

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2347.

Dated 15th Nov 1895.

INDEXED.

[Despatch Abstract.]

HIGH COURT'S CIRCULAR.

Recording--containing certain rules relating to the
inspection of records of Criminal Courts.

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BACK PAPERS.

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No. 18.

CIRCULAR.

The following Rules relating to the inspection of records of Criminal Courts are issued in modification of the Rules dated 20th December 1893, No. 3386, published at page 11, Part II, of the Fort Saint George Gazette, dated 9th January 1894:—

1. Whenever it shall appear to any officer of Police, not below the rank of Inspector of Police, that an inspection of the records of any criminal trial or appeal will facilitate the detection or prevention of crime or is desired for examination of the conduct of Police officers connected with the case and whenever the inspection of such records may be desired by a Public Prosecutor in the exercise of his duty as Public Prosecutor, such officer or the Public Prosecutor as the case may be, may apply to the Sessions Judge or presiding Magistrate of the Court in which the records are lodged for permission to inspect the same.

2. The application referred to in the preceding rule shall be made in writing and shall contain a description of the records and shall state the purpose for which the inspection is sought and the Sessions Judge or Magistrate may grant or refuse the application as he may see fit. If the application is refused, the Sessions Judge or Magistrate shall record the reasons for refusal and shall communicate a copy thereof to the officer of Police concerned or to the Public Prosecutor as the case may be. If the application is granted, the Sessions Judge or Magistrate shall make arrangements for permitting the inspection to be conducted in accordance with the next following rule.

3. Every inspection of records under these rules shall be conducted by an officer of Police not below the rank of Inspector of Police or, if an inspection is granted on the application of a Public Prosecutor, then by the Public Prosecutor himself; it shall take place within the precincts of the Court in which the records are lodged and in the presence of an officer of the Court who shall be deputed by the Sessions Judge or Magistrate for the purpose, and no record or part of a record shall be removed by the inspecting officer from the precincts of the Court.

4. The privilege of inspecting records in Magisterial Courts is extended to (1) Gazetted officers of the Salt and Abkari and Forest Departments, in so far as concerns "Salt and Abkari" and Forest cases respectively and (2) Assistant Inspectors in the Salt and Abkari Department in charge of Inspectors' Circles.

5. An officer inspecting records under these rules can take extracts therefrom if he considers it necessary to do so.

HIGH COURT OF JUDICATURE,
APPELLATE SIDE,
MADRAS, 16th October 1895.

D. W. G. COWIE,

Ag. Registrar.

To

- The Sessions Judge of _____
- " District Magistrate of _____
- " Chief Secretary to Government, Fort St. George, (4 copies) with reference to G. O., dated 28th May 1894, No. 1292, and 28th March 1895, No. 661, Judicial.
- " Secretary to the Government of India, Home Department, Calcutta (2 copies).
- " Under Secretary of State for India (3 copies, one of which addressed to the Legal Adviser, India office) through the Chief Secretary to Government, Fort St. George.
- " Secretary to the Board of Revenue, Madras.
- " Chief Presidency Magistrate, Egmore, Madras.
- " Senior Presidency Magistrate, Black Town, Madras.
- " Registrar, Chief Court of Mysore, Bangalore.
- " First Judge, High Court, Travancore.
- " Registrar, High Court, Hyderabad, Deccan.
- " Judicial Commissioner, Central Provinces, Nagpur.
- " Superintendent, Government Press, for publication.

Exd.—T. M. Venkatarajam.

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From

The High Court.

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No. 2918

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Subject

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inspection of records of
Criminal Courts

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