

*Proceedings of the Madras Government, Revenue Department,  
10th January 1872.*

No. 122. Read the following Proceedings of the Board of Revenue, dated 10th July 1871, No. 2,849 :—

Read the following letters :—

From the Acting Collector of Chingleput, to the Acting Secretary to the Board of Revenue, dated Sydapet, 3rd June 1871, No. 226.

WITH reference to the Order of Government No. 904, dated the 22nd ultimo, communicated with the Board's Proceedings, Miscellaneous No. 1,723, of the 29th idem, I think I ought to bring to notice, as regards paragraph 2, that the lad Venkata Row, son of Krishna Row, the Gumastah who was convicted, was not acquitted, and was never brought to trial, he having absconded as soon as the matter was taken up by the Police, and has not since been heard of. I was, as the Board are aware, the Sessions Judge who disposed of the case.

From the Government Pleader, Madras, to the Acting Secretary to the Board of Revenue, dated 12th June 1871, No. 101.

WITH reference to the Board's Proceedings noted in the margin, I have the honour to forward copy of the judgment and order of the High Court in the

29th May 1871, No. 1,723.

criminal appeal (Criminal Regular Appeal No. 67 of 1870) therein referred to.

2. I have looked at the calendar of the Sessions Court in the case, and find that the facts are not quite correctly stated in the Proceedings of Government on which the Board's Proceedings were passed. I will, therefore, state them for the information of the Board and Government.

3. There were three prisoners charged before the Sessions Court, namely, (1), Chinniah Pillay, Revenue Inspector of the Madrantakum Talook in Chingleput District; (2), Krishna Row, Gumastah in the same Talook Cutcherry; and (3), Gurumiurti Row, a ryot.

4. These prisoners were charged with forgery and using forged documents. Venkata Row, the son of second prisoner, Krishna Row, was not committed on the same charge as stated in the Proceedings of Government, but is stated by the Sessions Judge to have absconded. Chinniah Pillay and Gurumurthi Iyer were acquitted by the Sessions Judge, who, at the same time, expressed strong suspicions against the former and Krishna Row was convicted, which conviction was reversed on appeal by the High Court.

ENCLOSURE No. 1.

*In the High Court of Judicature at Madras.*

Friday, the 8th day of April 1870.

PRESENT :—The Honourable Sir C. H. SCOTLAND, Knight, *Chief Justice.*

The Honourable Mr. JUSTICE COLLETT,

*Criminal Regular Appeal No. 67 of 1870.*

Krishna Row, Appellant (2nd Prisoner.)

*Appeal against the sentence of the Court of Session of Chingleput in Case No. 11 of the Calendar for 1870.*

THIS appeal coming on for re-hearing the Court delivered the following :—

JUDGMENT.—Having considered this case fully we are of opinion that the evidence for the prosecution is not sufficiently conclusive to warrant our upholding the conviction. The case turns

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upon the prisoner's knowledge of the forgery; he certainly was not the person in exclusive possession of the documents, and the proper custody of them apparently belonged to the Shroff; but upon the evidence it is clear that they must have been open to access to many others. The evidence of the 7th witness is consistent with the prisoner having obtained the documents from the Shroff when they were required for the preparation of Exhibit E. The evidence as to the prisoner's son having been connected with the fraud and some other circumstances in the case certainly excite suspicion against the prisoner, but the result of the whole evidence in the case is not to conclusively establish the guilt of the prisoner. He must, therefore, be discharged.

ENCLOSURE No. 2.—Copy of Order of High Court.

SUBMITTED to Government with reference to Government Order, 22nd May 1871, No. 904.

2. The question before Government is whether Krishna Row, Chinniah Pillay, and Venkata Row, shall be declared disqualified for Government service.

3. Krishna Row was convicted by the Sessions Judge of forgery, but acquitted on appeal, because so many others had access to the documents.

4. The facts are detailed in Board's Proceedings, 20th June 1870, No. 4,248, and leave no reasonable doubt of the guilt of the three men named in paragraph 2.

No. 123.

ORDER THEREON, 10th January 1872, No. 63.

Miscellaneous.

CHINNIAH PILLAY and Krishna Row were charged before the Sessions Judge of Chingleput with forgery and using

forged documents. The first named was acquitted; Krishna Row was convicted; but the conviction was reversed on appeal by the High Court on the ground that the evidence was inconclusive, although in some respects it gave rise to suspicion.

