

Revenue (189) Department.

MISCELLANEOUS SERIES.

G.O., No. 285

DATED 18. Jan'y. 1897

[Despatch Abstract.]

Recording letter from Collyer Bellamy
subseq. judgment in Assize Case No 807/96

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No.

From The Collector of Bellary

Order No. 285 of 18th Jan 1897

Recorded.

14.1.97

C. No. 54/6197

note

The Bellary collector's letter 4446/2-12-96 with reference to which the above current is forwarded, does not appear to have been received. The only information about grain riots which the Gov. requires is where they occurred, when, how they were put down and what is the amount of property looted. Further particulars as to how the rioters were dealt with are not wanted; but it is hardly worth while to inform the collector so.

Dated 6th January 1897

Received 7th

Registered 8th

Enclosures

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SUBJECT.

Subj. judgment in Session Case No. 80 of 1896.

11/1/97

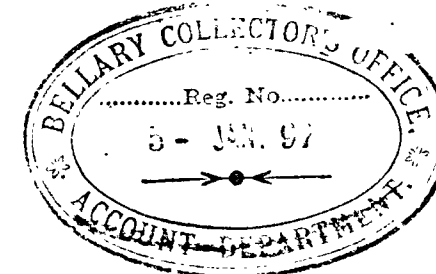
4a 8/4/97

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G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



IN THE COURT OF THE JOINT SESSIONS JUDGE OF THE BELLARY DIVISION.

Wednesday, the Sixteenth day of December 1896.

Present:—W. M. Thorburn Esq. Joint Sessions Judge.

SESSION CASE NO. 80 of 1896.

Preliminary Enquiry No. 6 of 1896, committed by Mr. R. Narayana Chetti,
Stationary Second Class Magistrate of Kudligi in the Bellary District.

Verdict of Jury ... {
1. Santha Neelakantappa, a Komati by caste and trader by profession. } Foreman.
2. Chinna Bhogappa, a Brahmin by caste and Karnam by profession.
3. Chengalrao Nayudu, a Setti Baliya by caste and contractor by profession.
4. Majjigi Neelappa, a Lingayet by caste and trader by profession.
5. Ittina Chennal Basappa Do. Do. } Not guilty

Accused were defended by Mr. D. Kristnama Charlu, a First Grade Pleader.

Offence. ... { Dacoity punishable under section 395 of the Indian Penal Code.
Plea. ... Not Guilty.
Verdict of Jury ... Not Guilty.
Sentence. ... The defendants are acquitted and discharged.

No.	Name of accused.	Father's Name.	Caste or race.	Occupation.	Residence.	Age.
1	Jatapati Timnuga.	Hanumappa.	Vadela.	Pattadar	Mallinayakan halli.	34
2	Manjala Muradiga.	Hanumappa.	Vadela.	Pattadar	Do.	38
3	Baki Hanuma.	Hanumappa.	Vadela.	Pattadar	Do.	38

Date of
1. Occurrence ... 29-10-96.
2. Complaint ... 29-10-96.
3. Arrest or appearance... 31-10-96.
4. Commencement of trial ... 16-12-96.
5. Close of trial ... 16-12-96.
6. Explanation of delay... Nil.

ARGE TO THE JURY.

HEADS OF CHARGE

On the 29th October last there was some looting in Kottur market. Jaji Dodda Basappa (1st P. W.) who came into the market from Kampli had twenty loaded carts in the outskirts of the village. In the middle of the after-noon a crowd of people came and took away bags of Jonna to a considerable distance, and not seen before carried one of the bags. 1st defendant struck his chest with his fist. 3rd defendant caught hold of his throat. 2nd defendant twisted his hand to wrest a stick. Basavana Gauda (P. W. 2) and Kottur Gauda (P. W. 3) came to rescue him. No arrests were made then. No report was made that day.

2. Next morning the Stationary Sub-Magistrate of Kudligi having heard of the disturbance came to Kottur. Basappa, Basavana Gauda and Kottur Gauda made depositions before him. Basappa said that he could identify the robbers if they were brought to him. The two Gaudas named the 1st defendant as one of the assailants of Basappa. On Saturday 31st October, these witnesses were taken by the Police to an adjoining village, Mallinayakanahalli. A crowd of 50 or 60 Vaddas were shown to them. They picked out the three defendants. They say that they identified them, each with one of the defendants. They showed them to Kampli Basappa. There are no other witnesses for the prosecution.

