

627/81

M.R.O. 1-38,000-16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Indirect DEPARTMENT.

23/8/81 AM

G.O. No.	856	Press
		~~Mis~~
Dated	25-8-1986	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
25th May 1867.*

No. 257. Read the following letter from the Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, Fort Saint George; dated Madras, 17th May 1867, No. 28.

With reference to your letter, dated the 3rd ultimo, No. 543, I am directed by the Chief Justice to state that the High Court have issued an order on the point of procedure referred to therein.

Proceedings of the High Court of Judicature at Madras, 17th May 1867.

Read letter, dated the 3rd ultimo, from the Chief Secretary to Government, transmitting, for the consideration of the High Court, and for such notice as they may deem called for, copy of the Proceedings of Government, Revenue Department, in which are recorded, among other papers, the Proceedings of the Session Court of Cuddalore upon a petition presented to that Court, appealing against certain sentences passed by the Acting Head Assistant Magistrate of North Arcot.

1. The High Court are of opinion that the Acting Head Assistant Magistrate of North Arcot acted wrongly in not permitting the 1st prisoner's Counsel, in the case brought to the Judges' notice, to cross-examine the witnesses for the prosecution before the case for the prosecution was closed.

2. The effect of Section 249 is to import into the preliminary examination the rules enjoined in Chapter XII for the examination of witnesses. They are, therefore, to be examined in the presence of the accused, who is to be permitted to cross-examine them. Then if, on that examination, the Magistrate considers it necessary to frame a charge, the accused is to have the right, by Section 252, in aid of his defence, of recalling and further cross-examining the witnesses for the prosecution.

(True Extract).

(Signed) J. H. NELSON,

Ag. Registrar, Appellate Side.

To the Chief Secretary to Government, Fort Saint George.

No. 258. ORDER THEREON, 25th May 1867, No. 856.

Communicated to the Revenue Department, with reference to the Proceedings in that Department, dated the 20th March last, No. 668.

(True Extract).

Chief Secretary.

To the Revenue Department.

Exd. J. H. Burns.

25 Aug 1867 A-855

Communicated to the
Revenue Department
with reference to the
Proceedings in that De-
partment dated the 20.
March last, No 668.

No work

[Signature]

by the Revenue Department despatched

