

Pension (1896) Department.

ORDINARY MS.

G.O., No. 822

DATED 4-9-96

[Despatch Abstract.]

Withdrawing C. Fakhulla Khan's pension, under art.
383 C.S.R. from the date of sentence of the Court of
the Stationary Sub. Magistrate, Chittoor.

BACK PAPERS.

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

FURTHER PAPERS.

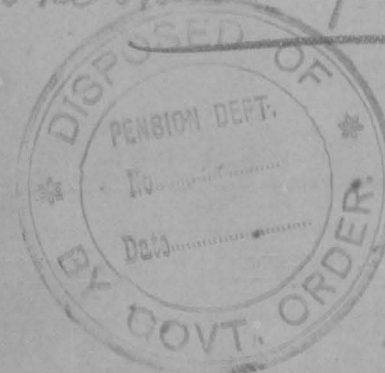
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

[R. E.]
43
1,000-10-8-96.

Pension (1896) Department.

The Hon. Mr. G. M. C. I. G.

CURRENT No. 934



Read C.N. 724 & 934

Order 4 Sep 1896 N. 822. 28 27/8/96

The pension will be withdrawn from the date of sentence of the Court of the Stationary Sub Magistrate, Chittoor, viz. 11 March 1896.

28 27/8/96

21/8

26/8/96

From

The Collector of North Arcot

No. 2655.

Dated 13th Aug -

Received 19/-

Registered 19/-

Enclosures 2

Spare copies.

SUBJECT.

Reports that no

appeal was preferred

by pensioner C. Hattamalla

Khan Sahib.

To The A.C. C. of N. Arcot

Note

Please see precedent put up - 80 1026 13. 20-8-85

BACK PAPERS.

G.O.	No.	Department.	Date.
80	291	Pension	15/3/86.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

North West Collector's Office
Chittoor 29th June 1896.

From.

R. H. Campbell Esq. J. C. S.

By Collector

N. Asst.

To.

The Secretary to the
Government
Pension Department,
Madras.

Sir,

I have the honor to bring to
your notice that Chittoor Frathulla Khan
Salih holder of P. P. order no 11440 dated
22nd March 1886, who is in the enjoyment
of a monthly pension of Rs 1-8-0, sanctioned
in G. O. no 291 dated 15th March 1886, has
been convicted of the offence of theft
and sentenced to rigorous imprisonment
for 2 months - (Vide Chittoor Stationary
Sub. Magistrate's judgment in Calcutta)

Case No $\frac{74}{96}$, Copy enclosed, and to
request orders as to whether payment
of his pension should not be stopped
under Article 383 of the Civil Service
Regulations. As this is the man's second
conviction, I myself think that his pension
should be stopped.

I have the honor to be
Dear

Your Most Obedient Servant.

Samuel
For the Collector.

DESPATCHED
29 JUN 1896

OK.
26.

REMARKS OF THE DISTRICT MAGISTRATE.

FROM

THE 2nd CLASS MAGISTRATE OF
Chittor.

Date of Receipt.

To

THE Treasury Collector,
North Arcot District.

CALENDAR No. 74 of 1896.

Date of Judgment 2-6-96
Despatch of Calendar 2-6-189
Received

REMARKS OF SUB-DIVISIONAL
(RATE.

Date of Despatch

Receipt

189

REPLY OF SUB-MAGISTRATE.



Date of Despatch

Receipt

189

REPLY OF SUB-MAGISTRATE.

Date of Despatch

Receipt

189

Date of Despatch

Receipt

189

Result of trial	Date of offence.	DURATION OF PROCEEDINGS.			Explanation of delay.	REMARKS.
		Date of report or complaint.	Date of commencing trial.	Date of sentence or order.		
5	6	7	8	9		

The accused is convicted of the offence in Column 4 and sentenced to undergo rigorous imprisonment for 2 months.

Some noise was heard in the nadav where boiled paddy was spread to dry. On going to the nadav a boy found the accused crossing the threshold taking some paddy in his cloth in a bundle. They pursued him raising hue and cry. The 2nd and 3rd witnesses who were coming in an opposite direction caught hold of the accused with the paddy and took him to the Police Station.

3. The witnesses examined for the prosecution corroborate the above story. One of the witnesses is the Inspector of Salt and Akhari Revenue Shittor Circle. According to him it was a woman who was running behind the accused calling out 'thief' 'thief' when he was returning from the office and entering the lane. From the evidence of the 5th witness it would appear that the 1st witness's mother also pursued the accused. The Inspector is quite certain that it was the accused who came running opposite to him. He adds that while the accused was at the nadav one of the

Serial number.	Name of complainant.	DESCRIPTION OF ACCUSED.					Offence complained.
		Name.	Father's name.	Caste.	Calling.	Age.	Residence.
1	2	3					4

Calendar No. 74/96
 Razina
 Farhat Khan
 Zinulabdeen Khan
 Ibrahim Khan
 Parsimant Singh
 Shittor
 46
 Shittor.

Theft in a building after previous conviction under Sections 380 & 45 I.P.C.

