DE OF CRIMINAL PROCEDURE, 1898 (ACT V OF 1898).

MODIFIED UP TO THE 1st NOVEMBER, 1940.)

ATEMENT OF REPEALS AND AMENDMENTS.

```
Act 38 of 1920.
   Act 38 04 1920.
The Government of India (Adaptation of
       Indian Laws) Order, 1937.
... Act 10 of 1914.
   (Act 13 of 1916.
   Act 18 of 1919.
   Act 11 of 1923.

    Act 12 of 1923.
    Act 35 of 1923.
    Act 35 of 1923.

   Act 8 of 1935.
    The Government of India (Adaptation of
      Indian Laws) Order, 1937.
   Act 38 of 1920.
The Government of India (Adaptation of Indian Laws) Order 1997
       of Indian Laws) Order, 1937.
... The Government of India (Adaptation
       of Indian Laws) Order, 1937.
   Act 18 of 1923.
The Government of India (Adaptation of Indian Laws) Order, 1937.
     The Government of India (Adaptation
       of Indian Laws) Order, 1937.
   Act 38 of 1920.
The Government of India (Adaptation of Indian Laws) Order 1927
       of Indian Laws) Order, 1937.
     The Government of India (Adaptation
       of Indian Laws) Order, 1937.
   Act 18 of 1923.
The Government of India (Adaptation of Indian Laws) Order, 1937.
... Act 38 of 1920.
... Act 12 of 1923.
The Government of India (Adaptation of Indian Laws) Order, 1937.
... Act 12 of 1923.
   Act 6 of 1900.
The Government of India (Adaptation
       of Indian Laws) Order, 1937.
    The Government of India (Adaptation
       of Indian Laws) Order, 1937.
... Act 12 of 1923.
... Act 18 of 1923.
   Act 12 of 1923.
     Act 18 of 1923.
    The Government of India (Adaptation
       of Indian Laws) Order, 1937,
    The Government of India (Adaptation of Indian Laws) Order, 1937.
    Act 4 of 1909.
   Act 12 of 1923 of India (Adaptation
    Act 18 of 197aws) Order, 1937.
         Livernment of India (Adaptation
 Indian Laws) Order, 1937.
```

Sections.

37, 38 and 39, Amended	The Government of Ind of Indian Laws) Order
40. Amended	Act 18 of 1923. The Government of Indi

- 40, Amended ... Act 18 of 1923.
 The Government of Indi
 of Indian Laws) Order

 41, Amended ... The Government of India
 of Indian Laws) Order
 - 41, Amended ... The Government of India of Indian Laws) Order,

 45, Amended ... Act 18 of 1923.

 The Government of India
 - 45, Amended Act 18 of 1923.
 The Government of India of Indian Laws) Order,

 (Bom. Act 4 of 1902.
 Act 18 of 1923

 54, Amended Act 10 of 1927.
 - Act 35 of 1934.
 The Government of India
 of Indian Laws) Order,

 Some Act 4 of 1992
- 55, Amended ... Bom. Act 4 of 1902.

 56, Amended ... [Bom. Act 4 of 1902.

 Act 18 of 1923.

 50 Amended ... Act 18 of 1923.
- 59, Amended Act 18 of 1923.
 68 and 72, Amended ... The Government of India of Indian Laws) Order, 1
 84, Amended ... Bom. Act 4 of 1902.
- 88, Amended ... Act 8 of 1923.

 89, Amended ... The Government of India of Indian Laws) Order, 1

 98, Amended Act 8 of 1925.
- 99B, { Inserted ... Act 14 of 1922.

 99C, Inserted ... Act 14 of 1922.

 99E and 99D, { Inserted Amended Amended Amended Amended Amended Act 14 of 1922.

 99C Act 36 of 1926.
 - 99F and 99G. Inserted ... Act 14 of 1922.

 101, Amended ... Act 14 of 1922.

 103, 106 and 107, Amended ... Act 18 of 1923.

 (Act 18 of 1923.
 - 108 and 110, Amended ... {Act 18 of 1923. The Government of India of Indian Laws) Order, 111, Repealed Act 12 of 1923. Amended Act 18 of 1923.

'8 of 1923,

Sections iii GIPE-PUNE-022390

Sections.	GII E-1 ONE-022570
, 127, Amended	Bom. Act 4 of 1902.
128, Amended	Act 35 of 1934.
	(Act 38 of 1920.
pt[32, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
ar33, Substituted	Act 18 of 1923.
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	The Government of India (Adaptation of Indian Laws) Order, 1937.
35, Amended	Act 18 of 1923.
39A, Inserted	Act 18 of 1923.
13, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
4, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
5 and 146, Amended	Act 18 of 1923.
1m.7, Substituted	Act 18 of 1923.
.8, Amended	Act 18 of 1923.
∖t54, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
77, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
158, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
161, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
162, Amended	Act 18 of 1923.
164, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
165 and 166, Amended	Act 18 of 1923,
167, Amended	Act 18 of 1923. The Government of India (Adaptation
100 4 4	of Indian Laws) Order, 1937.
169, Amended	Act 18 of 1923. Act 2 of 1926.
170, Amended	
173 and 174, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
178, Amended	Act 13 of 1916. The Government of India (Adaptation of Indian Laws) Order, 1937.
181, Amended	Act 18 of 1923.
185, Substituted	Act 18 of 1923.
186, Amended	The Government of India (Adaptation
•	of Indian Laws) Order, 1937.
	Act 18 of 1923. Act 10 of 1927.
188, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
189, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
	1 A

Sections.

190 and 193, Amended	Act 18 of 1923. The Government of India (Adaptation
130 and 133, Amended	(of Indian Laws) Order, 1937.
194, Amended	Act 13 of 1916. The Government of India (Adaptation of Indian Laws) Order, 1937.
195, Amended	Act 8 of 1913. "(Act 18 of 1923.
196, Amended	Act 39 of 1920. Act 25 of 1927. The Government of India (Adaptation of Indian Laws) Order, 1937.
196A, { Inserted	Act 8 of 1913.
Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
196B, Inserted	Act 18 of 1923.
197, Amended	Act 18 of 1923. Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
198 and 199, Amended	Act 18 of 1923.
199A, Inserted	Act 18 of 1923.
200, 202 and 203, Amen	ued Act 2 of 1926.
206, Amended	Act 12 of 1923. Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
210, Amended	Act 18 of 1923.
214, Repealed	Act 12 of 1923.
215, Amended	(Act 12 of 1923. (Act 18 of 1923.
218, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
219, 221, 234, 237 and Amended	
239, Substituted	Act 18 of 1923.
243, 244, 245, 250 and	Act 18 of 1923. 252.
Amended	Act 18 of 1923.
255A, Inserted	Act 18 of 1923.
256, 258 and 259, Amen	ded Act 18 of 1923.
260, Amended	Act 1 of 1903. The Government of India (Adaptation of Indian Laws) Order, 1937.
261, Amended	Act 18 of 1923 The Government of India (Adaptation of Indian Laws) Order, 1937.
263 and 265, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
266, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
267, Amended	Act 13 of 1916. The Government of India (Adaptation of Indian Laws) Order, 1937.

Sections.

