M.R.O. 1—33,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1611 Press ~~Mis.~~

52-53

Dated 7.10.1863 ~~19~~.

5/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 7th October 1863.

No. 52. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Madras; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 3rd October 1863, No. 114.

I do myself the honor of acknowledging the receipt of the order noted in the margin, and to state as my opinion, that Section 50 of the Police Act not having been repealed, it remains in full force, and that a Sub-Magistrate acting under the Penal Code or Code of Criminal Procedure, has not jurisdiction over the Officers of Police in contravention of the restriction enacted by the law which constitutes the force.

Order of Government, 29th September 1863, on letter from Inspector General of Police, 21st September 1863, No. 2,484.

No. 53. ORDER THEREON, 7th October 1863, No. 1,611.

Communicated to the Inspector General of Police and to all Magistrates.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Ld 8th Oct
General Department
No. 2484

Office of the Inspector General
of the Police
Coimbatore 21st September 1863.

From,
W. Robinson Esquire
Inspector General of the Police.

To
A. J. Arbuthnot Esquire
Chief Secretary to Government
Fort Saint George.

Sir,

The Police Act, section 50, restricts the jurisdiction of Sub Magistrates in regards the Conviction and punishment of Police Officers above the rank of Privates.

2. The Code of Criminal Procedure does not repeal this restriction; but these Officers are, under it, exercising their full powers without reference to the above restriction.

3. I should be glad if the opinion of the Law Officers of Government could be obtained as to whether a Native Sub Magistrate acting under the Penal Code or Code of Criminal Procedure has jurisdiction over the Officers of Police, notwithstanding the restriction enacted by the Law which

Constitutes

constitutes the Force.

I have the Honor to be,
Sir,
Your most obed.t Servant.
J. B. Robinson
Inspector General
of Police.

No.

Proceedings of Govt. Judl. Departt.

Dated 29 September 1863.
Rec'd 5 October
Ans. 3

Judicial 1863 Departt

From
W. Robinson Esqre
Insp. Genl of the Police

To
A. J. Arbuthnot Esqre
Chief Secy to Govt
For. & St. George

Dated 21st Sept. 1863
Rec'd 24th

No. 2484

Requesting to obtain the opinion of the Law Officers of Govt whether a native Sub Magistrate is under the Penal Code or Code of Criminal Procedure has jurisdiction over the Officers of Police —

Respectfully submitted for the opinion of the Law Officers of Government

Fort St. George
29th September 1863

A. J. Arbuthnot
Chief Secretary

Copy of this letter forwarded to the Govt. Solicitor
4-2-64.

On letter from Inspector General of Police Dated 21st September 1863 No. 2484 — Requesting whether a native Sub Magistrate acting under the Penal Code or Code of Criminal Procedure had Jurisdiction over the Officers of Police notwithstanding the restriction enacted by the Law which constitutes the Force. —

Sd 52-53 —