

*Empire*

ACT No. XIII OF 1861.

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PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(*Received the assent of the Governor General on the 20th May 1861.*)

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*An Act to regulate temporarily the procedure of the Police enrolled under Act V of 1861 (for the regulation of Police.)*

WHEREAS, pending the passing of a new Code of Criminal Procedure, it is expedient to pass a temporary Act for the guidance and direction of the Police Officers who shall be enrolled under the provisions of Act V of 1861 (*for the regulation of Police*) in the discharge of their duties, in so far as the same are not provided for by the said Act; It is enacted as follows :—

1. When a Magistrate shall direct a warrant of arrest to a Police Officer, such Officer shall forthwith execute the same so far as it may be within his power to do so.

Police Officer to execute warrants of arrest.

2. A warrant directed to a Police Officer may be executed by any other Police Officer whose name shall be endorsed upon the warrant by the Officer to whom the warrant is directed.

Another Police Officer whose name is endorsed on the warrant may execute it.

3. A warrant issued by a Magistrate shall ordinarily be executed (unless it be specially otherwise provided) within the jurisdiction of the Magistrate of the District in which it was issued.

Where a warrant of a Magistrate must be executed.

4. When any person against whom a warrant is issued by a Magistrate shall escape or go into, or be in any place out of the jurisdiction of the Magistrate issuing such warrant, the warrant

Warrant executed in another jurisdiction.

rant

ACT No. XIII of 1861.

rant may be executed in such place, and if the person against whom the warrant is issued is arrested in such place the Police Officer executing the warrant shall carry him before the Magistrate of the District or some other Magistrate within whose jurisdiction the arrest was made. If the place of arrest be within twenty miles from the place at which the warrant was issued, the person arrested may be carried in the first instance before the Magistrate who issued the warrant.

5. A Police Officer executing a warrant of arrest, shall notify the substance of the warrant to the person to be arrested, and if required to do so, shall show the warrant to such person.

Notification of substance of warrant.

6. In making an arrest, the Police Officer executing the warrant shall actually touch or confine the body of the person to be arrested, unless there be a submission to the custody by word or action.

Warrant how to be executed.

7. If a person against whom a warrant of arrest is issued shall forcibly resist the endeavour to arrest him, it shall be lawful for the Police Officer executing the warrant to use all such means as may be necessary to effect the arrest.

Resisting an endeavour to arrest.

8. Every person is bound to assist a Police Officer demanding his aid in the prevention of a breach of the peace, or in the suppression of a riot or an affray, or in the taking of any other person whom such Police Officer is authorized to arrest, whether in execution of a warrant, or as hereinafter provided without a warrant; and any person who shall refuse or neglect to assist a Police Officer when so applied to, shall be liable on conviction before a Magistrate to a fine not exceeding fifty Rupees, or to imprisonment not exceeding three months, or to both fine and imprisonment.

Penalty for any person refusing or neglecting to assist a Police Officer when applied to.

9. If there is reason to believe that any person against whom a warrant has been issued has entered into or is within any house or place, it shall be the duty of any person residing in or in charge of such house or place, on demand of the Police Officer executing the warrant, to allow such Police Officer free ingress thereto, and to afford all reasonable facilities for a search therein.

Search of house entered into by person against whom warrant has been issued.

10. The

ACT No. XIII OF 1861.

10. The Police Officer authorized by a warrant to arrest a person may break open any outer or inner door or window of any house or place, whether that of the person accused or of any other person, in order to execute such warrant, if after notification of his authority and purpose and demand of admittance duly made, he cannot otherwise obtain admittance.

Breaking of outer door or window.

11. If information be received that a person against whom a warrant of arrest has been issued, is concealed in a zenanah or apartment in the actual occupancy of a woman who, according to the custom of the country, does not appear in public, the Police Officer employed to execute the warrant shall take such precautions as may be necessary to prevent the escape of the accused person; and if the accused person shall not deliver himself up, the Police Officer authorized to execute the warrant may, if after notification of his authority and purpose and demand of admittance duly made he cannot otherwise obtain admittance, break open such zenanah or apartment and execute the warrant entrusted to him, first giving notice to any woman, as aforesaid, in such zenanah or apartment, not being a person against whom a warrant has been issued, that she is at liberty to withdraw and affording her every reasonable facility for withdrawing.