269, Amended	***	₹	Act The	38 of 1920. 10 of 1927. Government of India Indian Laws) Order,	(Adaptation 1937.
274. Amended	•••	{	The of	12 of 1923. Government of India Indian Laws) Order,	(Adaptation 1937.
275, Substituted		•••		12 of 1923.	
276, Amended		{	The	18 of 1923. Government of India Indian Laws) Order,	(Adaptation 1937.
284, Amended			Act	12 of 1923.	
284A and 285A, In	serted	•••		12 of 1923.	
288, Amended	•••	•••		18 of 1923.	
292, Substituted	•••	•••		18 of 1923.	•
306, 307 and 309, A	i mended	•••		18 of 1923.	
310, Substituted	•••	•••		18 of 1923.	
312, Substituted		•••		12 of 1923.	(A.1
313 and 314, Amer		•••	of	Government of India Indian Laws) Order,	
315 and 316, Ame	nded			18 of 1923.	
317, Amended	•••			10 of 1927.	(A Jontolian
319, Amended	***		of	Government of India Indian Laws) Order, 10 of 1927.	1937.
320, Amended	···· .	ر رس	Act The	35 of 1934. Government of India Indian Laws) Order,	(Adaptation 1937.
321 and 325, Amer	aded			Government of India Indian Laws) Order,	
326, Amended		•••	Act	12 of 1923.	
329 and 335, Am	ended	•••	The of	Government of India Indian Laws) Order,	(Adaptation 1937.
336, Repealed	•••	•••	Act	12 of 1923.	
337 and 339, Ame	nded	•••	Act	18 of 1923.	
339A, Inserted	•••	•••		18 of 1923.	-
340, Substituted	***	•••	Acı	18 of 1923.	•
345, 347, 348, 349		50, 	Act	18 of 1923.	
Amended	***			18 of 1923.	
350A, Inserted 356, Amended				18 of 1923.	
•				Government of India	(Adaptation
357 and 358, Amer	iaeu	•••	of	Indian Laws) Order,	1937.
362, Amended	•••			18 of 1923.	
•				18 of 1919. 11 of 1923.	
364, Amended	••• .	{	Act Act	37 of 1923. 32 of 1925.	
365, Amended	***		Act Act Act	6 of 1900. 18 of 1919. 11 of 1923. 18 of 1923. 32 of 1925.	

· Sections.

367 and 369, Amended	Act 18 of 1923.
386, Substituted	Act 18 of 1923 The Government of India (Adaptation
380, (Amended	of Indian Laws) Order, 1937.
387, Amended	Act 18 of 1923.
388, Substituted	Act 37 of 1923.
390 and 391, Amended	Act 12 of 1923.
392, Amended	Act 4 of 1909. The Government of India (Adaptation of Indian Laws) Order, 1937.
395 and 397, Amended	Act 18 of 1923 The Government of India (Adaptation
399, Amended	of Indian Laws) Order, 1937.
401 and 402, Amended	Act 18 of 1923.
IVI ALLE IVN, MINICIPALE	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
402A, Inserted	The Government of India (Adaptation of Indian Laws) Order, 1937.
406, Substituted	Act 18 of 1923. The Government of India (Adaptation
•	The Government of India (Adaptation of Indian Laws) Order, 1937.
406A, Inserted	Act 18 of 1923.
407, Amended	Act 18 of 1923. The Government of India (Adaptation
201, 12111011111	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
408, Amended	(Act 12 of 1923. (Act 18 of 1923.
409, Amended	Act 18 of 1923. The Government of India (Adaptation
410 . 3 444	of Indian Laws) Order, 1937.
413 and 414, Amended	Act 12 of 1923.
415A, Inserted	Act 18 of 1923.
417, Amended	Act 12 of 1923 The Government of India (Adaptation
	of Indian Laws) Order, 1937.
418, Amended	Act 18 of 1923.
422, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
435, Amended	Act 18 of 1923. The Covernment of India (Adaptation
	The Government of India (Adaptation of Indian Laws) Order, 1937.
436, 437, 438 and 439, An	ae nd-
ed 443, Substituted	Act 18 of 1923.
411 and Substituted	Act 12 of 1923.
445, (Amended	 Act 12 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
446 and 447, Substituted	
448, Repealed	The Government of India (Adaptation
119 (Substituted	of Indian Laws) Order, 1937.
449, Substituted Amended	 Act 12 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
450 to 463, Repealed	·

Sections.	
464, Amended	Act 18 of 1923 The Government of India (Adaptation of Indian Laws) Order, 1937.
465, Amended	Act 18 of 1923.
466, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
468, Amended	Act 18 of 1923.
471, Amended	Act 4 of 1912. Act 10 of 1914. Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
472, Repealed	Act 4 of 1912.
473, Amended	Act 18 of 1923.
474, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
475, Substituted Amended	 Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
476, Substituted Amended	Act 18 of 1923. Act 2 of 1926.
476A and 476B, Inserted	Act 18 of 1923.
477, Repealed	Act 18 of 1923.
478 and 480, Amended	Act 12 of 1923.
483, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.
484, Amended	Act 10 of 1914.
487, Amended	{ Act 6 of 1900. { Act 18 of 1923.
488 and 489, Amended	Act 18 of 1923.
491, Amended	Act 12 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
491A, { Inserted Amended	 Act 12 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
492, Amended	Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
494, Amended	Act 18 of 1923.
495, Amended	Act 38 of 1920. The Government of India (Adaptation of Indian Laws) Order, 1937.
496 and 497, Amended	Act 18 of 1923.
503, Amended	of Indian Laws) Order, 1937.
504, 505 and 514, Amer	nd- Act 18 of 1923.
514A, 514B and 516A, Inse	rt-
ed	Act 18 of 1923.
517 and 522, Amended	Act 18 of 1923.
524, Amended	The Government of India (Adaptation of Indian Laws) Order, 1937.

Sections.

525, Amended		Act 18 of 1923.
526, Amended	•••	(Act 18 of 1923. (Act 21 of 1932.
[Inserted		Act 12 of 1923.
526A, Inserted Amended		Act 35 of 1934.
САмениец	•••	Act 35 of 1934. The Government of India (Adaptation of Indian Laws) Order, 1937.
		(Act 18 of 1923.
527 and 528, Amer	nded	The Government of India (Adaptation of Indian Laws) Order, 1937.
528A, 528B and	528C,	In-
serted	***	Act 12 of 1923.
(Inserted		 Act 12 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
528D, {		The Government of India (Adaptation
		Act 12 of 1923.
		Act 18 of 1923.
539A, 539B and serted	540A,	In- Act 18 of 1923.
serted	•••	
541, Amended		Act 7 of 1924 The Government of India (Adaptation
		of Indian Laws) Order, 1937.
•		(Act 38 of 1920.
544, Amended	•••	The Government of India (Adaptation of Indian Laws) Order, 1937.
EAE Amondod :		
545, Amended	***	Act 18 of 1923.
546A, Inserted 547, Amended		Act 18 of 1923.
541, Amendeu		Act 18 of 1923.
549, Amended		\ Act 35 of 1934.
		The Government of India (Adaptation of Indian Laws) Order, 1937.
552, Amended		Act 18 of 1924
554, Amended		The Government of India (Adaptation
Joan Innertact		of Indian Laws) Order, 1937.
*** A - 1 -		Act 1 of 1903.
555, Amended	•••	The Government of India (Adaptation of Indian Laws) Order, 1937.
558, Amended	•••	The Government of India (Adaptation
,		of Indian Laws) Order, 1937.
559, Substituted		Act 18 of 1923.
561A, Inserted		Act 18 of 1923.
		(Act 18 of 1923.
562, Substituted		Act 37 of 1923. The Government of India (Adaptation
		of Indian Laws) Order, 1937.
564, Amended		Act 7 of 1924.
Substituted		Act 18 of 1923.
565, Amended		The Government of India (Adaptation of Indian Laws) Order 1937
· A-MOHACA		of Indian Laws) Order, 1937. Act 22 of 1939.
Schedule I, Repea	led	Act 10 of 1914.

