



The Chennai City Police (Extension to the Chennai City Suburban Area) Act, 2008

Act 54 of 2008

Keyword(s):

Chennai City Suburban Area, City Police Act

Amendment appended: 22 of 2011

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

ACT No. 54 OF 2008.

An Act to extend the provisions of the Chennai City Police Act, 1888 to the Chennai City Suburban Area.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Chennai City Police (Extension to the Chennai City Suburban Area) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on 18th day of July 2008.

2. In this Act, unless the context otherwise requires,—

Definitions.

(1) "Chennai City Suburban Area" means the local area comprising the limits of the police stations specified in the Schedule;

(2) "City Police Act" means the Chennai City Police Act, 1888;

(3) "Government" means the State Government;

(4) "law in force" includes any enactment, Ordinance, regulation, order, by-law, rule, scheme or notification in force in the whole or in any part of the State of Tamil Nadu or any instrument having the force of law in the whole or in any part of the State of Tamil Nadu.

3. (1) With effect on and from the 18th day of July 2008, the City Police Act as in force immediately before the 18th day of July 2008, shall stand extended to, and shall be in force, in the Chennai City Suburban Area.

Extension of Tamil Nadu Act III of 1888.

(2) In the City Police Act as extended to the Chennai City Suburban Area—

(a) any reference to the City of Chennai other than the reference in section 3 shall, by reason of this Act, be construed as a reference to the Chennai City Suburban Area;

(b) any reference to the Presidency Magistrate shall, by reason of this Act, be construed as a reference to the Judicial Magistrate;

(c) any reference to the Commissioner shall, by reason of this Act, be construed as Commissioner of Police for Chennai City Suburban Area with whom the administration of the Police of the Chennai City Suburban Area shall be vested.

4. (1) Without prejudice to the provisions contained in section 7 of the City Police Act, the Government may, by notification, and subject to such conditions and limitation as may be specified therein, empower,—

Power of Government to authorize Commissioner of Police for Chennai City Suburban Area and certain other Police Officers in Chennai City Suburban Area to exercise powers of District Magistrate and Executive Magistrate under the Code of Criminal Procedure, 1973.

(a) the Commissioner of Police for Chennai City Suburban Area to exercise and perform in relation to the Chennai City Suburban Area, the powers and duties of an Executive Magistrate and of a District Magistrate under such of the provisions of the Code of Criminal Procedure, 1973 (hereinafter in this section referred to as the said Code) or of any other law in force relating to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification;

(b) any officer subordinate to the Commissioner of Police for Chennai City Suburban Area (not being an Officer below the rank of an Assistant Commissioner of Police) to exercise and perform in relation to Chennai City Suburban Area as may be specified in the notification, the powers and duties of Executive Magistrate under such of the provisions of the said Code or of any other law in force relating to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification.

Tamil Nadu Act III of 1888.

Central Act 2 of 1974.

(2) Every officer subordinate to the Commissioner of Police for Chennai City Suburban Area shall, in the exercise and performance of any powers and duties, which he is empowered to exercise or perform under sub-section(1), be subject to the general control of the said Commissioner of Police in the same manner and to the same extent as an Executive Magistrate appointed under section 20 of the said Code would be subject to the general control of the District Magistrate appointed under that section.

(3) The Commissioner of Police for Chennai City Suburban Area or any Officer subordinate to such Commissioner, shall not be subject, in the exercise and performance of any powers and duties which he is empowered to exercise and perform under sub-section (1), to the general control of the District Magistrate appointed under section 20 of the said Code.

Police force functioning in Chennai City Suburban Area immediately before the 18th day of July 2008 to be deemed to be police force constituted under the City Police Act as extended.

5. (1) The police force functioning in the Chennai City Suburban Area immediately before the 18th day of July 2008 (hereinafter in this Section referred to as the existing police force) shall, on the 18th day of July 2008, be deemed to be the police force constituted for the Chennai City Suburban Area under the City Police Act as extended, by this Act and every member of the existing police force holding the office immediately before the 18th day of July 2008 shall be deemed to be appointed on the 18th day of July 2008 as members of the police force for the Chennai City Suburban Area.

(2) All proceedings (including proceedings by way of investigations) pending before any police officer of the existing police force immediately before the 18th day of July 2008, shall on the 18th day of July 2008 be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is appointed under sub-section (1) and shall be dealt with accordingly.

(3) Where any power or function which may be exercised or discharged under any law by a District Magistrate or an Executive Magistrate immediately before the 18th day of July 2008 has been conferred on the Commissioner of Police or any other Police Officer by or under the City Police Act as extended, all proceedings in relation to, or arising from, the exercise of such power or the discharge of such function pending immediately before such conferment before the District Magistrate, or Executive Magistrate, as the case may be, shall on the conferment of such power or function, on the Commissioner of Police or other police officer, stand transferred to the Commissioner of Police for Chennai City Suburban Area or other Police Officer, as the case may be, and the officer to whom such proceedings stand so transferred shall either proceed *de novo* or from the stage of such transfer.

Control of the Director General of Police over the Commissioner of Police for Chennai City Suburban Area.

6. (1) Notwithstanding anything contained in the City Police Act as extended, the Commissioner of Police for Chennai City Suburban Area shall, in the exercise of his functions under the City Police Act as extended, be under the control and direction of the Director-General of Police for the State of Tamil Nadu subject to any rules that may be made under sub-section (2).

(2) It shall be competent to the Government to make rules to limit and regulate the exercise of the powers of, control and direction conferred on, the Director-General of Police by sub-section (1) in respect of the Commissioner of Police for Chennai City Suburban Area.

