

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT

G.O. No.	/	Press
1-2		~~Mis.~~
Dated	5-1-1863	~~19~~

3/3

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
5th January 1863.*

Read the following papers :—

No. 1. From W. ROBINSON, Esq., Inspector General of Mofussil Police; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 1st December 1862, No. 2,888.

General Department.

I have the honor to request that the opinion of the Law Officers of Government may be obtained for the guidance of the Police on the following point.

Does a Magistrate directing a Police Officer under Section 133 of C. C. P. to make inquiry into offences other than those described in column 3 of the C. C. P., virtually authorize him to take all the steps which he, the Police Officer, is empowered to take in cases which he may inquire into without the order of a Magistrate, viz., to arrest without warrant, search premises, summon witnesses, &c.

I conceive, with reference to Section 9 of C. C. P., that the word "inquire into" will imply all this.

Referred for the opinion of the Government Pleader.

FORT SAINT GEORGE,
4th December 1862.

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

No. 2. From CLEMENT DALE, Esq., Government Pleader; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 5th December 1862, No. 175.

I have the honor to acknowledge the receipt of the Order of Government, under the date and number noted in the margin, and to report for the information of the Honorable the Governor in Council as my opinion, that if a Police Officer be directed by a Magistrate to make inquiry into any offence punishable under the Indian Penal Code, or under any special or local law, as authorized by the 133rd Section of the C. C. P., such Police Officer is authorized to take all the steps which he, the Police Officer, is empowered to take in cases which he may inquire into without the order of a Magistrate.

2. I return the original letter and order.

No. 2 A. ORDER THEREON, 5th January 1863, No. 1.

The Government Pleader's letter will be communicated to the Inspector General of Police.

2. A copy of these Proceedings will be furnished to all Magistrates of Districts.

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

Exd. T. McMootry.

Proceedings of the Madras Govt.
Read the following letters—

From the Inspector

Sect. of Police—Enter 1st Decr '62 N^o: 288

* the Govt. Pleader—5th do—175.

Order—5th January 1863 No 1

The Govt. Pleader's Letter will
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The Inspector Sect. of
Police.

* Magistrate of

deputy Secy