Sections.

Schedule II, Amended	Act 12 of 1899. Act 1 of 1903. Act 8 of 1913. Act 39 of 1920. Act 18 of 1923. Act 20 of 1923. Act 20 of 1925. Act 29 of 1925. Act 37 of 1925. Act 10 of 1927. Act 25 of 1927. Act 25 of 1927. Act 25 of 1927. Act 25 of 1927. Act 22 of 1939.
Schedule III, Amended	{ Act 18 of 1923. Act 37 of 1925. Act 24 of 1934.
Schedule IV, Amended	Act 4 of 1909. Act 18 of 1923. The Government of India (Adaptation of Indian Laws) Order, 1937.
Schedule V, Amended	Act 1 of 1903. Act 18 of 1923. Act 37 of 1923. Act 8 of 1925.

THE CODE OF CRIMINAL PROCEDURE, 1898.

CONTENTS.

PART I.

PRELIMINARY.

CHAPTER I.

SECTIONS.

1. Short title.

Commencement.

Extent.

- 2. [Repealed.]
- 3. References to Code of Criminal Procedure and other repealed enactments.

Expressions in former Acts.

4. Definitions.

Words referring to acts.

Words to have same meaning as in Indian Penal Code.

5. Trial of offences under Penal Code.

Trial of offences against other laws.

PART II.

CONSTITUTION AND POWERS OF CRIMINAL COURTS AND OFFICES.

CHAPTER II.

OF THE CONSTITUTION OF CRIMINAL COURTS AND OFFICES.

A.—Classes of Criminal Courts.

6. Classes of Criminal Courts.

B.—Territorial Divisions.

SECTIONS.

7. Sessions divisions and districts.

Power to alter divisions and districts.

Existing divisions and districts maintained till altered.

Presidency-towns to be deemed districts.

8. Power to divide districts into Sub-divisions.

Existing Sub-divisions maintained.

C.—Courts and Offices outside the Presidency-towns.

- 9. Court of Session.
- 10. District Magistrate.
- Officers temporarily succeeding to vacancies in office of District Magistrate.
- Subordinate Magistrates.
 Local limits of their jurisdiction.
- 13. Power to put Magistrate in charge of sub-division. Delegation of powers to District Magistrate.
- 14. Special Magistrates.
- 15. Benches of Magistrates.

Powers exerciseable by Bench in absence of special direction.

- 16. Power to frame rules for guidance of Benches.
- 17. Subordination of Magistrates and Benches to District Magistrate; to Sub-divisional Magistrate.

Subordination of Assistant Sessions Judges to Sessions Judge.

D.—Courts of Presidency Magistrates.

- 18. Appointment of Presidency Magistrates.
- 19. Benches.
- 20. Local limits of jurisdiction.
- 21. Chief Presidency Magistratc.

E .- Justices of the Peace.

- 22. Justices of the Peace for the mufassal.
- 23. [Repeated.]
- 25. Ex-officio Justices of the Peace.

F.—Suspension and Removal.

SECTIONS.

- 26. [Repealed.]
- 27. [Repealed.]

CHAPTER III.

POWERS OF COURTS.

- A.—Description of Offences cognizable by each Court.
- 28. Offences under Penal Code.
- 29. Offences under other laws.
- 29A. Trial of European British subjects by second and third class Magistrates.
- 29B. Jurisdiction in the case of juveniles.
- 30. Offences not punishable with death.
- B.—Sentences which may be passed by Courts of various Classes.
- 31. Sentences which Hight Courts and Sessions Judges may pass.
- 32. Sentences which Magistrates may pass.
- 33. Power of Magistrates to sentence to imprisonment in default of fine.

Proviso as to certain cases.

- 34. Higher powers of certain District Magistrates.
- 34A. Sentences which Courts and Magistrates may pass upon European British subjects.
- 35. Sentence in cases of conviction of several offences at one trial.

Maximum term of punishment.

C .- Ordinary and Additional Powers.

- 36. Ordinary powers of Magistrates.
- 37. Additional powers conferrable on Magistrates.
- 38. Control of District Magistrate's investing power.
- D.-Conferment, Continuance and Cancellation of Powers.
- 39. Mode of conferring powers.
- 40. Powers of officers appointed.
- 41. Powers may be cancelled.

[1898: Act V.

PART III.

GENERAL PROVISIONS.

CHAPTER IV.

OF AID AND INFORMATION TO THE MAGISTRATES, THE POLICE AND PERSONS MAKING ARRESTS.

SECTIONS.

- 42. Public when to assist Magistrate and Police.
- 43. Aid to person, other than police-officer, executing warrant.
- 44. Public to give information of certain offences.
- 45. Village-headmen, accountants, landholders and others bound to report certain matters.
 - Appointment of village-headmen by District Magistrate or Sub-divisional Magistrate in certain cases for purposes of this section.

CHAPTER V.

OF ARREST, ESCAPE AND RETAKING.

A.—Arrest generally.

- 46. Arrest how made.

 Resisting endeavour to arrest.
- 47. Search of place entered by person sought to be arrested.
- 48. Procedure where ingress not obtainable.
 Breaking open zanáná.
- 49. Power to break open doors and windows for purposes of liberation.
- 50. No unnecessary restraint.
- 51. Search of arrested persons.
- 52. Mode of searching women.
- 53. Power to seize offensive weapons.

B.-Arrest without Warrant.

- 54. When police may arrest without warrant.
- 55. Arrest of vagabonds, habitual robbers, etc.

- 56. Procedure when police-officer deputes subordinate to arrest without warrant.
- 57. Refusal to give name and residence.
- 58. Pursuit of offenders into other jurisdictions.
- 59. Arrest by private persons and procedure on such arrest.
- 60. Person arrested to be taken before Magistrate or officer in charge of police-station.
- 61. Person arrested not to be detained more than twentyfour hours.
- 62. Police to report apprehensions.
- 63. Discharge of person apprehended.
- 64. Offence committed in Magistrate's presence.
- 65. Arrest by or in presence of Magistrate.
- 66. Power, on escape, to pursue and retake.
- 67. Provisions of Sections 47, 48 and 49 to apply to arrests under section 66.

CHAPTER VI.

OF PROCESSES TO COMPEL APPEARANCE.

A.—Summons.