Breaking open a zenanah or female apartment.

12. The person arrested shall not be subjected to more restraint than is necessary to prevent his escape.

No unnecessary restraint.

13. The Police Officer executing the warrant shall, without unnecessary delay, bring the person arrested before the Magistrate before whom he is required by the warrant to produce him.

Party arrested to be brought immediately to the authority mentioned in the warrant.

14. A Police Officer shall not offer to the person arrested any inducement, by threat or promise or otherwise, to make any disclosure. But no Police Officer shall prevent the person arrested, by any caution or otherwise, from making any disclosure which he may be disposed to make of his own free will.

No threat, promise, or caution to the party arrested.

15. When a summons shall be directed by a Magistrate to a Police Officer to be served on a person accused of an offence, such Officer shall proceed forthwith to serve the same so far as it may be within his power to serve it.

Police Officer to serve summons to the best of his ability.

16. A

ACT No. XIII OF 1861.

16. A summons directed to a Police Officer may be served by any other Police Officer whose name shall be endorsed upon the summons by the Officer to whom the summons is directed.

Summons may be served by any other Police Officer whose name is endorsed thereon.

17. The summons shall be served on the accused person personally, or in case the accused person shall not be found, it may be left for him with some adult male member of his family residing with him.

Summons how to be served.

18. When the accused person cannot be found, and there is no adult male member of his family on whom the service can be made, the serving Officer shall fix a copy of the summons on some conspicuous part of the house in which the accused person ordinarily resides.

Mode of service if accused cannot be found.

19. When a Magistrate shall direct a search warrant to a Police Officer, such Officer shall forthwith execute the same so far as it may be within his power to do so.

Police Officer to execute search warrants.

20. A search warrant directed to an Officer in charge of a Police Station may, if such Officer is not able to proceed in person, be executed by any Officer subordinate to such Officer. In such case the name of such subordinate Officer shall be endorsed upon the warrant by the Officer to whom the warrant is directed.

A warrant to one Police Officer may be executed by another.

21. When it shall be necessary for a search warrant to be executed out of the jurisdiction of the Magistrate issuing the warrant, the Magistrate within whose jurisdiction the warrant is to be executed shall endorse his name on the warrant, which shall be sufficient authority for the Police Officer charged with the execution of such warrant to execute the same within the said jurisdiction, or the search warrant may be directed to the Magistrate within whose jurisdiction the search is to be made, and such Magistrate shall thereupon endorse his name on such warrant and enforce its execution in the same manner as if the warrant had been issued by himself.

How to be executed out of jurisdiction of the Magistrate.

22. In

ACT No. XIII OF 1861.

22. In any case in which there is reason to believe that the delay occasioned by obtaining the endorsement of the Magistrate

In what cases Police Officer may execute search warrant out of the jurisdiction of the Magistrate issuing it, without obtaining the endorsement of the Magistrate in whose district it is to be executed.

within the limits of whose jurisdiction the warrant is to be executed will prevent the discovery of the thing for which search is to be made, the Police Officer charged with the execution of the search warrant may execute the same in any place beyond the jurisdiction of the Magistrate by

whom it was issued, without the endorsement of the Magistrate in whose jurisdiction that place is situate. If the thing for which search is made is found in such place, it shall be immediately taken before the Magistrate in whose jurisdiction it is found and who, unless there be good cause to the contrary, shall make an order authorizing it to be taken to the Magistrate who issued the warrant.

23. If the house or place to be searched is closed, it shall be the duty of any person residing in or in charge of such house or

Persons in charge of dwelling house, &c. to allow the search.

place, on demand of the Police Officer executing the warrant, to allow such Officer free ingress thereto, and to

afford all reasonable facilities for a search therein.

