

18/4/16 (2)

110/16

R.O.C.No.24745-A/2016/F1

P.Dis.No. /2016



CIRCULAR

Sub: Courts – Criminal – Procedure to be adopted in long pending cases – Maintaining Registers – Instructions issued – Reg.

- Ref: 1. Circular in R.O.C.No.5188-A/2009/F1, dated 29.01.2010 in P.Dis.No.7/2010.
2. Circular in R.O.C.No.288-A/2010/F1, dated 04.03.2013 in P.Dis.No.70/2010.

In the reference 1st cited above, a Circular has been issued by the High Court as early as 29.01.2010 calling for strict adherence in the execution of NBWs following the procedure contemplated under Section 82 and 83 of the Criminal Procedure Code, wherein, the District Judges, Chief Judicial Magistrates and Chief Metropolitan Magistrates were called to sensitize the Magistrates and to interact with the Superintendent of Police to execute the non-bailable warrants. In the reference 2nd cited, another Circular was issued calling for periodical meetings between the District and Sessions Judges, Chief Judicial Magistrates and Chief Metropolitan Magistrates with the police officials of the respective Districts for expediting the execution of Non-bailable warrants.

The statistics available before High Court show that in most of the Criminal Courts non-bailable warrants have not been executed and there is total inaction on the part of the Officers in their endeavour to do so. It is also brought to the notice of the High Court that Rules 16 to 20, 145 and 146 of the Tamil Nadu Criminal Rules of

15.04.16

20-4-2016

Practices, which prescribe for dealing with long pending cases owing to the non-appearance of the parties are also not followed. The procedure contemplated for recording of evidence in the absence of accused under Section 299 of the Criminal Procedure Code is seldom adopted. These factors add up to the pendency of the old cases.

The Principal District Judges, Chief Judicial Magistrates and Chief Metropolitan Magistrate are hereby directed to see to it that the guidelines and directions given in the above mentioned reference, apart from Tamil Nadu Criminal Rules of Practice and Section 299 of the Criminal Procedure Code be strictly adhered to by all the Officers scrupulously. They are further directed to monitor the progress made in this regard by conducting periodical review with the Officers with particular reference to the recording of the progress entered in the registers maintained as well as through periodical meetings with the police officials.

The receipt of this circular is required to be acknowledged at once.

HIGH COURT, MADRAS
DATED: 13.04.2016


REGISTRAR GENERAL

To

1. All the Principal District & Sessions Judges. }
2. The Principal Judge, City Civil Court, Chennai-104 } With a request to
3. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris at Uthagamandalam } communicate the
4. The Chief Judge, Puducherry. } Circular to all the
5. The Chief Metropolitan Magistrate, Egmore, Chennai-8. } Judicial Officers under
6. All the Chief Judicial Magistrates. } their control/unit.