- 68. Form of summons.
 Summons by whom served.
- 69. Summons how served.Signature of receipt for summons.
- 70. Service when person summoned cannot be found.
- 71. Procedure when service cannot be effected as before provided.
- 72. Service on servant of the Crown or of Railway Company. ...
- 73. Service of summons outside local limits.
- 74. Proof of service in such cases, and when serving officer not present.

B.—Warrant of Arrest.

75. Form of warrant of arrest.

Continuance of warrant of arrest.

- 76. Court may direct security to be taken. Recognizance to be forwarded.
- 77. Warrants to whom directed. Warrants to several persons.
- 78. Warrant may be directed to landholders, etc.
- 79. Warrant directed to police-officer.
- 80. Notification of substance of warrant.
- 81. Person arrested to be brought before Court without delay.
- 82. Where warrant may be executed.
- 83. Warrant forwarded for execution outside jurisdiction.
- 84. Warrant directed to police-officer for execution outside jurisdiction.
- 85. Procedure on arrest of person against whom warrant issued.
- 86. Procedure by Magistrate before whom person arrested is brought.

C.—Proclamation and Attachment.

- 87. Proclamation for person absconding.
- 88. Attachment of property of person absconding.
- 89. Restoration of attached property.

D.—Other Rules regarding Processes.

- 90. Issue of warrant in lieu of, or in addition to, summons.
- 91. Power to take bond for appearance:
- 92. Arrest on breach of bond for appearance.
- 93. Provisions of this Chapter generally applicable to summonses and warrants of arrest.

CHAPTER VII.

OF PROCESSES TO COMPEL THE PRODUCTION OF DOCUMENTS AND OTHER MOVEABLE PROPERTY, AND FOR THE DISCOVERY OF PERSONS WRONGFULLY CONFINED.

A .- Summons to produce.

- 94. Summons to produce document or other thing.
- 95. Procedure as to letters and telegrams.

B.—Search-warrants.

SECTIONS.

- 96. When search-warrant may be issued.
- 97. Power to restrict warrant.
- 98. Search of house suspected to contain stolen property, forged documents, etc.
- 99. Disposal of things found in search beyond jurisdiction.
- 99A. Power to declare certain publications forfeited, and to issue search-warrants for the same.
- 99B. Application to High Court to set aside order of forfeiture.
- 99C. Hearing by Special Bench.
- 99D. Order of Special Bench setting aside forfeiture.
- 99E. Evidence to prove nature or tendency of newspapers.
- 99F. Procedure in High Court.
- 99G. Jurisdiction barred.
 - C.—Discovery of Persons wrongfully confined.
- 100. Search for persons wrongfully confined.
 - D.—General Provisions relating to Searches.
- 101. Direction, etc., of search-warrants.
- 102. Persons in charge of closed place to allow search.
- 103. Search to be made in presence of witnesses.

 Occupant of place searched may attend.

E.—Miscellaneous.

- 104. Power to impound documents, etc., produced.
- 105. Magistrate may direct search in his presence.

PART IV.

PREVENTION OF OFFENCES.

CHAPTER VIII.

OF SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR.

- A .- Security for keeping the Peace on Conviction.
 - 106. Security for keeping the peace on conviction.

B.—Security for keeping the Peace in other Cases and Security for Good Behaviour.

SECTIONS.

- 107. Security for keeping the peace in other cases.
 - Procedure of Magistrate not empowered to act under sub-section (1).
- 108. Security for good behaviour from persons disseminating seditious matter.
- 109. Security for good behaviour from vagrants and suspected persons.
 - 110. Security for good behaviour from habitual offenders.
- 111. [Repealed.]
 - 112. Order to be made.
 - 113. Procedure in respect of person present in Court.
 - 114. Summons or warrant in case of person not so present.
 - 115. Copy of order under section 112 to accompany summons or warrant.
 - 116. Power to dispense with personal attendance.
 - 117. Inquiry as to truth of information.
 - 118. Order to give security.
 - 119. Discharge of person informed against.

C.—Proceedings in all Cases subsequent to Order to furnish Security.

- 120. Commencement of period for which security is required.
- 121. Contents of bond.
- 122. Power to reject sureties.
- 123. Imprisonment in default of security.

Proceedings when to be laid before High Court or Court of Session.

Kind of imprisonment.

- 124. Power to release persons imprisoned for failing to give security.
- 125. Power of District Magistrate to cancel any bond for keeping the peace or good behaviour.
- 126. Discharge of sureties.
- 126A. Security for unexpired period of bond.

CHAPTER IX.

UNLAWFUL ASSEMBLIES.

SECTIONS.

- 127. Assembly to disperse on command of Magistrate or police-officer.
- 128. Use of civil force to disperse.
- 129. Use of military force.
- 130. Duty of officer commanding troops required by Magistrate to disperse assembly.
- 131. Power of commissioned military officers to disperse assembly.
- 132. Protection against prosecution for acts done under this Chapter.

CHAPTER X.

PUBLIC NUISANCES.

- 133. Conditional order for removal of nuisance.
- 134. Service or notification of order.
- 135. Person to whom order is addressed to obey, or show cause or claim jury.
- 136. Consequence of his failing to do so.
- 137. Procedure where he appears to show cause.
- 138. Procedure where he claims jury.
- 139. Procedure where jury finds Magistrate's order to be reasonable.
- 139A. Procedure where existence of public right is denied.
- 140. Procedure on order being made absolute. Consequences of disobedience to order.
- 141. Procedure on failure to appoint jury or omission to return verdict.
- 142. Injunction pending inquiry.
- 143. Magistrate may prohibit repetition or continuance of public nuisance.

CHAPTER XI.

TEMPORARY ORDERS IN URGENT CASES OF NUISANCE OR APPREHENDED DANGER.

144. Power to issue order absolute at once in urgent cases of nuisance or apprehended danger.

CHAPTER XII.

DISPUTES AS TO IMMOVEABLE PROPERTY.

SECTIONS.

145. Procedure where dispute concerning land, etc., is likely to cause breach of peace.

Inquiry as to possession.

Party in possession to retain possession until legally evicted.

- 146. Power to attach subject of dispute.
- 147. Disputes concerning rights of use of immoveable property, etc.
- 148. Local inquiry.

 Order as to costs.

CHAPTER XIII.

PREVENTIVE ACTION OF THE POLICE.

- 149. Police to prevent cognizable offences.
- 150. Information of design to commit such offences.
- 151. Arrest to prevent such offences.
- 152. Prevention of injury to public property.
- 153. Inspection of weights and measures.

PART V.

INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE.

CHAPTER XIV.

- 154. Information in cognizable cases.
- 155. Information in non-cognizable cases.

 Investigation into non-cognizable cases.
- 156. Investigation into cognizable cases.
- 157. Procedure where cognizable offence suspected;
 where local investigation dispensed with;
 where police-officer in charge sees no sufficient
 ground for investigation.