24. A Police Officer authorized by a warrant to search any house or

Place to be searched may be broken open.

place may break open any outer or inner door or window of the house or place in order to execute such warrant, if

after notification of his authority and purpose and demand of admittance duly made he cannot otherwise obtain admittance.

25. If the place ordered to be searched is a zenanah or apartment in the

Breaking of a zenanah or female apartment.

actual occupancy of a woman who, according to the custom of the country, does not appear in public, the Officer

charged with the execution of the warrant shall give notice to such woman, not being a woman against whom a warrant of arrest has been issued, that she is at liberty to withdraw, and, after giving such notice, and allowing a reasonable time for the woman to withdraw, and affording her every reasonable facility for withdrawing, such Officer may enter such zenanah or apartment for the purpose of completing the search, using at the same time every precaution consistent with these provisions for preventing the clandestine removal of property.

26. The

ACT No. XIII OF 1861.

26. The search of any house or place shall be made in presence of two or more respectable inhabitants of the place in which the house or place searched is situate, but such persons shall not be required to attend the Court of the Magistrate as witnesses unless specially summoned by such Magistrate. The occupant of the house or place or some person in his behalf shall, in every instance, be permitted to attend during the search.

Search to be made in the presence of witnesses.

Occupant of the place searched may attend.

27. In any case in which it shall be necessary to cause a female to be searched, the search shall be conducted with strict regard to the habits and customs of the country.

Mode of searching females.

28. A Police Officer in the cases hereinafter mentioned may, without orders from a Magistrate and without a warrant, arrest

Police Officer may arrest without warrant in certain cases.

*First.*—Any person who, in the sight of such Police Officer, shall commit any of the offences specified in the Schedule annexed to this Act.

*Secondly.*—Any person against whom a reasonable complaint has been made or a reasonable suspicion exists of his having been concerned in any such offence.

*Thirdly.*—Any person against whom a hue and cry has been raised of his having been concerned in any such offence.

*Fourthly.*—Any person who is a proclaimed offender.

*Fifthly.*—Any person who is found with stolen property in his possession.

*Sixthly.*—Any person who shall obstruct a Police Officer while in the execution of his duty.

29. An Officer in charge of a Police Station may, without orders from a Magistrate and without warrant, arrest or cause to be arrested any person found lurking within the limits of such Station who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, or any person who is a reputed robber, house-breaker, thief, receiver of stolen property knowing it to be stolen, or who is of notoriously bad livelihood.

Vagabonds.

ACT No. XIII OF 1861.

30. It shall be the duty of every Police Officer to prevent, and he may interpose for the purpose of preventing, the commission of any of the offences specified in the Schedule annexed to this Act.

Police may interfere to prevent offences.

31. It shall be the duty of a Police Officer who shall receive information of a design to commit any such offence, to communicate such information to the Police Officer to whom he is subordinate, and to any other Officer whom it may concern to prevent or take cognizance of the commission of any such offence.

Information to be communicated.

32. A Police Officer knowing of a design to commit any such offence as aforesaid, may arrest, without orders from a Magistrate and without warrant, the person so designing, if the commission of the offence cannot be otherwise prevented.

May arrest to prevent offences.

33. A Police Officer may, of his own authority, interpose for the prevention of any injury, attempted to be committed in his view, to any public building, work of art, road, bridge, tank, or water channel.

Injury to public property.

34. If there is reason to believe that any person liable to arrest without a warrant, of whom a Police Officer is in search, has entered into or is within any house or place, it shall be the duty of the person residing in or in charge of such house or place, on the demand of such Police Officer, to allow ingress thereto and all reasonable facilities for a search therein.

Person in charge of house entered into by another of whom Police Officer is in search, to allow ingress, &c.

35. If ingress to such house or place cannot be obtained under the last preceding Section, the Police Officer authorized to make the arrest shall take such precaution as may be necessary to prevent the escape of the person to be arrested, and send immediate information to a Magistrate. If no warrant can be obtained without affording such person an opportunity of escape, and there is no person authorized to enter without a warrant on the spot, the Police Officer may make an entry into such house or place and search therein.

