(1) Number of pages 6.

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(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

R BUREAU DEPARTMENT

G.O. No. / B.P. No.		Press. / Mis.
	2167	

Dated 16-4-(87) 197 .

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Archives 1—10,006—19-4-79.

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GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

4th April 1877, No. 862.

Lost Property.

Read the following papers:—

No. 26. *From W. S. WHITESIDE, Esq., Magistrate of North Arcot, to the Chief Secretary to Government, dated Chittoor, 14th February* 1877, *No.* 18.

One Subbanna, the complainant in Calendar Case No. 80 of 1876, on the file of the 2nd-Class Magistrate of the Kangundi Division, presented a petition before the Acting Joint Magistrate praying that the property produced in the case and ordered to be restored to him by the Sub-Magistrate may be returned to him.

2. The property in question is valued at Rupees 285-10-9; but the greater portion of this property, to the value of Rupees 239-1-8, was lost when the chest of the Deputy Tahsildar's Cutcherry was stolen some time back from the Police guard-room, where it was secured under a Police guard. The remainder of the property, worth Rupees 46-9-1, is available, and this the Joint Magistrate has directed should be returned to the owner. As regards the property lost, I am of opinion that the Police who had charge of the Treasury at the time of the theft are responsible for it, and that the party should therefore receive compensation from Government for the loss he has sustained.

3. I have therefore the honor to request that Government will be pleased to sanction the payment to Subbanna of compensation of Rupees 239-1-8, being the value of the property thus lost.

No. 395.

Referred to the Inspector-General of Police for his remarks.

FORT ST. GEORGE,
19*th February* 1877.

(Signed) W. HUDLESTON,
Chief Secretary:

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No. 27. *From Lieutenant-Colonel C. S. HEARN, Inspector-General of Police, to the Chief Secretary to Government, dated Madras, 26th March* 1877, *No.* 1415.

With reference to endorsement, No. 395, dated 19th February 1877, on a letter from the Magistrate of North Arcot (herewith returned), I have the honor to forward letters from the Superintendent and Assistant Superintendent of Police, North Arcot, regarding the loss of property from the Sub-Magistrate's Cutcherry at Kangundi.

2. I gather from the Police Officers' reports that the loss arose from the negligence of the Police guard in not performing sentry duty properly, but that there was no actual criminality or connivance on their part. I conclude that the local officers have satisfied themselves on this point, but still I think that the punishment was lenient, the Police Officer in charge of the guard having been punished with reduction from 1st to 3rd-Class Constable and the men of the guard with forfeiture of pay during four months' suspension. There appears to be no proper place of security for valuables kept in the Sub-Magistrate's Cutcherry.

ENCLOSURE No. 1.

From Captain H. W. H. COX, Superintendent of Police, North Arcot, to the Inspector-General of Police, dated Chittoor, 13th March 1877, No. 256.

With reference to the endorsement, No. 797, dated 20th ultimo, of the Assistant Inspector-General of Police, I have the honor to forward, for your information, copy of a report from my Assistant regarding the circumstances of the theft from the Kangundi Cutcherry on the night of 22nd July 1876.

2. I was present when the charge against Constable Permanundum, No. 351, and Dommara Narasigadu was tried by the Sessions Court, and the impression produced on my mind was that not a word of it was true and that it did not by any means justify a reasonable suspicion that the accused had anything to do with the crime.

3. The three Constables who were on guard at the time the theft took place were reinstated after being under suspension for four months, *i.e.*, until after the case had been disposed of. One was degraded from 1st to 3rd Class; the others were already 3rd-Class Constables.

ENCLOSURE No. 2.

From W. J. A. SULLIVAN, Esq., Assistant Superintendent of Police, North Arcot, Vellore, to the Superintendent of Police, North Arcot, Chittoor, dated Sunthavasul, 10th March 1877, No. 108.

I have the honor to supply the information called for in Chief Office Memorandum, No. 797, dated 20th ultimo, now under reply.

2. Certain gold and silver properties, amounting to Rupees 531-3-8, connected with three cases of house-breaking and recovered by Police from the prisoners concerned, were secured in a woollen box locked and sealed by the Sub-Magistrate and placed in charge of the Treasury guard at Cuppum on the 5th June. On the night of 22nd July, while the cases were still pending before the 2nd-Class Magistrate of Kangundi, the box containing the said jewels was abstracted, rifled of a portion of its contents, and thrown away in the Cutcherry compound, where it was found on the following morning. Of the amount above mentioned Rupees 294-3-1 only was actually stolen and the remainder left behind by the thieves.