- 158. Reports under section 157 how submitted.
- 159. Power to hold investigation or preliminary inquiry.
- 160. Police-officer's power to require attendance of witnesses.
- 161. Examination of witnesses by police.
- 162. Statements to police not to be signed; use of such statements in evidence.
- 163. No inducement to be offered.
- 164. Power to record statements and confessions.
- 165. Search by police-officer.
- 166. When officer in charge of police-station may require another to issue search-warrant.
- 167. Procedure when investigation cannot be completed in twenty-four hours.
- 168. Report of investigation by subordinate police-officer.
- 169. Release of accused when evidence deficient.
- 170. Case to be sent to Magistrate when evidence is sufficient.
- 171. Complainants and witnesses not to be required to accompany police-officer.
 - Complainants and witnesses not to be subjected to restraint.
 - Recusant complainant or witness may be forwarded in custody.
- 172. Diary of proceedings in investigation.
- 173. Report of police-officer.
- 174. Police to inquire and report on suicide, etc.
- 175. Power to summon persons.
- 176. Inquiry by Magistrate into cause of death.

 Power to disinter corpses.

PART VI. PROCEEDINGS IN PROSECUTIONS.

CHAPTER XV.

OF THE JURISDICTION OF THE CRIMINAL COURTS IN INQUIRIES AND TRIALS.

A .- Place of Inquiry or Trial.

- 177. Ordinary place of inquiry and trial.
- 178. Power to order cases to be tried in different sessions divisions.

SECTIONS:

- 179. Accused triable in district where act is done, or where consequence ensues.
- 180. Place of trial where act is offence by reason of relation to other offence.
- 181. Being a thug or belonging to a gang of dacoits, escape from custody, etc.

Criminal misappropriation and criminal breach of trust,

Theft.

Kidnapping and abduction.

- 182. Place of inquiry or trial where scene of offence is uncertain, or not in one district only, or where offence is continuing, or consists of several acts.
- 183. Offence committed on a journey.
- 184. Offences against Railway, Telegraph, Post Office and Arms Acts.
- 185. High Court to decide, in case of doubt, district where inquiry or trial shall take place.
- 186. Power to issue summons or warrant for offence committed beyond local jurisdiction.

Magistrate's procedure on arrest.

- 187. Procedure where warrant issued by subordinate Magistrate.
- 188. Liability of British subjects for offences committed out of British India.
 - Political Agents to certify fitness of inquiry into charge.
- 189. Power to direct copies of depositions and exhibits to be received in evidence.
 - B.—Conditions requisite for Initiation of Proceedings.
- 190. Cognizance of offences by Magistrates.
- 191. Transfer or commitment on application of accused.
- 192. Transfer of cases by Magistrates.
- 193. Cognizance of offences by Courts of Session.
- 194. Cognizance of offences by High Court. Informations by Advocate General.
- 195. Prosecution for contempt of lawful authority of public servants.
 - Prosecution for certain offences against public justice.
 - Prosecution for certain offences relating to documents given in evidence.

- 196. Prosecution for offences against the State.
- 196A. Prosecution for certain classes of criminal conspiracy.
- 119B. Preliminary inquiry in certain cases.
- 197. Prosecution of Judges and public servants. Power of Governor General or Governor as to prosecution.
- 198. Prosecution for breach of contract, defamation and offences against marriage.
- 199. Prosecution for adultery or enticing a married woman.
- 199A. Objection by lawful guardian to complaint by person other than person aggrieved.

CHAPTER XVI.

OF COMPLAINTS TO MAGISTRATES.

- 200. Examination of complainant.
- 201. Procedure by Magistrate not competent to take cognizance of the case.
- 202. Postponement for issue of process.
- 203. Dismissal of complaint.

CHAPTER XVII.

OF THE COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES.

- 204. Issue of process.
- 205. Magistrate may dispense with personal attendance of accused.

CHAPTER XVIII.

OF INQUIRY INTO CASES TRIABLE BY THE COURT OF SESSION OR HIGH COURT.

- 206. Power to commit for trial.
- 207. Procedure in inquiries preparatory to commitment.
- 208. Taking of evidence produced. Process for production of further evidence.

- 209. When accused person to be discharged.
- 210. When charge is to be framed.

 Charge to be explained, and copy furnished, to accused.
- 211. List of witnesses for defence on trial.

 Further list.
- 212. Power of Magistrate to examine such witnesses.
- 213. Order of commitment.
- 214. [Repealed.]
- 215. Quashing commitments under section 213.
- 216. Summons to witnesses for defence when accused is committed.

Refusal to summon unnecessary witness unless deposit made.

- 217. Bond of complainants and witnesses.

 Detention in custody in case of refusal to attend or to execute bond.
- 218. Commitment when to be notified.

 Charge, etc., to be forwarded to High Court or Court of Session.

English translation to be forwarded to High Court.

- 219. Power to summon supplementary witnesses.
- 220. Custody of accused pending trial.

CHAPTER XIX.

OF THE CHARGE.

Form of Charges.

221. Charge to state offence.

Specific name of offence sufficient description.

How stated where offence has no specific name.

What implied in charge.

Language of charge.

Previous conviction when to be set out.

- 222. Particulars as to time, place and person.
- 223. When manner of committing offence must be stated,

- 224. Words in charge taken in sense of law under which offence is punishable.
- 225. Effect of errors.
- 226. Procedure on commitment without charge or with imperfect charge.
- 227. Court may alter charge.
- 228. When trial may proceed immediately after alteration.
- 229. When new trial may be directed, or trial suspended.
- 230. Stay of proceedings if prosecution of offence in altered charge require previous sanction.
- 231. Recall of witnesses when charge altered.
- 232. Effect of material error.

Joinder of Charges.

- 233. Separate charges for distinct offences.
- 234. Three offences of same kind within year may be charged together.
- 235. Trial for more than one offence.

 Offence falling within two definitions.

 Acts constituting one offence, but constituting when combined a different offence.
- 236. Where it is doubtful what offence has been committed.
- 237. When a person is charged with one offence, he can be convicted of another.
- 238. When offence proved included in offence charged.
- 239. What persons may be charged jointly.
- 240. Withdrawal of remaining charges on conviction on one of several charges.

CHAPTER XX.

OF THE TRIAL OF SUMMONS-CASES BY MAGISTRATES

- 241. Procdure in summons-cases.
- 242. Substance of accusation to be stated.
- 243. Conviction on admission of truth of accusation.
- 244. Procedure when no such admission is made,

245. Acquittal.

Sentence.

- 246. Finding not limited by complaint or summons.
- 247. Non-appearance of complainant.
- 248. Withdrawal of complaint.
- 249. Power to stop proceedings when no complainant.

Frivolous Accusations in Summons and Warrant Cases.

250. False, frivolous or vexatious accusations.

CHAPTER XXI.

OF THE TRIAL OF WARRANT-CASES BY MAGISTRATES

- 251. Procedure in warrant-cases.
- 252. Evidence for prosecution.
- 253. Discharge of accused.
- 254. Charge to be framed when offence appears proved.
- 255. Plea.
- 255A. Procedure in case of previous convictions.
- 256. Defence.
- 257. Process for compelling production of evidence at instance of accused.
- 258. Acquittal.

Conviction.

259. Absence of complainant.

CHAPTER XXII.

OF SUMMARY TRIALS.

- 260. Power to try summarily.
- 261. Power to invest Bench of Magistrates invested with less power.
- 262. Procedure for summons and warrant-cases applicable-Limit of imprisonment.
- 263. Record in cases where there is no appeal,

1898: Act V.]

SECTIONS.