Procedure if ingress be not obtained.

36. Any

ACT No. XIII OF 1861.

36. Any person who is known or suspected to have committed an offence for which a Police Officer is not authorized to arrest without warrant, and who shall refuse on demand of a Police Officer to give his name and residence, or shall give a name or residence which there is reason to believe to be false, may be detained by such Police Officer for the purpose of ascertaining the name or residence of such person and with a view to future proceedings.

Person charged with an offence refusing to give his name and residence.

37. A Police Officer having made an arrest without warrant, shall take or send the person arrested without unnecessary delay before the Magistrate who has jurisdiction in the case, or before the Officer in charge of a Police Station.

Party arrested to be taken immediately before the proper authority.

38. If a person lawfully arrested under the provisions of this Act shall escape or be rescued, it shall be lawful for the Police Officer from whose custody the person so arrested shall have escaped, or have been rescued, to make fresh pursuit, and retake him in any place, either within or without the jurisdiction where he was so in custody, and deal with such person as such Police Officer might have done on an original taking.

Police Officer arresting may retake on escape and deal with the party arrested as on original taking.

39. In order to retake any person, as provided in the last preceding Section, the Police Officer making such fresh pursuit may adopt the same measures as he might have adopted on the original taking.

May adopt the same measures as on original taking.

40. An Officer in charge of a Police Station may, without warrant, enter any shop or premises within the limits of such Station for the purpose of inspecting or searching for any weights or measures or instruments for weighing used or kept therein, whenever he shall have reason to believe that there are in such shop or premises any weights, measures, or instruments for weighing, which are false. If such Police Officer shall find in such shop or premises any weights, measures, or instruments that are false, he may seize the same, and shall forthwith give information of such seizure to the Magistrate having jurisdiction.

Inspection of weights and measures used in shops.

41. The



ACT No. XIII. OF 1861.

41. The seizure by any Police Officer of property alleged or suspected to have been stolen, or of property seized by any Police Officer under circumstances which create suspicion of the committal of any offence, shall be forthwith reported to the Magistrate of the District, who shall thereupon make such order respecting the custody and production of the property as he shall think proper.

Procedure by Police Officer upon seizure of stolen property found on an offender.

42. No Police Officer shall, without an express order from a Magistrate, enquire into or take cognizance of any offence other than the offences specified in the Schedule annexed to this Act. But it shall be competent to a Magistrate, upon the report of a Police Officer or otherwise, to direct enquiry to be made by a Police Officer into any offence punishable under any law for the time being in force.

Police Officers to make enquiry into certain offences only when directed to do so by Magistrate.

43. Nothing in the last preceding Section shall be held to interfere with the exercise of any powers which are invested in a Police Officer by any special or local law, or with the performance of any duty which is imposed upon a Police Officer by any such special or local law.

Except when empowered by any special or local law.

44. Upon complaint or information being preferred to an Officer in charge of a Police Station, of the commission within the limits of such Station of any of the offences specified in the Schedule annexed to this Act, he shall send immediate intimation to the Magistrate having jurisdiction and shall proceed in person or shall depute one of his subordinate Officers to proceed to the spot to enquire into the facts and circumstances of the case, and to take such measures as may be necessary for the discovery and apprehension of the offender.

Upon complaint preferred, Head Officer to proceed in person or depute a Subordinate Officer to make enquiry.

45. Provided that when any complaint is made against any person by name, and the case is not of a serious nature, it shall not be incumbent on the Officer in charge of a Police Station to proceed in person or to depute a subordinate Officer to make an enquiry on the spot, unless such local enquiry shall appear to be necessary.

Except in cases not of a serious nature where local enquiry not necessary.

ACT No. XIII OF 1861.

46. If on any complaint or information being preferred to an Officer in charge of a Police Station, it shall appear to such Officer that there is no sufficient ground for entering on an enquiry, or that the immediate apprehension of the accused is not necessary for the ends of justice, he shall abstain from proceeding in the case, and shall report the substance of the complaint or information for the orders of the Magistrate having jurisdiction.