(3) Nothing in this Section shall apply in relation to the powers and functions which may be exercised or discharged by the Commissioner of Police for Chennai City Suburban Area under any law as a District Magistrate or an Executive Magistrate.

Construction of reference to laws not in force in Chennai City Suburban Area.

7. Any reference in the City Police Act as extended by this Act to a law which is not in force in the Chennai City Suburban Area on the 18th day of July 2008 shall, in relation to the said area, be construed as a reference to the corresponding law, if any, in force in the said area.

- 8.** Any reference by whatever form or words in any law in force to any authority competent on the date immediately preceding the 18th day of July 2008 to exercise any powers or discharge any functions in the Chennai City Suburban Area shall, where a corresponding new authority has been constituted by or under the City Police Act as extended or under this Act to the said area have effect as if it were a reference to that new authority.
- Construction of reference to authorities where new authorities have been constituted.
- 9.** For the purpose of facilitating the application, in the Chennai City Suburban Area, of the City Police Act as extended, any Court or other authority may construe the said Act with such alteration not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority.
- Powers of courts and other authorities for purposes of facilitating application of the City Police Act.
- 10.** (1) The Government may make rules for carrying out all or any of the purposes of this Act.
- Power to make rules.
- (2) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette*, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.
- (3) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.
- (4) Every rule made or notification or order issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of the Legislative Assembly, and if before the expiry of the session in which it is so placed or the next session, the Legislative Assembly agrees that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.
- 11.** If any difficulty arises in giving effect to the provisions of the City Police Act as extended by this Act, to the Chennai City Suburban Area, the Government may, as occasion may require, by order, do anything which appears to them to be necessary for the purpose of removing the difficulty:
- Power to remove difficulties.
- Provided that no order shall be made under this section after the expiry of two years from the 18th day of July 2008.
- 12.** On the 18th day of July 2008, the local area comprising the limits of police stations specified in the Schedule shall stand excluded from the City of Chennai for the purpose of section 3 of the City Police Act.
- Exclusion of area from Chennai City.
- 13.** (1) The Chennai City Police (Extension to the Chennai City Suburban Area) Ordinance, 2008 is hereby repealed.
- Repeal and saving.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

THE SCHEDULE

*[See section 2 (1)]***POLICE STATIONS**

- 1 St. Thomas Mount Police Station
- 2 Meenambakkam Police Station
- 3 Pallavaram Police Station
- 4 Chrompet Police Station
- 5 Shankar Nagar Police Station
- 6 Tambaram Police Station
- 7 Madipakkam Police Station
- 8 Palavanthangal Police Station
- 9 Adambakkam Police Station
- 10 Pallikaranai Police Station
- 11 Chitlapakkam Police Station
- 12 Peerkankaranai Police Station
- 13 Selaiyur Police Station
- 14 Airport Police Station
- 15 Nandambakkam Police Station
- 16 Poonamallee Police Station
- 17 Sri Ramachandra Medical College Hospital Police Station
- 18 Kunrathur Police Station
- 19 Mangadu Police Station
- 20 Ambathur Police Station
- 21 Ambathur Estate Police Station
- 22 Korattur Police Station
- 23 Maduravoyal Police Station
- 24 Avadi Police Station
- 25 Avadi Tank Factory Police Station
- 26 Pattabiram Police Station
- 27 Muthapudupet Police Station
- 28 Tiruninravur Police Station
- 29 Nazarethpet Police Station
- 30 Thirumullaivoyal Police Station
- 31 Thiruverkadu Police Station
- 32 Madhavaram Police Station
- 33 Madhavaram Milk Colony Police Station
- 34 Redhills Police Station

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- 35 Ennore Police Station
 - 36 Manali Police Station
 - 37 Manali New Town Police Station
 - 38 Sathangadu Police Station
 - 39 Puzhal Police Station

(By order of the Governor)

S. DHEENADHAYALAN,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 24th September 2011 and is hereby published for general information:—

ACT No. 22 of 2011.

An Act to repeal the Chennai City Police (Extension to the Chennai City Suburban Area) Act, 2008.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Chennai City Police (Extension to the Chennai City Suburban Area) Repeal Act, 2011.

Short title and commencement.

(2) It shall be deemed to have come into force on the 24th August 2011.

2. The Chennai City Police (Extension to the Chennai City Suburban Area) Act, 2008 (hereinafter referred to as the repealed Act) is hereby repealed.

Repeal.

3. (1) With effect on and from the 24th day of August 2011, the local area comprising the limits of the police stations specified in the Schedule to the repealed Act shall stand transferred and become part and parcel of the City of Chennai as notified under the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888).

Transfer of area and saving.

(2) The police force functioning under the repealed Act immediately before the 24th day of August 2011 (hereinafter in this section referred to as the existing police force) shall, on the 24th day of August 2011, be deemed to be the police force constituted under the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888) and every member of the existing police force holding the office immediately before the 24th day of August 2011 shall be deemed to be appointed on the 24th day of August 2011 as members of the police force for the City of Chennai.

(3) The repeal of the repealed Act shall not affect,—

(a) all proceedings (including by way of investigations) pending before any police officer of the existing police force immediately before the 24th day of August 2011, shall be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is appointed under the repealed Act and shall be dealt with accordingly.

(b) Where any power or function which may be exercised or discharged under any law by the Commissioner of Police or other police officer, as the case may be, for Chennai City Suburban Area in the capacity of an Executive Magistrate under the repealed Act shall stand transferred to the Commissioner of Police for Chennai or other police officer, as the case may be, and the officer to whom such proceedings stand so transferred shall either proceed *de novo* or from the stage of such transfer.

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.