Prosecution Witnesses Defence Witnesses

- | | |
|----------------------|---------------------|
| 1. Sarasamma Danday | 1. Abdul Rahim |
| 2. Lashmappa Singh | 2. Gotsami |
| 3. Venkatesh Danday | 3. Ramdasany Danday |
| 4. Lakshmayya Danday | 4. Sakul |
| 5. Ramji Rao | 5. Sakul |
| 6. Ibrahim Sahib | 6. Sakul |

Judgment

The accused is charged with having committed theft in a building after previous conviction an offence punishable under Sections 380 & 45 I.P.C.

2. From the evidence for the prosecution it appears that on the night of the 18th February last while 1st and 5th witnesses were taking meals in the house the 1st witness's mother said that

that were there caught hold of him: but the accused escaped from him grasp and ran past the Inspector when the 2nd and 3rd witnesses caught hold of him.

4. The accused is the Acting river Superintendent
Whitlow union. He states that as he used to
order the 1st and 2nd witnesses who used to
frequent the spring and sing indecent songs
there as the annoyance of respectable women
to leave the spring they angrily caught hold
of him saying that he was the thief when
he was turning towards that lane. He adds
that Paddy was brought to the Station subse-
quently by the 1st witness.

5. Three witnesses have been examined for the defense, one of them being Chairman Whittor union. He has been examined to prove that the accused complained to him that the 1st and 2nd witnesses were singing indecent songs at the spring: but the Chairman can only say that the accused complained to him that some Police Constables and Jackawalls were singing indecent songs. The 1st Defense witness states that he saw the 2nd prosecution witness and the accused quarrelling at the spring one day and the evidence of the other defense witnesses does not help, the accused in any way. His evidence on the other hand goes to strengthen the prosecution.

6. Granting that the 1st and 2nd witnesses

are the enemies of the accused there is the evidence of the Salt Inspector who states that he saw the accused running in an opposite direction to him being pursued; that he escaped from the grasp of a Salween man and that he was caught hold of when he passed him. If the accused's story is to be believed he cannot be running opposite to the Inspect. - Not. There is also the evidence of the 3rd and the 5th witnesses against whom the accused could say nothing. Under the circumstances I have no doubt whatever that the accused committed the theft.

7. From the evidence of the ^{1st} Witness and Exhibit I (Calendar in cc No. $\frac{135}{94}$ on the file of the Assistant Magistrate at H. Acet) it appears that the accused was previously convicted of the offence of House trespass with intent to commit Theft under Section 451 I.P.C and sentenced to undergo rigorous imprisonment for 14 Days.

8. The accused pleads guilty to the previous conviction.

9. I find the accused guilty of having committed theft in a building after previous conviction under Section 380 and 75 I Pk and considering that his —

previous conviction was only for an attempt to commit theft: that there has been an interval of more than one year between his first offence and this and that the value of the paddy has stolen now is a mere trifling (about 3 annas) I think that a sentence of 2 months rigorous imprisonment is enough in this case and sentence him accordingly he undergoes rigorous imprisonment for 2 months.

10. The paddy before the court will be returned to the 1st District after the expiry of appeal time under Section 514 bPb.

(Signed) H. Narasinga Rao

11-3-1896.

Shri D. Laxman Rao is to take

(true copy)

H. Narasinga Rao

Shri D. Laxman Rao is to take.

Pension 1896 Department
From *Current Number 724*
THE COLLECTOR OF
North Arcot.

To
THE *Secretary to*
Government
Pension Department
Madras.

Station *Chittoor*
Dated *29-6-* 1896.
Received

Refrence No. *2655 996*
Enclosure. one

SUBJECT

Requesting orders as to
whether the payment of
pension of *Fathullah*
a convicted pensioner
can be stopped for the
reasons stated therein.

GO. 291 P.
15.3.86

The Hon. *M. G. G. G. G.*

Order.

The pension will be withdrawn from
the date of sentence of the Court of the Stationary
Sub. Magistrate, Chittoor.

17.7.96 O. M. No. 53 8/29-7-96

The order is requested to
report whether the conviction of the
pensioner has been upheld on
appeal.

LD
20.7.86

Note

Please see precedent put up - go. 1026 P.
20.8.85

Refrence No 2655 of 96.

From.

S. H. Wynne Esq. J.C.S.

Collector of North Arcot.

To,
The Secretary to the
Government
Pension Department
Madras

Sir,

With reference to your Official
Memorandum No 53 dated 29th July 1896,
I have the honor to inform you that no
appeal was preferred by Chittoor Fathulla
Khan Sahib, the pensioner therein referred to.

I have the honor to be,
Sir,

Your Most obedient servant.

Kamala
for collector

From

THE COLLECTOR OF

North Arcot.

To

THE *Secretary to the*
Government
Revenue Department
Madras

Station

Dated

Received

Chittoor

13-8

1896.

Ref. No. 2655 of 96

Enclosure. ..



SUBJECT

Reports that no appeal
was preferred by the
persons referred therein.

14/
19.8.96

When given for copying *3/9*

When copied *20*

When examined *20*

When signed *4/9*

189.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. —

A = Copy in full
B = Not to be copied.
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Q = Copy heading only.