

APPEALS FROM CONVICTIONS ACT, 1843

ACT No. IV. Of 1843

(Rep., 17 of 1862)

[24<sup>th</sup> March, 1843].

*Passed by the Right Hon'ble the President of the Council of India in Council, On the 24<sup>th</sup> of March, 1843, with the assent of the Right Hon,ble the Governor General of India.*

An Act for amending the Law concerning Appeals from Justices of the Peace, and from Magistrates acting under the Statute 53 Geo. III. Ch. 155.

Whereas, in many cases provided by law, offences may be prosecuted before Magistrates not acting within local limits of the jurisdiction of Her Majesty's Supreme Courts, and which such Magistrates may take cognizance of either in their Magisterial capacity under the Regulations, or as Justices of the Peace. And whereas the Appeal from convictions before Magistrates acting in their Magisterial capacities, and from the like convictions before Justices of the Peace are subject to different rules. And whereas in all cases of convictions before Justices of the Peace in the Mofussil and before Magistrates exercising jurisdiction under the provisions of Statute 53 Geo. III C. 155, in cases of assaults, forcible entries, or other injuries accompanied with force committed by British subject, the law as to Appeals requires amendment:--

I. It is hereby enacted, that an Appeal shall lie from all sentences passed by any Justice of the Peace acting without the local limits of any of Her Majesty's Supreme Court upon convictions had before him for any offence, and from all sentences passed by any Magistrate upon convictions had before him exercising such jurisdiction as aforesaid to the same authority and subject to the same rules as are provided by the Regulations and Acts of the Government in the case of sentences passed by Magistrates in the exercise of their ordinary jurisdiction. And cases so made the subject of Appeal shall not be afterwards liable to revision by means of a Writ of Certiorari.

II. And it is hereby provided that nothing in this Act contained shall be held to take away the power of quashing any conviction by means of a Writ of Certiorari, in any other case than where there has been such Appeal as aforesaid.

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