3. I heard of this crime by telegram on the morning of the 23rd, when I at once proceeded for inquiry. I learnt from the Sub-Magistrate that three out of the number of prisoners under remand had made a statement to him to the effect that they had seen 3rd-Class Constable 351 Permanundum and a tall fair Dommara caste man (name unknown) enter the guard-room and carry a box away. With this direct evidence before me I ordered the suspension and prosecution of 351 and suspended the Police Officers who comprised the guard on the night in question. As the case was an important one, and I had at the time an Inspector at Cuppum who was physically unfit for his post (has since been invalided), I telegraphed for Inspector Varadarajoo Moodelly and 1st-Grade Head Constable Jagannada Moodelly (an able detective) to join and co-operate with me in tracing out the case. I remained with them till the 31st at Cuppum, when every endeavor was made towards the recovery of the stolen property. Head Constable Jagannada assisted by the Cuppum Head Constable (Narasiah) procured evidence against 351 and his accomplice Dommara Narasiagadu, a K. D. of Cuppam Station. They were placed before the Joint Magistrate and committed by that officer to the Court of Sessions, by whom they were acquitted. The evidence for the prosecution was probably disbelieved in the absence of recovery of any portion of the property—a difficult matter as one of the perpetrators was a Police Constable of some standing in the department who had a good practical knowledge of the niceties of the law. I personally interested myself a good deal in the case, and I am sorry, though I am conscious the best endeavors possible for its detection were made, that it did not meet with a more successful issue. Had the crime been committed solely by villagers without the connivance of the Police, a different result might have been produced.

4. I deeply felt at the time the disgrace brought upon the Police by the combined apathy and negligence of the guard and the dishonesty of the Constable above mentioned. The Inspector

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though absent at the time from Cuppum was indirectly responsible for the gross laxity of discipline on the part of the guard. I found that he never looked after anything himself, probably owing to his bad health, brought on by a too-prolonged sojourn in Kangundi Zemindari, a most unhealthy tract of country. The Station-house Officer of Cuppum was also absent on the night in question, having gone into Salem District on detective duty.

5. Though fully alive to the fact that the property in the case under reference was removed owing to the negligence of the guard (351 was not one of them), I must submit, in conclusion, that it is only fair to the Police when they are entrusted with valuable property by the Magistracy to provide them with a safe place for its custody. The Sub-Magistrate's cash-chest, as you are doubtless aware, was kept till this occurrence in an open hall with entrances east and west unprotected by a door of any kind. I have on more than one occasion personally represented to the Sub-Magistrate that he should get a sort of iron cage built in the centre of the hall in which his cash-chest and other properties might be deposited with safety and I have invariably been met with the reply that "the matter is under the consideration of the Collector." Though I have little fear of a repetition of a similar occurrence, the Police having been severely punished in the present instance, I should nevertheless like to see my proposition regarding the erection of an enclosure with iron bars become a *fait accompli* to preclude all *possibility* of such a crime being repeated. Subsequent to the occurrence of this crime I arranged with the Sub-Magistrate to have the boxes placed inside one of the Sub-Jail wards which faces the guard-room, the door of which is locked and sealed by that officer.

ENCLOSURE No. 3.

From Captain H. W. H. COX, Superintendent of Police, North Arcot, to the Inspector-General of Police, dated Narrainavanam, 22nd March 1877, No. 288.

In reply to your memorandum, No. 1250, dated 17th instant, I have the honor to inform you that the Constable who was reduced from 1st to 3rd Class was temporarily in charge of the Sub-Jail guard at Cuppum at the time the property was stolen from the guard-room. The other Constables were reinstated without any punishment beyond forfeiture of pay during the period they had been under suspension.

2. Constable No. 1022 (in charge of the guard) was not dismissed in consideration of his long service. The other men were treated with comparative leniency as it was the duty of No. 1022 to post them as sentries, which he failed to do.

No. 28. ORDER THEREON, 4th April 1877, No. 862.

The money applied for must be paid. The Collector will report why he has so long left the Taluq Treasury in so insecure a condition, and what measures he is taking to improve it.

(True Extract.)

Asst. Secy. to Govt.

To the District Magistrate, North Arcot.
" Inspector-General of Police.
" Accountant-General.
" Revenue Department.

Ed. A. S. Rodgers.

Revenue (1877) Department
No 2128

Govt. of {1877} Madras.

JUDICIAL.

To

The DISTRICT MAGISTRATE,
North Arcot,
&c., &c., &c.

Dated April 4th.

Issued — 15

Recd. 13th April 77 Ent.

G.O., 4th April 1877, No. 862.

Des Mies

APRIL.
Nos. 26—28.

...t Property.—Orders passed on the subject of ...a property stolen from the Police guard-room ...e Sub-Magistrate's Cutcherry at Kangundi, ... Arcot.

No 2167

Commd to the Board
Revenue