

ACT No. XIV OF 1941.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
20th November, 1941.)

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

WHEREAS it is expedient further to amend the
Code of Criminal Procedure, 1898, so as to provide
for the sending for service and execution, within the local
limits of the jurisdiction of Courts established or con-
tinued by the authority of the Central Government or
the Crown Representative in any part of India outside
British India, of summonses and warrants for the arrest
of accused persons issued in British India, and also for
the service and execution in British India of the like
processes issued by such Courts;

It is hereby enacted as follows :—

1. This Act may be called the Code of Criminal
Procedure (Amendment) Act, 1941. Short title.

2. After section 93 of the Code of Criminal Proce-
dure, 1898, the following heading and sections shall be
inserted, namely :— Insertion of
new heading
and sections
93A, 93B and
93C in Act V
of 1898.

*" E.—Special Rules regarding processes issued for service
or execution outside British India and processes re-
ceived from outside British India for service or execu-
tion within British India.*

93A. (1) Where a Court in British India desires
that a summons issued by it to an accused person shall
be served at any place outside British India within the
local limits of the jurisdiction of a Court established or
continued by the authority of the Central Government
or the Crown Representative in any part of India, it
shall send such summons, in duplicate, by post or other-
wise, to the presiding officer of that Court to be served. Sending of
summons for
service outside
British India.

(2) The provisions of section 74 shall apply in the
case of a summons sent for service under this section as
if the presiding officer of the Court to whom it was sent
were a Magistrate in British India.

93B. Notwithstanding anything contained in sec-
tion 82, where a Court in British India desires that a
warrant issued by it for the arrest of an accused person
shall Sending of
warrant for
execution
outside British
India.

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(Amendment).

shall be executed at any place outside British India within the local limits of the jurisdiction of a Court established or continued by the authority of the Central Government or the Crown Representative in any part of India, it may send such warrant, by post or otherwise, to the presiding officer of that Court to be executed.

Service and execution in British India of processes received from outside British India.

93C. (1) Where a Court has received for service or execution a summons to, or a warrant for the arrest of, an accused person issued by a Court established or continued by the authority of the Central Government or the Crown Representative in any part of India outside British India, it shall cause the same to be served or executed as if it were a summons or warrant received by it from a Court in British India for service or execution within the local limits of its jurisdiction.

(2) Where any warrant of arrest has been so executed the person arrested shall so far as possible be dealt with in accordance with the procedure prescribed by sections 85 and 86. "