2. The Government have examined the "statement of the evidence and grounds of conviction in Calendar No. 11 of 1870 on the file of the Session Court, "Chingleput." Admitting the two accused to be presumably innocent of the offence of forgery, the Government are nevertheless of opinion that the evidence adduced forbids their re-employment in the public service.

3. Chinniah Pillay, who had charge of the Copying Department in the Talook Cutcherry, was shown to have received from the second prisoner certain "tandal chittahs," copies of which were required as evidence in a criminal case pending before the Sub-Magistrate. In these chittahs forged entries, which were evidently intended materially to affect the aspect of the case, had been made. The copyist pointed out the erasures and alterations to Chinniah Pillay, but the latter took no steps to verify the correctness of the originals; and he is reported by the Acting Sub-Collector to have irregularly kept the originals, until they were called for in the course of an investigation which ensued some days afterwards. It further appears that Chinniah Pillay and Krishna Row sat next each other at Cutcherry.

4. Krishna Row was Nagadi Gumastah in the Talook Cutcherry. The "tandal chittahs" passed through his hands to Chinniah Pillay. He was intimate with Sama Rayer, one of the defendants in the criminal case, and the latter occasionally lived with him. When the erasures in the chittahs were brought to his

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notice, he, equally with Chinniah Pillay, disregarded them. The copyist's fees were paid by his son, Venkata Row, and the name of the latter was endorsed on the stamp paper on which the copy was made. Krishna Row afterwards interfered in certain matters affecting the subject of the criminal case in a manner which increases the suspicion against him, and it was deposed that he endeavoured to suborn false evidence.

5. In any case, and on the most liberal interpretation of the evidence, both Chinniah Pillay and Krishna Row failed in their duty in not detecting and bringing to notice a flagrant and palpable forgery. Both, therefore, are unfit for the service of Government, and will not be re-employed.

6. Venkata Row, son of Krishna Row, was committed on the same charge as his father but absconded. His employment at any time under Government is forbidden.

(True Extract.)

(Signed)

W. HUDLESTON,

Secretary to Government.

To the Board of Revenue.

„ the Accountant-General.

„ the Public, etc., Departments.

„ the Public Works Department.

„ the Military Department.

„ the Director of Revenue Settlement.

„ the Superintendent of Revenue Survey.

„ the Conservator of Forests.

„ the Inam Commissioner.

Exd. F. R. Bantleman.

## PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 10<sup>th</sup> July 1872.Read the following Proceedings  
of the Board of Revenue.

Submitting copy of  
Court Judgment in Crim. Reg.  
No. 67 of 1870 in a case of  
forgery against Gornastak Krishna  
of Madrantaram Taluk, Chingleput  
with opinion that he as well  
Chinniah Pillay and Vankata Rao  
were implicated, should be  
declared disqualified for Govt. Service.

(H.L. 10 July 1871. N<sup>o</sup> 2849.)

1. Chinniah Pillay  
and Krishna Rao were charged  
before the Sessions Judge of  
Chingleput <sup>with</sup> forgery and  
using forged documents. The  
first-named was acquitted.  
Krishna Rao was convicted  
but the conviction was  
reversed on appeal by  
the High Court on the  
ground that the evidence  
was inconclusive although

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2. The Government have examined the "statement of the evidence and grounds of conviction in Calendar No 11 of 1870 on the file of the Session Court, Chingleput." Admitting the two accused to be presumably innocent of the offence of forgery, the Government are nevertheless of opinion that the evidence adduced forbids their re-employment in the public service.

3. Chinniah Pillay who had charge of the Copying Department in the Taluk Cutcherry was shown to have received from the second prisoner certain "tandal Chittaks" copies of which were required as evidence in a Criminal case pending before the Sub

Sub Magistrate. In these Chittaks forged entries which were evidently intended materially to affect the aspect of the case had been made. The Copyist pointed out the erasures and alterations to Chinniah Pillay but the latter took no steps to verify the correctness of the originals, and he is reported by the Acting Sub Collector to have irregularly kept the originals until they were called for in the course of an investigation which ensued some days afterwards. It further appears that Chinniah Pillay and Krishna Row sat next each other at Cutcherry. Krishna Row was Nagadi Gumastah in the Taluk Cutcherry. The "tandal Chittaks" passed through his hands to Chinniah Pillay. He was intimate with

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14. Board of River Dept. 21 Jan'y / 72  
6. Accts. Genl. Co.  
20. Pub. Off. - Dept.  
21. P. W. Dept.  
7. Mil. Dept.  
13. Dir. of Rev. Scts.  
13. Sup't. River Survey  
13. Conservator of Forests  
8. Trans. Commission

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