

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 186

DATED 6th Feb. 1897.

[Despatch Abstract.]

Recording letter from the D^y Magistrate of Bellary, reporting on the result of the trial of persons reported to have been concerned in the Kottur grain riot.

BACK PAPERS.

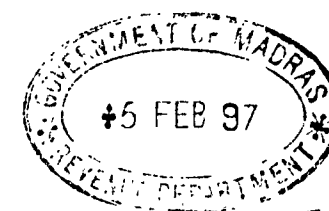
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Revenue
Judicial- (189) Department.

CURRENT No. 7075



From The *Chief Secretary*
22 JAN - 1897
of *1 Bellary*

Order *admonition* No. 28473 *January 1897*

Transferred to the Rev. Dept.
in continuation of *Ord. No. 26247*
12 December last.

in D No. 47

Dated 20th January 97.

Received 22
Registered 22 } *1-97.*

Enclosures 1
Spare copies

Francis
ag- Under Secretary.

2-2-97

in No. 68646 Feb. 1897.

Recorded.

11-2-97

RS
6-2-97
2nd

To

the Rev. Dept.

SUBJECT.

Letter grain riot.
Reporting on the result
of the trial of persons
reported to have been
concerned in the

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

FORM II.—Calendar and Judgment.

(For use in cases where there are two or more accused persons).

By 28/12-96. DISTRICT. Bellary
Calendar of Cases tried by the 1st Class Magistrate of Kodur Taluk.

DATE OF				Explanation of delay and Remarks.
Offence.	Report or Complaint.	Commencing trial	Sentence or Order.	
29-10-96	29-10-96	7-12-96	10-12-96	

JUDGMENT.

In Calendar Case No. 70 of 1896 on the file of the Head and Tail Magistrate of Bellary
Complainant. Regina & Empress of India

Name of accused.	Age.	Father's name.
1. C. Nurga-	28	Kotrappa
2. Erallappa	15	Brudappa
3. Barava	25	Barappa
4. Boniga	28	Bharmappa
5. Kassim	30	Honnu Boye
6. Sidalappa	45	Thirappa

Caste or Religion.	Calling.	Residence.	Taluk.
1. Chelavasi	} Begging } By selling flowers } Coolie } Mohammedan } Cultivation	Kottur	Kudligi.
2.			
3. Barika			
4. Madiga			
5. Mohammedan			
6. Lingayat			

Offence. Rioting under Section 147 S.P.C.

Finding. Guilty.

Sentence. 1st acquitted under Section 258. 2nd, 3rd, 4th, 5th & 6th sentenced to 4 months rigorous imprisonment. Section 147 S.P.C.
(sd) S. S. Lloyd
Magistrate.

Propositions

The accused in this case 7 in number were brought before the Stationary Sub Judge at Kadi. charged with having participated in the loot which took place at Kotton market on October 29. The lower Court discharged the 32 accused and charged the rest with theft under Section 379, but as he did not consider himself competent to punish them sufficiently, he sent them up to this Court.

2. There are three points to be decided (1) what offence if any did the accused commit (2) what ^{share} did each of them take in the transaction (3) what punishment ought to be awarded to them if guilty.

3. These sort of cases are popularly known as grain riots. The District Judge however considers that simple theft is the proper name for the offence: the pleader on behalf of the accused calls it robbery. It cannot be denied without being robbery ^{and it cannot be robbery} unless violence or threat of violence was used. The recorded evidence against the present accused shows that a crowd of persons rushed about the streets shouting "Loot" and that the merchants concerned thereupon left their bags and took their heels. It is nowhere stated that any of those persons cried "loot". What they are charged with is helping themselves to the grain. There was only one of them is said to have struck 2 persons (unidentified) with a stick. and the evidence of this is uncorroborated. I find that ~~they~~ ^{that they} therefore it is fair to say ^{that they} neither used violence to any person or threatened any person with violence: they are not therefore guilty of robbery or dacoity.

4. As to the charge of theft maybe urged on behalf of the accused that the bags at the time of being not in possession of anyone, the owners having left them & run away. I find however that it is unnecessary to debate the point, because their action is evidently joining in an unlawful assembly. They combined together in order to take possession of property by show of criminal force: and as force was used if not by them, by some of the assembly I charge them with rioting under Section 147.

5. What ^{share} did each of them take? Before the lower Court 1st & 22nd pleaded ^{that} they were mere bystanders: the 32 was discharged: the 4th & 5th & 6th pleaded alibi: the 7th said he saw a bag lying near a lamp post of the accused standing there: the 6th said he saw him carrying a bag of grain. It is urged however that this witness is an enemy, being a weaver, the accused being of the Cholevathi - an antagonistic caste. The witness moreover was not examined on the day following the offence, when the District

made full inquiries. It looked as if he was later
fall in by the Police to bolster up a weak charge.
I give him the benefit of the doubt and acquit him.
The evidence against the 50 others is clear. They
were all seen & identified by several witnesses
who all say that they were carrying bags of
grain. I find them all guilty under Section
147.

6. It remains to apportion their punishment.
The amount of property lost was not very
considerable. it is valued at about 90 rupees.
There was also very considerable provocation.
Prices were exorbitantly high and the grain
was being exported to distant places under the
eyes of the populace. No doubt to have considerable
irritation. Such offences cannot however be passed
over and deserve a term of imprisonment. The
Sd. Magistrate considers the sentence merited
to be 'out of all proportion to what he is compe-
tent to inflict.' I do not think it wise to.
On the contrary I find that a fairly lenient
sentence will have the same effect on the accused
& be for all intents & purposes as good as prison
as a severe one. I sentence the 22
4. 5. 6. & 7. accused on the charge of

fine to four months rigorous imprisonment
under Section 147 I.M.

Signed/ E. S. Lloyd
H. S. and T. J. P.
(True Copy)

H. S. and T. J. P.

Dec. 19. 12

19/12

Ind No. 47

BELLARY DT. MAGISTRATE'S OFFICE,

Dated 20. 1. 1897.

FROM

R. H. Campbell Esquire.

DISTRICT MAGISTRATE OF
BELLARY.

TO

THE Chief Secretary to Government
Judicial Department
Madras

SIR,

7. 1. 1897
No. 5272 of 97 in the
in the post of 1/4.

In Continuation of this office
No. 4446 of 2^d December, I
have the honour to state that
the 6 persons referred to in the
last sentence of para 3 of my
letter, as having been concerned
in the 1st other grain riot, were
tried by the Sub Magistrate of
Kudligi for an offence under
S. 379 I.P.C. and sent up for
an enhanced punishment to
the Head Assistant Magistrate
who altered the finding of the
Sub Magistrate under Section
379 I.P.C. into one of rioting
an

7
Jan.

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and sentenced each of the
accused to 4 months rigorous
imprisonment. A copy of the
judgment is herewith sent.

In the case committed to
the Sessions Court, as one of society,
the prisoners were acquitted.
A copy of the Sessions judgment
was already sent to Government
on the 9th instant;

I have the honor to be
Sir,

Your most obedient servant

J. H. P.
For District Magistrate

21.7)

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

189

PROB AGAIN G.O., No
189

DATE

CURRENT No.

ENCLOSURES TO G. No.

ORDERS OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH FORM

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

N.B. -

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