

ROC.No. 6A/2005/Comp-4.

Date: 13.3.2009

High Court, Madras

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From
 Thiru.R.Jonathan Gnaniah, B.Sc., B.L.,
 Registrar(I.T)
 (District Judge on Special Duty)
 High Court, Madras-600 104.

To
 XXXX

Sir.

Sub: Prisons-Video Conferencing Systems-to make full
 utilisation of Video Conferencing Systems-
 Guidelines issued-reg.

- Ref: 1) From the Director General of Prisons, Chennai-9,
 letter No.39310/Pw3/09/dt.12.11.2008.
- 2) From the Home(Pri.IV) department, Secretariat,
 Chennai-9, Letter No.102458/Pri.IV/08-1, dt.28.11.2008.

It has been brought to the notice of the High Court by the
 Director General of Prisons, Chennai that some Session Judges and
 Judicial Magistrates in the State insist upon the accused to be
 physically produced for remand and remand extension even though
 video conferencing facility is available.

All the judicial officers in the State are required to make
 full use of the video conferencing facility for extending the remand
 period of the prisoners except when some circumstances such as those
 enumerated below require the production of the accused in person
 before the court:

- 1) when the remand of an accused is extended through video conferencing
 without the accused being produced in Court for two or more
 hearings continuously.
- 2) when the accused needs to consult or give instructions to his lawyer
- 3) when the accused wishes to move an application for bail and
 argue it himself.
- 4) when the accused or any close relative interested in him complains
 of ill treatment in the prison.
- 5) when the accused wishes to complain regarding the lack of or
 denial of proper and necessary basic facilities in the prison.
- 6) when the presence of the accused in court is indispensable for
 progress in trial such as when the court has to record the plea
 of the accused and his answers to questions U/s.343 of Cr.Pc.
 when witnesses have to identify the accused, during examination
 of important witnesses and at the time of pronouncing
 Judgment etc.
- 7) For the purpose of plea bargaining proceedings(sec.265-A Cr.Pc)
- 8) For recording of a statement of the accused U/s.164 Cr.P.C
- 9) when a magistrate passes an order U/s.267 Cr.P.C(production on
 P.T.warrant)
- 10) when a magistrate passes an order U/s.311-A of Cr.P.C(getting
 Specimen Signature from the accused)
- 11) Any other circumstances in which extension of remand through

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In case where the request for production before court in person emanate from the counsel for the accused or any close relative, an application may be obtained in writing and orders passed thereon on merits.

The above circumstances are not comprehensive and they should be treated as guidelines only.

This letter is required to be communicated to all judicial officers working under your control.

Yours faithfully,

sd/-xxx
Registrar(I.S.)
(District Judge on Special Duty)

/true copy/

R.Dis.No.16/2009, Dt. 19.3.2009. Pri. Dist. Court, Pudukkottai

Copy communicated to 1) Asst. District Judge, Presiding Officer, Spl. Court for S.C./ST Act Cases, Pudukkottai 2) The Additional District Judge, Fast Track Court, Pudukkottai 3) The Assistant Sessions Judge, Pudukkottai and all Judicial Magistrate in this district for information.

sd/-K. Jayasankaran

Principal District Judge,
Pudukkottai

/t.c.f.b.o/

Chief Administrative Officer,
Principal District Court,
Pudukkottai

22/4. 9/24/09

D.NO. 2640/09
24.4.09.