If Head Officer see no sufficient ground for an enquiry.

47. Every complaint or information preferred to an Officer in charge of a Police Station shall be reduced into writing, and the substance thereof shall be entered in a diary to be kept by such Officer, in such form as shall be prescribed by the local Government.

Complaint, &c. to be in writing.

48. When any Officer in charge of a Police Station requires any Officer subordinate to him to make, without warrant, an arrest which may lawfully be made by such Officer without warrant, he shall deliver to the Police Officer required to make such arrest, an order in writing specifying the person to be arrested, and the offence for which the arrest is to be made.

Procedure when a Police Officer deposes another.

49. It shall be lawful for a Police Officer to pursue with a view to arrest any person accused of any of the offences specified in the Schedule annexed to this Act, into the limits of another Police Officer whether subordinate to the same Magistrate as himself or to the Magistrate of any other District, and whether such place be under the same local Government or not.

Police may pursue offenders into other jurisdictions.

50. Whenever an Officer in charge of a Police Station shall consider that the production of any thing is essential to the conduct of an enquiry into any offence which he is authorized to investigate, it shall be lawful for such Officer to search or cause a search to be made for the same in any house or place within the limits of such Station. In such case the Officer in charge of the Police Station shall, if practicable, conduct the search for such thing in person. If unable to conduct the search in person, and there is no other person competent to make the search present at the time, it shall be lawful for the Officer in charge of the Police Station to require any Officer subordinate to him to make the search, and he shall deliver to such Officer an order in writing, specifying the property for which search is to be made

Issue of search warrant by Head Officer.

ACT No. XIII OF 1861.

made and the house or place to be searched, and it shall thereupon be lawful for such subordinate Officer to search for such property in such house or place. The provisions of this Act relating to search warrants shall be applicable to a search made by or under the direction of an Officer in charge of a Police Station under this Section.

51. An Officer in charge of a Police Station may require an Officer in charge of another Police Station, whether subordinate to the same Magistrate as himself or to a Magistrate of another District, to cause a search to be made in any house or place in any case in which he might cause such search, to be made within the limits of his own Station.

When a Head Officer may require a Head Officer of another division to issue a search warrant.

52. An Officer in charge of a Police Station may, by an order in writing, require the attendance before himself of any person being within the limits of his Station who, from the statement of the complainant or otherwise, appears to be acquainted with the facts and circumstances of any case into which he is enquiring under Section 44, and such person shall be bound to obey such requisition.

Witnesses to be summoned.

53. It shall be lawful for an Officer in charge of a Police Station or other Police Officer making an enquiry, to examine orally any person who is supposed to be acquainted with the facts and circumstances of the case. Nothing in this Section shall preclude such Police Officer from reducing into writing any statement made by the person so examined. Provided that any statement so reduced into writing shall not be signed by the person making it, nor shall it be treated as part of the record, or used as evidence.

Oral examination of witnesses by Police.

54. A Police Officer shall not offer any inducement to an accused person by threat or promise or otherwise to make any disclosure or confession.

No inducement to be offered to accused persons to confess.

55. No Police Officer shall record any statement or any admission or confession of guilt which may be made before him by a person accused of any offence. Provided that nothing in this Section shall preclude any Police Officer from reducing

Police Officer not to record confession.  
Proviso.

ACT No. XIII OF 1861.

ducing any such statement or admission or confession into writing for his own information or guidance.

56. No confession or admission of guilt made to a Police Officer shall be used as evidence against a person accused of any offence.  
Confession made to a Police Officer.

57. No confession or admission of guilt made by any person whilst he is in the custody of a Police Officer, unless it be made in the immediate presence of a Magistrate, shall be used as evidence against such person.  
Confession made while the accused is in custody of the Police shall not be used as evidence.

