

**MADRAS--DISTRICT MOONSIFFS.**

**ACT No. XII. OF 1854.**

*[Passed on the 10th March, 1854.]*

1. *Empowers the G. in C. to confer on District Moonsiffs criminal jurisdiction in petty cases.*
- 2, 3. *Existing rules relating to District Police, and (3) Prisoners, to remain in force.*
4. *Existing rules of procedure to apply to D. M. Courts.*
5. *District Moonsiffs to note down the complaint, defence and oral evidence in writing.*
6. *Extends powers of Sessions Judges to proceedings under this Act.*
7. *Empowers G. in C. to suspend certain Regulations when powers under this Act are conferred on D. Moonsiffs.*

An Act for conferring Criminal Jurisdiction upon District Moonsiffs in the Presidency of Madras.

Whereas the administration of Justice in the Presidency of Madras will be promoted by vesting District Moonsiffs with jurisdiction in criminal cases; It is enacted as follows:—

I. It shall be competent to the Governor in Council of Fort St. George, by an order in writing, to empower one or more of the District Moonsiffs, in any Zillah of the said Presidency, to hear and determine complaints or prosecutions for petty offences and for petty thefts as defined in Sections XXXII. and XXXIII. of Regulation IX. of 1846, and for petty offences of the description specified in Clause 1, Section VIII. Regulation XIII. of 1832, and to inflict upon the offenders the punishments which Magistrates are authorized to inflict for the same offences by the said Sections of Regulation IX. of 1816, and by Clause 2, Section VIII. Regulation XIII. of 1832.

II. In bringing criminal cases before a District Moonsiff for trial under this Act, the District Police shall be subject to the same laws and rules as are now applicable to them in bringing similar cases before a Magistrate.

III. Prisoners under trial by the District Moonsiffs under the provisions of this Act shall remain in the custody of the Police.

IV. All laws and rules now in force relating to the mode of procedure in such criminal cases in the Courts of the Magistrates

shall also apply to and regulate the mode of procedure in such criminal cases in the Courts of the District Moonsiffs.

V. Provided always, that in trials or investigations under this Act, the District Moonsiffs shall take down the complaint and defence as well as the oral evidence fully in writing, and shall receive all relevant and material documentary evidence, properly tendered, and file the same or a copy thereof, or such parts thereof as may be relevant.

VI. The powers vested in Sessions Judges by Section XXXVII. Act VII. of 1843, and the Regulations therein referred to, to review, alter and overrule the proceedings, orders and judgments passed by Sudder Ameens in criminal cases, shall extend to the proceedings, orders and judgments passed by the District Moonsiffs under this Act.

VII. It shall be competent to the Governor in Council, when he shall empower one or more of the District Moonsiffs in any Zillah to exercise criminal jurisdiction under this Act, to order at the same time that the provisions of Clauses 2, 3 and 4 Section VI. Regulation IV. of 1821, and of Act XXXIII. of 1837, shall cease to have any operation in that Zillah, or in the parts of it in which such criminal jurisdiction is to be exercised by a District Moonsiff.

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