

CONGRESS MINISTERS CITED AS DEFENCE WITNESSES

(6)

Case Against Mr. C. D. Nayagam And Swami Shanmugananda

Madras, Oct. 26.

Hearing was resumed on Monday last of the case against Mr. C. D. Nayagam and Swami Shanmugananda for abetment of picketing before the Premier's residence in Theyagaroyanagar in connection with the anti-Hindi agitation, before Mr. Kunnikrishna Nair, Third Presidency Magistrate, Egmore.

When the case was taken up, Mr. K. C. Subramaniam Chettiar, Counsel, represented that he proposed to examine the Hon. Mr. Yakub Hasan, the Hon. Mr. V. I. Munuswami Pillai, Ministers of the Government of Madras, Mr. N. Dandapani Pillai and others for the defence.

The Magistrate asked the Counsel how the examination of the witnesses for the defence could be relevant in the case in question.

Counsel submitted that he proposed to prove to the court that the first two witnesses he proposed to examine, themselves advocated and encouraged picketing of Zanzibar cloves, and how the very same picketing adopted by these opposed to the introduction of compulsory Hindi, was now characterised as an "offence".

Counsel then proceeded to examine Mr. A. K. Venkatesa Iyer, Reporter on the staff of 'The Hindu', who reported picketing activities in connection with Zanzibar Clove Boycott in the city of Madras on May 7 last.

Witnesses stated that he sent in the report under the heading "Zanzibar Clove Boycott" on page 12, column 2 of the issue of May, 7. Two other news-items in the same column were not reported by him. The two items were statements sent to the press by the gentlemen concerned.

At the time of the picketing, the Hon. Muniswami Pillai was present his report was based on personal knowledge and the information gathered.

Witness was next asked by the Counsel to see on page 14 of the issue of the "Hindu" of June, 17. Witness turned to the page and said that he found a report under the caption "Anti-Hindusthani Meeting." He said that it was not a report sent by him, but one sent by the Dindigul Correspondent of the "Hindu." It was a report of a meeting at which the Hon. Mr. Yakub Hasan Sait spoke. Witness also took two photographs which appeared in the issue of the "Hindu" of May 7. In one of the two photos, the Hon. Mr. Yakub Hasan Sait was seen, and in another, Mrs. Raghuraj Bharathi.

Cross-examined by the Prosecuting Inspector, witness said that he could ascertain at the office, whether the negatives of the photographs could be available.

Mr. Y. A. John, Asst. Photographer on the staff of the "Madras Mail", was next examined. He said that he took a photo of Mr. Ponnuswami, picketing in front of the Premier's house on June 3 last. The photo was published in the next day's issue of the "Madras Mail". Mr. Ponnuswami was seated at a distance away from the gate of the Premier's house. He took the photo while Mr. Ponnuswami was picketing.

Further hearing of the case was then adjourned to Oct. 29.

Alleged Promotion Of Class Hatred

CASE AGAINST MR. R. SWAMINATHAN

Madras, Oct. 24.

The complaint filed by the Police against Mr. R. Swaminathan of Chintadripet under sections 153 (A) (promoting enmity between classes) and 505 (c) inciting any community to commit offence against another community) in respect of speeches made by him in connection with the anti-Hindi agitation in July last, was heard to-day by Mr. Abbas Ali, Chief Presidency Magistrate, Egmore.

When the complaint was taken up for hearing the Magistrate asked the accused whether he or had any one to defend him.

The accused replied in the negative.

Examined for the prosecution by Mr. T. S. Anantaraman, Crown Prosecutor, Mr. C. V. Arunagiri Mudaliar said that he was an Inspector attached to the Crime Branch of the City Police. He was instructed to lay a complaint against the accused by the Commissioner of Police. The prosecution was launched on the orders of the Government and in pursuance of the Government Order No. 4819 Miscellaneous, Home Department dated 5th October, 1938. The order was signed by the Secretary of the Home Department. A free translation of the speeches delivered by the accused in Tamil was received with the Government Order. Witness next identified the complaint signed by him and laid before the Court.

The Magistrate then asked the accused whether he had anything to ask of the witness by way of cross-examination.

Before the accused could question the witness, the Magistrate said:—He never said anything against you. You could ask the next witness.

The next witness to be examined for the prosecution was Mr. Swaminatha Sastri. Mr. Aiyer, examined, said that he was a shorthand sub-Inspector attached to the Vellore Shorthand bureau. He had experience in taking down speeches made at public meetings, in Tamil Shorthand verbatim. He attended a meeting held in front of Padavatamman Koil Street, in Kondithope at which the accused spoke. The meeting commenced at about 6.30 p.m. Pandit Narayani Ammal presided at the beginning of the meeting and later Mrs. Meenambal Sivaraj presided. The meeting ended at 10.45 p.m.

Continuing, Mr. Aiyer said that he was there throughout the meeting. About 700 people attended the meeting. There were about 50 ladies also present.

The Magistrate translated the evidence of the witness from English to Tamil and asked the witness:—What sort of people were they who attended the meeting?

Witness: Some of them were Adi-Dravidas, labourers and other low class people. I was