58. When any fact is deposed to by a Police Officer as discovered by him in consequence of information received from a person accused of any offence, so much of such information, whether it amounts to a confession or admission of guilt, or not, as relates distinctly to the fact discovered by it, may be received in evidence.  
Police Officer may give in evidence so much of any statement or confession made by the accused as relates distinctly to a fact thereby discovered.

59. If the person arrested appears, from the information obtained, to have committed the offence charged, and the offence is not bailable, the Officer in charge of the Police Station shall forward him under custody to the Magistrate having jurisdiction in respect of the offence, and shall bind over the prosecutor and witnesses to appear on a fixed day before such Magistrate. When any subordinate Police Officer has made any enquiry under this Act, he may be required by the Officer in charge of the Police Station to submit a report of such enquiry to him, or he may do so without such instruction, and the Officer in charge of the Police Station shall then proceed as if he had made the enquiry himself.  
Enquiry by the Police.

60. No Police Officer shall, without the special order of a Magistrate, detain an accused person in custody for a longer period than under all the circumstances of the case is reasonable, such period in no case to exceed twenty-four hours. If the enquiry has not been completed within twenty-four hours, the Officer in charge of the Police Station shall nevertheless forward the accused to the Magistrate, with a short despatch, stating the offence for which the accused has been arrested, if there are grounds for believing that the accusation is well founded.  
Accused not to be detained by the Police beyond twenty-four hours without special authority.

ACT No. XIII OF 1861.

61. If it shall appear to the Officer in charge of the Police Station that there is not sufficient evidence or reasonable ground of suspicion to justify the transmission of the accused to the Magistrate, he shall release the accused on bail, or on his own recognizance, to appear when required, and shall submit a report of the case for the orders of the Magistrate.

Head Officer how to proceed in cases of deficient evidence.

62. A Police Officer making an enquiry under this Act shall, day by day, enter his proceedings in a diary, setting forth the time at which the complaint or other information reached him, the time at which he began and closed his enquiry, the place or places visited by him, and a statement of the circumstances elicited by his enquiry, and shall forward day by day a copy of such diary to the District Superintendent of Police, who shall without delay bring to the notice of the Magistrate of the District any part of such Diary which he shall consider it to be important that such Magistrate should know. The Magistrate of the District, or other Officer having jurisdiction in the case, shall be entitled to call for and inspect such diary. In cases where there is no District Superintendent of Police, the Police Officer shall forward day by day a copy of the diary to the Magistrate of the District. Such diary shall not be evidence of the facts stated therein, except against the Police Officer who made it.

Daily record of proceedings.

63. The enquiry shall be completed without unnecessary delay, and as soon as it is completed, the Police Officer making the enquiry shall forward to the Magistrate a report in such form as shall be prescribed by the local Government, setting forth the names of the parties, the nature of the complaint, and the names of the witnesses, without any expression of opinion as to the guilt of the accused, and shall also transmit any weapon or article which it may be necessary to produce before the Magistrate. The Police Officer shall state whether the accused person has been forwarded in custody, or has been released on bail or on his own recognizance. If the accused person be detained in custody, the Police Officer shall state the fact and the cause of his detention.

Proceedings of the Head Officer of what to consist.

64. A person accused of any offence not bailable shall not be admitted to bail, if there appear reasonable ground for believing that he has been guilty of the offence imputed to him. But a person accused of any other offence shall be admitted to bail if sufficient bail be tendered.

Bail.

ACT No. XIII OF 1861.

tendered for his appearance before the Magistrate having jurisdiction in respect of the offence.

65. The bail to be taken under the last preceding Section shall not be excessive, and the surety or sureties shall bind himself or themselves under a specific penalty to produce the person accused before the Magistrate on or before a fixed day, to answer the complaint.

Bail not to be excessive.  
Terms of security.

