. I therefore beg to recommend that accused 2 and accused 3 may be classified as 'A' class prisoners.

A copy of the judgment in the case is herewith enclosed.

I beg to remain,
Sir,
Your most obedient servant,

Police Hari Rao

✓ 3
648

In the Presidency Magistrates' Court, George Town, Madras.

C.C.No.3028 of 31

Rex. (Crime) versus. 1. V.A.Sundaram.
2. Mrs.Krishna Bai.
3. Kamala Bai.

Charge:- That the accused before the court stand charged under section 143 I.P.C. for being along with two others on the afternoon of 7-2-31 at G.Cunnayya Chetty's shop, Rattan Bazaar Road, members of an unlawful assembly, whose common object was to commit an offence under section 188 I.P.C. by disobeying the order under section 144 Cr.P.C. issued by the Chief Presidency Magistrate, Madras, on 13-12-30 prohibiting picketting in any manner in this city for a period of two months from the said date.

J u d g m e n t.

The three accused before the court stand charged under section 143 I.P.C. for being along with two others, on the afternoon of 7-2-31 at G.Cunnayya Chetty's shop, Rattan Bazaar Road, members of an unlawful assembly, whose common object was to commit an offence under section 188 I.P.C. by disobeying the order under section 144 Cr.P.C. issued by the Chief Presidency Magistrate, Madras, on 13-12-30 prohibiting picketting in any manner in this city for a period of two months from the said date. The accused do not wish to plead.

Two witnesses have been examined for the prosecution. P.W.1 is a Sub Inspector attached to C-1 station. P.W.2 is the Assistant Commissioner, Law & Order, Northern Range. Their evidence is to the effect that hand bills were distributed on 6-2-31 in the name of the City Boycott Committee that there would be a mass picketting that day at 3 p.m. under the leadership of accused 2 and accused 3, that they received information on 7-2-31 that on account of the closure of shops on 6-2-31, the picketting announced for 6-2-31 would be carried on, on that date, that P.W.1 was ordered to be in charge of Rattan Bazaar Road for handbust, that 2 congress volunteers were found picketting in front of G.Cunnayya Chetty's shop at about 3-5 p.m. and that five minutes later the three accused came in a car to that shop, talked to the two volunteers in front of

that shop, went into the shop and began to preach to the shopkeeper to stop selling foreign cloth or to come to some agreement with the congress. The prosecution witness No.1 deposes that there was a large and boisterous crowd in front of the shop that he apprehended a breach of the peace and commanded the crowd to disperse, that he thereupon sent word to P.W.2 who was at the station and that P.W.2 thereupon turned up at the shop and arrested the accused.

The accused state that the assembly was not unlawful, that they were peacefully picketting the shop and that if any breach of the peace was apprehended it was more to the inhuman action of the police in beating the volunteers than to their picketting. But the accused do not wish to call any witnesses to substantiate their statement. I see no reason to disbelieve the prosecution evidence. I am satisfied that the 3 accused met the two volunteers who were picketting in front of G. Cunnayya Chetty's shop in pursuance of a common unlawful object viz to commit an offence under section 188 I.P. animated by the same purpose and with the intention of furthering it. I therefore find all the three accused guilty of the offence with which they are charged and sentence accused 2 and accused 3 to undergo simple imprisonment for a period of 6 months each and accused 1 is sentenced to undergo rigorous imprisonment for a period of 6 months.

(signed) B.V. Sri Hari Rao,
9-2-31
2nd Presidency Magistrate.



(True copy)

B. V. Sri Hari Rao
2nd Presidency Magistrate
George Town, 9.2.

24/9/2
1/92

Government of Madras.
Received. 193
Registered. 193
Abstract

Convict - classification - *Madras* District - *V.A. Sundaram,*
Krishna Bai and Kamala Bai - C.C. No. 3028/31 on the file of
Magistrate, Madras
The 2nd Presidency
Magistrate's recommendation of District Magistrate accepted.

Law (General) Department.

G.O. No. 648

dated

10.2.31

10/12
Read the following papers:-
10/12 from the 2nd Presidency Magistrate, George Town, Madras, R.O. No. 3028/31 dated 9.2.31

ORDER:-

The Government accept the recommendation of the *2nd Presidency*
Magistrate, *Madras* that the following prisoners *Convicted*
on 9.2.31 in C.C. No. 3028/31 on his file
may be classified as follows:-

- (1) V.A. Sundaram B class
- (2) Krishna Bai B class
- (3) Kamala Bai A class.

11/2

11/2

12/2

12/2

To the *2nd Presidency* District Magistrate, *George Town, Madras*

To the Inspector General of Prisons.

