

ACT No. XXXV OF 1940.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on
the 27th November, 1940.)

An Act further to amend the Code of Criminal Procedure, 1898.

v of 1898.

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898, for the purpose hereinafter appearing ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 1940. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

v of 1898.

2. After sub-section (2) of section 503 of the Code of Criminal Procedure, 1898 (hereinafter referred to as the said Act), the following sub-section shall be inserted, namely :— Amendment of section 503, Act v of 1898.

“(2A) When the witness resides in British Burma, the commission may be issued to any District Magistrate or Magistrate of the first class within the local limits of whose jurisdiction in British Burma such witness resides.”

3. After section 508 of the said Act the following section shall be inserted, namely :— Insertion of new section 508A in Act v of 1898.

“508A. The provisions of sub-section (3) of section 503, sub-sections (1) and (1A) of section 504 and so much of sections 505 and 507 as relates to the execution of a commission and its return by the Magistrate or officer to whom the commission is directed shall apply in respect of commissions issued by a Magistrate or Court in British Burma under the law in force in British Burma relating to commissions for the examination of witnesses, as they apply to commissions issued under section 503 or section 506.” Application of this Chapter to commissions issued in British Burma.

Price anna 1 or 1½d.

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