66. Every prosecutor and witness whose attendance before the Magistrate may be deemed necessary by the Police Officer making the enquiry, shall execute a recognizance for appearance before the Magistrate having jurisdiction in respect of the offence on a fixed day, which shall be the day whereon the accused is to appear if he shall have been admitted to bail, or the day on which he may be expected to arrive at the Court of the Magistrate if he is to be forwarded in custody. The Officer in whose presence the recognizance is executed shall forward it with his report to the Magistrate, and shall deliver to the prosecutor and witnesses a duplicate of the despatch. The prosecutor or witnesses, unaccompanied by any Police Officer, shall be required to deliver in person such duplicate to the Magistrate.

Prosecutors and witnesses to execute recognizances to appear before the Magistrate.

67. A Police Officer shall not subject any prosecutor or witness to restraint or unnecessary inconvenience, nor require them to give any other security for their appearance than their own recognizances; but if any prosecutor or witness shall refuse to attend or to execute the recognizance directed in the last preceding Section, it shall be competent to the Officer in charge of a Police Station to forward such prosecutor or witness under custody to the Magistrate, who may detain such prosecutor or witness in custody until he shall execute such recognizance, or until the hearing before the Magistrate.

Witnesses not to be subjected to restraint.  
Recusant witnesses may be forwarded in custody.

68. Officers in charge of Police Stations shall report to the Magistrate of the District the cases of all persons apprehended within the limits of their respective Stations, whether such persons shall have been admitted to bail or otherwise, and no person who has been apprehended shall be discharged except on bail, or on his own recognizance, or under the special order of a Magistrate.

Police to report all apprehensions.

ACT No. XIII. OF 1861.

69. It shall be the duty of the Officer in charge of a Police Station, on receiving notice or information of the unnatural or sudden death of any person, immediately to send intimation to the nearest Magistrate, and to proceed to the place where the body of such deceased person is, and there in the presence of two or more respectable inhabitants of the neighbourhood, to make enquiry and report the apparent cause of death, describing any mark of violence which may be found on the body, and stating in what manner or by what weapon or instrument such mark appears to have been inflicted. The report shall be signed by such Police Officer and other persons, or by so many of them as shall concur therein, and shall be forthwith forwarded to the Magistrate. When there may be any doubt regarding the cause of death, such Police Officer shall forward the body with a view to its being examined by the Civil Surgeon, if the state of the weather and distance will admit of its being so forwarded without risk of putrefaction on the road.

Head Officer to make immediate enquiry and report on unnatural and sudden deaths.

70. The powers to be exercised by an Officer in charge of a Police Station under this Act shall be exercised in the event of his absence or illness by the Police Officer next in rank present at the Police Station, above the rank of a Peon or Burkundaz.

By whom the powers of the Head Officer may be exercised in his absence or illness.

71. The provisions relating to warrants for the arrest of and summonses to persons accused of offences contained in this Act shall be applicable to all warrants of arrest and summonses directed by a Magistrate to Officers of Police.

Provisions applicable to all warrants of arrest and summonses directed by a Magistrate to Officers of Police.

72. This Act shall apply only to the Police who shall be enrolled under Act V of 1861 (*for the regulation of Police*) and shall continue in force until the 1st January 1862.

Duration of Act.

73. The following words and expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say)

Interpretation.

Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number.

Number.

Words

ACT No. XIII OF 1861.

Gender. Words importing the masculine gender shall include females.

The words "Magistrate of the District" shall mean the Chief Officer charged with the executive administration of a District in criminal matters by whatever designation such Officer is called.

"Magistrate." The word "Magistrate" shall include all persons exercising all or any of the powers of a Magistrate.

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SCHEDULE REFERRED TO IN SECTIONS 28,30,42,44, AND 49.

Murder.  
Thuggee.  
Dacoity.  
Highway Robbery.  
Culpable Homicide.  
Wounding.  
Burglary.  
Theft.  
Receiving stolen property knowing it to be stolen.  
Unnatural Offences.  
Rape.  
Arson.  
Affray.  
Aggravated Assault.  
Rioting.  
Child Stealing.  
Counterfeiting Coin or Government Stamps.  
Administering Poisonous Drugs.  
Exposure of Infants.  
Escape from lawful custody.  
Attempt to commit any of the foregoing offences.  
Attempt to commit suicide.