264. Record in appealable cases.

265. Language of record and judgment.

Bench may be authorised to employ clerk.

CHAPTER XXIII.

OF TRIALS BEFORE HIGH COURTS AND COURTS OF SESSION.

A.—Preliminary.

- 266. "High Court" defined.
- 267. Trials before High Court to be by jury.
- 268. Trials before Court of Session to be by jury or with assessors.
- 269. Provincial Government may order trials before Court of Session to be by jury.
- 270. Trial before Court of Session to be conducted by Public Prosecutor.

B.—Commencement of Proceedings.

- 271. Commencement of trial. Plea of guilty.
- 272. Refusal to plead or claim to be tried.
 Trial by same jury or assessors of several offenders in succession.
- 273. Entry on unsustainable charges. Effect of entry.

C.—Choosing a Jury.

- 274. Number of jury.
- 275. Jury for trial of European and Indian British subjects and others.
- 276. Jurors to be chosen by lot.
 existing practice maintained;
 persons not summoned when eligible;
 trial before special jurors.
- 277. Names of jurors to be called.Objection to jurors.Objection without grounds stated.

- 278. Grounds of objection.
- 279. Decision of objection.

Supply of place of juror against whom objection allowed.

- 280. Foreman of jury.
- 281. Swearing of jurors.
- 282. Procedure when juror ceases to attend, etc.
- 283. Discharge of jury in case of sickness of prisoner.

D.—Choosing Assessors.

- 284. Assessors how chosen.
- 284A. Assessors for trial of European and Indian British subjects and others.
- 285. Procedure when assessor is unable to attend.

DD.-Joint Trials.

- 285A. Trial of European or Indian British subject or European or American jointly accused with others.
- E.—Trial to Close of Cases for Prosecution and Defence.
- 286. Opening case for prosecution. Examination of witnesses.
- 287. Examination of accused before Magistrate to be evidence.
- 288. Evidence given at preliminary inquiry admissible.
- 289. Procedure after examination of witnesses for prosecution.
- 290. Defence.
- 291. Right of accused as to examination and summoning of witnesses.
- 292. Prosecutor's right of reply.
- 293. View by jury or assessors.
- 294. When juror or assessor may be examined.
- 295. Jury or assessors to attend at adjourned sitting.
- 296. Locking up jury.
 - F.—Conclusion of Trial in Cases tried by Jury.
- 297. Charge to jury.
- 298. Duty of Judge.

F.—Conclusion of Trial in Cases tried by Jury.

SECTIONS.

- 299. Duty of jury.
- 300. Retirement to consider.
- 301. Delivery of verdict.
- 302. Procedure where jury differ.
- 303. Verdict to be given on each charge.
 Judge may question jury.
 Questions and answers to be recorded.
- 304. Amending verdict.
- 305. Verdict in High Court when to prevail. Discharge of jury in other cases.
- 306. Verdict in Court of Session when to prevail.
- 307. Procedure where Sessions Judge disagrees with verdict.
 - G.-Re-trial of Accused after Discharge of Jury.
- 308. Re-trial of accused after discharge of jury.
 - H.—Conclusion of Trial in cases tried with Assessors.
- 309. Delivery of opinion of assessors. Judgment.
 - I.-Procedure in case of Previous Conviction.
- 310. Procedure in case of previous conviction.
- 311. When evidence of previous conviction may be given.
- J.—List of Jurors for High Court and summoning Jurors for that Court.
 - 312. Number of special jurors.
 - 313. Lists of common and special jurors.

 Discretion of officer preparing lists.
 - 314. Publication of lists, preliminary and revised.
 - 315. Number of jurors to be summoned. Supplementary summons.
 - 316. Summoning jurors outside the place of sitting of High Courts.
 - 317. Military jurors.
 - 318. Failure of jurors to attend.

K.—List of Jurors and Assessors for Court of Session and summoning Jurors and Assessors for that Court.

SECTIONS.

- 319. Liability to serve as jurors or assessors.
- 320. Exemptions.
- 321. List of jurors and assessors.
- 322. Publication of list.
- 323. Objections to list.
- 324. Revision of list.

 Annual revision of list.
- 325. Preparation of list of special jurors.
- 326. District Magistrate to summon jurors and assessors.
- 327. Power to summon another set of jurors or assessors.
- 328. Form and contents of summons.
- 329. When Crown or Railway servant may be excused.
- 330. Court may excuse attendance of juror or assessor.

 Court may relieve special jurors from liability to serve again as jurors for twelve months.
- 331. List of jurors and assessors attending.
- 332. Penalty for non-attendance of juror or assessor.

L.—Special Provisions for High Courts.

- 333. Power of Advocate General to stay prosecution.
- 334. Time of holding sittings.
- 335. Place of holding sittings. Notice of sittings.
- 336. [Repealed.]

CHAPTER XXIV.

GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS.

- 337. Tender of pardon to accomplice.
- 338. Power to direct tender of pardon.
- 339. Commitment of person to whom pardon has been tendered.

- 339A. Procedure in trial of person under section 339.
- 340. Right of person against whom proceedings are instituted to be defended and his competency to be a witness.
- 341. Procedure where accused does not understand proceedings.
- 342. Power to examine the accused.
- 343. No influence to be used to induce disclosures.
- 344. Power to postpone or adjourn proceedings. Remand.

Reasonable cause for remand.

- 345. Compounding offences.
- 346. Procedure of Provincial Magistrate in cases which he cannot dispose of.
- 347. Procedure when, after commencement of inquiry or trial, Magistrate finds case should be committed.
- 348. Trial of persons previously convicted of offences against coinage, stamp-law or property.
- 349. Procedure when Magistrate cannot pass sentence sufficiently severe.
- 350. Conviction or commitment on evidence partly recorded by one Magistrate and partly by another.
- 350A, Changes in constitution of Benches.
- 351. Detention of offenders attending Court.
- 352. Courts to be open.

CHAPTER XXV.

OF THE MODE OF TAKING AND RECORDING EVIDENCE IN INQUIRIES AND TRIALS.

- 353. Evidence to be taken in presence of accused.
- 354. Manner of recording evidence outside presidency-towns.
- 355. Record in summons-cases, and in trials of certain offences by first and second class Magistrates.
- 356. Record in other cases outside presidency-towns. Evidence given in English.
 - Memorandum when evidence not taken down by the Magistrate or Judge himself,

- 357. Language of record of evidence.
- 358. Option to Magistrate in cases under section 355.
- 359. Mode of recording evidence under section 356 or section 357.
- 360. Procedure in regard to such evidence when completed.
- 361. Interpretation of evidence to accused or his pleader.
- 362. Record of evidence in Presidency Magistrates' Courts.
- 363. Remarks respecting demeanour of witness.
- 364. Examination of accused how recorded.
- 365. Record of evidence in High Court.

CHAPTER XXVI.

OF THE JUDGMENT.

- 366. Mode of delivering judgment.
- 367. Language of judgment.

Contents of judgment.

Judgment in alternative.

- 368. Sentence of death.

 Sentence of transportation.
- 369. Court not to alter judgment.
- 370. Presidency Magistrate's judgment.
- 371. Copy of judgment, etc., to be given to accused on application.

Case of person sentenced to death.