3. The 1st defendant now says that he has been falsely accused on account of a quarrel between him and the father of the 2nd and 3rd prosecution witnesses. He built an embankment for the father of the 2nd and 3rd prosecution witnesses, demanded as his wages. He has called and got only Rs. 8 out of Rs. 15 he had mappa, who support his statement that there was a quarrel about the wages for building this embankment, a fortnight before this offence. It must be noted that this plea was not raised before the Lower Court. The 1st defendant said that on his way home from the market, the village Munsif met him, asked his name and took it down. At that time he had heard nothing about the looting, and he had heard the 2nd and 3rd defendants. The 2nd defendant made a similar statement, except that his name was taken down after the looting was over. The 3rd defendant, that witness Basavana Gauda picked The defendants in support of their statement, have called two witnesses of their them out and showed them to Dodda Basappa, have called two witnesses of their village, Timmappa and Kambappa. They say that the three prosecution witnesses were all standing together when a group of Vaddas was shown, and that they were first picked out by Adivi Gauda, the father of the Munsif, before the others did so.

4. All the defendants say that they have Patta lands, on which they live, and this statement is supported by their witnesses. The 1st defendant is also a contractor under the Union Panchayet. You must now consider whether the prosecution evidence is trustworthy. The Jury after retiring for consideration returned a unanimous verdict of acquit and discharge the accused.

The Jury after retiring for consideration returned a unanimous verdict of acquit and discharge the accused.

COURT OF JOINT SESSIONS JUDGE
of Bellary, 16th December 1896.

(Sd.) W. M. THORBURN,
Joint Sessions Judge.

SESSION CASE No. 80 OF 1896.

List of witnesses examined and exhibits filed.

I. The following witnesses were examined for the prosecution:—

1. Jaji Dodda Basappa of Kampli in the Hospet Taluk.
2. Basavana Gauda of Kottur in the Kudligi Taluk.
3. S. Kottur Gauda, Village Munsif of Kottur in the Kudligi Taluk.

II. The following witnesses were examined for the defence.

1. Vadda Lakshmappa of Mallinayakanahalli in the Kudligi Taluk.
2. Vadda Thimmappa of Mallinayakanahalli in the Kudligi Taluk.
3. Kambappa of Mallinayakanahalli in the Kudligi Taluk.

III. The following exhibits were filed for the prosecution:—

- | | |
|-----------|--|
| A | Deposition made by Reddi Basavana Gauda before the Stationary Sub Magistrate of Kudligi. |
| 30-10-96. | |
| B | Deposition made by Kottur Gauda before the Stationary Sub-Magistrate of Kudligi. |
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| C | Statement made by the first accused before the committing Magistrate. |
| 3-11-96. | |
| D | Statement made by the 2nd accused before the committing Magistrate. |
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| E | Statement made by the 3rd accused before the committing Magistrate. |
| 3-11-96. | |

IV. No Exhibits were filed for the defence.

(Sd.) W. M. THORBURN,
Joint Sessions Judge.

1. MS
No 51



DESPATCHED
6 JAN. 91

Cro. 54
6297

Submitted to the Secretary to
Government in continuation of
this office letter No 4446d/2.12.96 not received

The judgment was received only
this day.

Robert-6/1.
For Director

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____

READ AGAIN G.O., No.
139

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
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N.B.-

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MISCELLANEOUS SERIES.

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[Despatch Abs.ract.]

Recording letter from Collyer Bellamy
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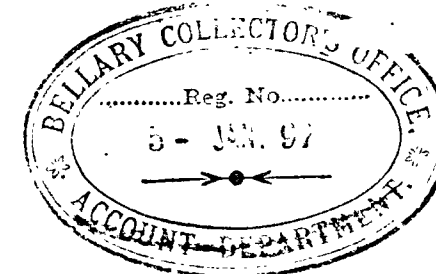
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