

CODE OF CRIMINAL PROCEDURE (CHHATTISGARH AMENDMENT) ACT, 2005

114-009/2003/20-01-03. ' 2-22-Øæiæ«g TßZ/38 ft. i. ftMTt, 30-5-2001. " 83] 4, 13 22, 1927- 1 3 2006 2235/a-76/21 -34/YIFqUT/ø.IT/06.—quz 1973 a-Tß4f*n, 2005 1 3 2006) (64) 13 q-H, 2006 F. No. 2235/1)-76/21-A/Drafting/C.G./06. In .exercjse of the powers conferred by sub-section (iii) of Section I of the Code of Criminal Procedure (Chhattisgarh Amendment) Act, 2005 (No. 13'of2006) lhe Starc Govern- . ment hereby appoint the 13th March, 2006 as the date on which the said Act shall come into force. 165 166 1. 2. 1954) 167 3. 228 4. 5. 240 (O (trq) (1) (2) (3) (4) 1 3 2006 13 2006) 1973 2005 1973 2 197k) 1973 (n 2 167 (2) 2 T' Q"" *IZT 228 (2) "öfrT17 240 (2) "34-* 13 2006 251 (FT. 2235/4-76/21 348 (3) 251 1973 2. 574) 3-TNfi-qq, 2005 3 (I-a, aqfätif CHHATfISGARH ACT (No. 13 of 2006) THE CODE OF CRIMINAL PROCEDURE (CHHATTISGARH AMENDMENT) ACT, 2005 An Act further to amend the Code oc Criminal Procedure, 1973 (No. 2 of 1974) and its applica60n to the State of Chhattisgarh. Be it enacted by the Chhattisgarh legislature in, the fifty sixth year of the Republic of India as follows :- 2

3. This Act may be called the Coge of Criminal Proeedure, (Chhattisgarh Amend- ment) Act, 2005.It extends to the whole State of Chhattisgarh. It shall come into force on such date as the State Government may by noti fica- tion appoint. The Code of Criminal Procedure, 1973 (No. 2 of 1974) (hereinafter referred to as the Principal Act); shall in its application to the State of Chhattisgarh be amended in the manner hereinafter provided. (1) (2) Short title, extend and Commence- ment.. Amendment of Central Act (No.. 2 of 1974) its applica- tion the State of Chhattisgarh. Amendment of Sec. tion 167. In clause (b) of sub-section (2) of section 167 of the •Principal Act, for the words "any" the words "police" shall be substituted. After clause(b) of sub-section (2) of section 167 of the Principal Act, the Eoiioing nesys sub-clause (bb) shall be added. namely.: bb) Ko magistrate shall authorise detention of lbe accused person other than in the custody of the police under this section unless the accused produced before him either in person .or through the medium electronic video linkage-and represented by his pleader •in the court.' 166 (2) Amendmnt of .scc- tion 228. Amendinent of sec- tion 240. Amendment of sec- / {ion 251. . —2006 , (3) (4) 3 2006 In explanation 11. after words "was words "from police. custody' shall be added. After explanation 11, the following new explanation shall be added,- If any question arises whether an accused person was produced fro! I') otherwise than in the custody of the police in person or (as the case may be) through mecliulll of electronic video linkage. before the 'Magistrate as required under paragraph (bb), (he production of lbe accused person Inay be proved by his or his pleäder's signature 011 the order authorising detention." 4. 5

6. In sub-section (2) of section 228 of lbe Principal Act, after the word "to {he accused" the following shall be added, namely: 'present in person or Lhrough the medium of electronic video linkage and being reprc- sented by his pleader in the court.' In sub-section (2) or section 24() of the Principal Act. after the worcls "the accused" the following shall be added : "Present either in person or through the 'InediLllü of electronic video linkage in the Tregence (h his pleader in the court." In section 25 1 of the Principal Act, after the words "brought before the Magistrate" {he following words shall be added : "(or appears through the medium .01' electronic video, linkage in the presence of his pleader. in the Court." QliFfr,