- 372. Judgment when to be translated.
- 373. Court of Session to send copy of finding and sentence to District Magistrate.

CHAPTER XXVII.

OF THE SUBMISSION OF SENTENCES FOR CONFIRMATION.

- 374. Sentence of death to be submitted by Court of Session.
- 375. Power to direct further inquiry to be made or additional evidence to be taken.

- 376. Power of High Court to confirm sentence or annul conviction.
- 377. Confirmation or new sentence to be signed by two Judges.
- 378. Procedure in case of difference of opinion.
- 379. Procedure in cases submitted to High Court for confirmation.
- 380. Procedure in cases submitted by Magistrate not empowered to act under section 562.

CHAPTER XXVIII.

OF EXECUTION.

- 381. Execution of order passed under section 376.
- 382. Postponement of capital sentence on pregnant woman.
- 383. Execution of sentences of transportation or imprisonment in other cases.
- 384. Direction of warrant for execution.
- 385. Warrant with whom to be lodged.
- 386. Warrant for levy of fine.
- 387. Effect of such warrant.
- 388. Suspension of execution of sentence of imprisonment.
- 389. Who may issue warrant.
- 390. Execution of sentence of whipping only.
- 391. Execution of sentence of whipping in addition to imprisonment.
- 392. Mode of inflicting punishment. Limit of number of stripes.
- 393. Not to be executed by instalments. Exemptions.
- 394. Whipping not to be inflicted if offender not in fit state of health.
 - Stay of execution.
- 395. Procedure if punishment cannot be inflicted under section 394.
- 396. Execution of sentences on escaped convicts, a

- 397. Sentence on offender already sentenced for another offence.
- 398. Saving as to sections 396 and 397.
- 399. Confinement of youthful offenders in reformatories.
- 400. Return of warrant on execution of sentence.

CHAPTER XXIX.

OF SUSPENSIONS, REMISSIONS AND COMMUTATIONS OF SENTENCES.

- 401. Power to suspend or remit sentences.
- 402. Power to commute punishment.
- 402A. Sentences of death.

CHAPTER XXX.

OF PREVIOUS ACQUITTALS OR CONVICTIONS.

403. Person once convicted or acquitted not to be tried for same offence.

PART VII.

OF APPEAL, REFERENCE AND REVISION.

CHAPTER XXXI.

OF APPEALS.

- 404. Unless otherwise provided, no appeal to lie.
- 405. Appeal from order rejecting application for restoration of attached property.
- 406. Appeal from order requiring security for keeping the peace or for good behaviour.
- 406A. Appeal from order refusing to accept or rejecting a surety.
- 407. Appeal from sentence of Magistrate of the second or third class.

Transfer of appeals to first class Magistrate.

- 408. Appeal from sentence of Assistant Sessions Judge or Magistrate of the first class.
- 409. Appeals to Court of Session how heard.
- 410. Appeal from sentence of Court of Session.
- 411. Appeal from sentence of Presidency Magistrate.
- 412. No appeal in certain cases when accused pleads guilty.
- 413. No appeal in petty cases.
- 414. No appeal from certain summary convictions.
- 415. Proviso to sections 413 and 414.
- 415A. Special right of appeal in certain cases.
- 416. [Repealed.]
- 417. Appeal on behalf of Government in case of acquittal.
- 418. Appeal on what matters admissible.
- 419. Petition of appeal.
- 420. Procedure when appellant in jail.
- 421. Summary dismissal of appeal.
- 422. Notice of appeal.
- 423. Powers of Appellate Court in disposing of appeal.
- 424. Judgments of subordinate Appellate Courts.
- 425. Order by High Court on appeal to be certified to lower Court.
- 426. Suspension of sentence pending appeal.

 Release of appellant on bail.
- 427. Arrest of accused in appeal from acquittal.
- 428. Appellate Court may take further evidence or direct it to be taken.
- 429. Procedure where Judges of Court of Appeal are equally divided
- 430. Finality of orders on appeal.
- 431. Abatement of appeals.

CHAPTER XXXII.

OF REFERENCE AND REVISION.

- 432. Reference by Presidency Magistrate to High Court.
- 433. Disposal of case according to decision of High Court.

 Direction as to costs.

434. Power to reserve questions arising in original jurisdiction of High Court.

Procedure when question reserved.

- 435. Power to call for records of inferior Courts.
- 426. Power to order inquiry.
- 437. Power to order commitment.
- 438. Report to High Court.
- 439. High Court's powers of revision.
- 440. Optional with Court to hear parties.
- 441. Statement by Presidency Magistrate of grounds of his decision to be considered, by High Court.
- 442. High Court's order to be certified to lower Court or Magistrate.

PART VIII.

SPECIAL PROCEEDINGS.

CHAPTER XXXIII.

SPECIAL PROVISIONS RELATING TO CASES IN WHICH EUROPEAN AND INDIAN BRITISH SUBJECTS ARE CONCERNED.

- 443. Determination regarding applicability of this Chapter.
- 444. Definition of "complainant".
- 445. Procedure in summons-cases.
- 446. Procedure in warrant-cases.
- 447. Court to inform accused persons of their rights in certain cases.
- 448. [Repealed.]
- 449. Special provisions relating to appeal.
- 450 -463. [Repealed.]

CHAPTER XXXIV.

LUNATICS.

- 464. Procedure in case of accused being lunatic.
- 465. Procedure in case of person committed before Court of Session or High Court being lunatic.

- 466. Release of lunatic pending investigation or trial. Custody of lunatic.
- 467. Resumption of inquiry or trial.
- 468. Procedure on accused appearing before Magistrate or
- 469. When accused appears to have been insane.
- 470. Judgment of acquittal on ground of lunacy.
- 471. Person acquitted on such ground to be detained in safe custody.
 - Power of Provincial Government to relieve Inspector General of certain functions.
- 472. [Repealed.]
- 473. Procedure where lunatic prisoner is reported capable of making his defence.
- 474. Procedure where lunatic detained under section 466 or 471 is declared fit to be released.
- 475. Delivery of lunatic to care of relative or friend.

CHAPTER XXXV.

PROCEEDINGS IN CASE OF CERTAIN OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE.

- 476. Procedure in cases mentioned in section 195.
- 476A. Superior Court may complain where subordinate Court has omitted to do so.
- 476B. Appeals.
- 477. [Repealed.]
- 478. Power of Civil and Revenue Courts to complete inquiry and commit to High Court or Court of Session.
- 479. Procedure of Civil or Revenue Court in such cases.
- 480. Procedure in certain cases of contempt.
- 481. Record in such case.
- 482. Procedure where Court considers that case should not be dealt with under section 480.
- 483. When Registrar or Sub-Registrar to be deemed a Civil Court within sections 480 and 482.
- 484. Discharge of offender on submission or apology.
- 485. Imprisonment or committal of person refusing to answer or produce document.

- 486. Appeals from convictions in contempt cases.
- 487. Certain Judges and Magistrates not to try offences referred to in section 195 when committed before themselves.

CHAPTER XXXVI.

OF THE MAINTENANCE OF WIVES AND CHILDREN.

- 488. Order for maintenance of wives and children. Enforcement of order.
- 489. Alteration in allowance.
- 490. Enforcement of order of maintenance.

CHAPTER XXXVII.

DIRECTIONS OF THE NATURE OF A HABEAS CORPUS.

- 491. Power to issue directions of the nature of a habcas corpus.
- 491A. Powers of High Court outside the limits of appellate jurisdiction.

PART IX.

SUPPLEMENTARY PROVISIONS.

CHAPTER XXXVIII.

OF THE PUBLIC PROSECUTOR.

- 492. Power to appoint Public Prosecutors.
- 493. Public Prosecutor may plead in all Courts in cases under his charge.

Pleaders privately instructed to be under his direction.

- 494. Effect of withdrawal from prosecution.
- 495. Permission to conduct prosecution.

CHAPTER XXXIX.

OF BAIL.

SECTIONS.

- 496. In what cases bail to be taken.
- 497. When bail may be taken in case of non-bailable offence.
- 498. Power to direct admission to bail or reduction of bail.
- 499. Bond of accused and sureties.
- 500. Discharge from custody.
- 501. Power to order sufficient bail when that first taken is insufficient.
- 502. Discharge of sureties.

CHAPTER XL.

OF COMMISSIONS FOR THE EXAMINATION OF WITNESSES.

- 503. When attendance of witness may be dispensed with. Issue of commission, and procedure thereunder.
- 504. Commission in case of witness being within presidency-town.
- 505. Parties may examine witness.
- 506. Power of provincial Subordinate Magistrate to apply for issue of commission.
- 507. Return of commission.
- 508. Adjournment of inquiry or trial.

CHAPTER XLI.

SPECIAL RULES OF EVIDENCE.

- 509. Deposition of medical witness.

 Power to summon medical witness.
- 5i0. Report of Chemical Examiner.
- 511. Previous conviction or acquittal how proved.
- 512. Record of evidence in absence of accused.

 Record of evidence when offender unknown.

CHAPTER XLII.

PROVISIONS AS TO BONDS.

SECTIONS.

- 513. Deposit instead of recognizance.
- 514. Procedure on forfeiture of bond.
- 514A. Procedure in case of insolvency or death of surety or when a bond is forfeited.
- 514B. Bond required from a minor.
- 515. Appeal from, and revision of, orders under section 514.
- 516. Power to direct levy of amount due on certain recognizances.

CHAPTER XLIII.

OF THE DISPOSAL OF PROPERTY.

- 516A. Order for custody and disposal of property pending trial in certain cases.
- 517. Order for disposal of property regarding which offence committed.
- 518. Order may take form of reference to District or Subdivisional Magistrate.
- 519. Payment to innocent purchaser of money found on accused.
- 520. Stay of order under section 517, 518 or 519.
- 521. Destruction of libellous and other matter.
- 522. Power to restore possession of immoveable property.
- 523. Procedure by police upon seizure of property taken under section 51 or stolen.

Procedure where owner of property seized unknown.

- 524. Procedure where no claimant appears within six months.
 - 525. Power to sell perishable property.

CHAPTER XLIV.

OF THE TRANSFER OF CRIMINAL CASES.

SECTIONS.

526. High Court may transfer case, or itself try it.

Notice to Public Prosecutor of application under this section.

Adjournment on application under this section.

- 526A. High Court to transfer for trial to itself in certain cases.
- 527. Power of Provincial Government to transfer cases and appeals.
- 528. Sessions Judge may withdraw cases from Assistant Sessions Judge.
 - District or Sub-divisional Magistrate may withdraw or refer cases.
 - Power to authorize District Magistrate to withdraw classes of cases.

CHAPTER XLIV-A.

SUPPLEMENTARY PROVISIONS RELATING TO EURO-PEAN AND INDIAN BRITISH SUBJECTS AND OTHERS.

- 528A. Procedure of claim of a person to be dealt with as European or Indian British subject, or as European or American.
- 528B. Failure to plead status a waiver.
- 528C. Trial of person as belonging to class to which he does not belong.
- 528D. Application of Acts conferring jurisdiction on Magistrates or Courts of Session.

CHAPTER XLV.

OF IRREGULAR PROCEEDINGS.

- 529. Irregularities which do not vitiate proceedings.
- 530. Irregularities which vitiate proceedings.

- 531. Proceedings in wrong place.
- 532. When irregular commitments may be validated.
- 533. Non-compliance with provisions of section 164 or 364.
- 534. Omission to give information under section 447.
- 535. Effect of omission to prepare charge.
- 536. Trial by jury of offence triable with assessors.

 Trial with assessors of offence triable by jury.
- 537. Finding or sentence when reversible by reason of error or omission in charge or other proceedings.
- 538. Attachment not illegal, person making same not trespasser for defect or want of form in proceedings.

CHAPTER XLVI.

MISCELLANEOUS.

- 539. Courts and persons before whom affidavits may be sworn.
- 539A. Affidavit in proof of conduct of public servant.
- 539B. Local inspection.
- 540. Power to summon material witness, or examine person present.
- 540A. Provision for inquiries and trial being held in the absence of accused in certain cases.
- 541. Power to appoint place of imprisonment.
 - Removal to criminal jail of accused or convicted persons who are in confinement in civil jail, and their return to the civil jail.
- 542. Power of Presidency Magistrate to order prisoner in jail to be brought up for examination.
- 543. Interpreter to be bound to interpret truthfully.
- 544. Expenses of complainants and witnesses.

- 545. Power of Court to pay expenses or compensation out of fine.
- 546. Payments to be taken into account in subsequent suit.
- 546A. Order of payment of certain fees paid by complainant in non-cognizable cases.
- 547. Moneys ordered to be paid recoverable as fines.
- 548. Copies of proceedings.
- 549. Delivery to military authorities of persons liable to be tried by court-martial.

Apprehension of such persons.

- 550. Powers to police to seize property suspected to be stolen.
- 551. Powers of superior officers of police.
- 552. Power to compel restoration of abducted females.
- 553. Compensation to persons groundlessly given in charge in presidency-town.
- 554. Power or chartered High Courts to make rules for inspection of records of subordinate Courts.
 - Power of other High Courts to make rules for other purposes.
- 555. Forms.
- 556. Case in which Judge or Magistrate is personally interested.
- 557. Practising pleader not to sit as Magistrate in certain Courts.
- 558. Power to decide language of Courts.
- 559. Provision for powers of Judges and Magistrates being exercised by their successors in office.
- 560. Officers concerned in sales not to purchase or bid for property.
- 561. Special provisions with respect to offence of rape by a husband.
- 561A. Saving of inherent power of High Court.

First Offenders.

562. Power of Court to release certain convicted offenders on probation of good conduct instead of sentencing to punishment.

Conviction and release with admonition.

- 563. Provision in case of offender failing to observe conditions of his recognizances.
- 564. Conditions as to abode of offender.

. Criminal Procedure. [1898: Act V.

34

SECTIONS.

Previously convicted offenders.

565. Order for notifying address of previously convicted offender.

SCHEDULE I.—[Repealed.]

SCHEDULE II.—Tabular Statement of Offences.

SCHEDULE III.—Ordinary Powers of Provincial Magistrates.

SCHEDULE IV .- Additional Powers with which Provincial Magistrates may be invested.

SCHEDULE V .-- Forms.