



CIRCULAR

Sub: Bail – Granting of bail – Testing of sureties – Instructions already issued – Reiterated – Reg.

Ref: High Court's Circular in Roc.No.3743/1996/F1, dated 11.12.1997.

Instances are brought to the notice of the High Court that the accused who jumped bail, by furnishing stock sureties or sometimes even bogus sureties, fail to attend Court, resulting in the issue of non-bailable warrants. Moreover, the sureties are also not in a position to throw any light on the whereabouts of the accused or secure the presence of the accused. This causes accumulation of arrears in the Criminal Courts.

In order to avoid the said difficulty, the following instructions are issued for the future guidance of all the Magistrates :-

“ The attention of the Judicial Magistrates is invited to Section 441 of the Code of Criminal Procedure in respect of testing of sureties and they are directed to follow the provisions contained in Section 441 of the Code of Criminal Procedure, strictly in respect of the testing of sureties pertaining to offences like murder, rape, decoity, robbery, theft, cheating, mis-appropriation, counterfeiting, etc., and in cases where the accused had jumped bail, on an earlier occasion, after he was enlarged on bail.”

HIGH COURT, MADRAS

DATED: 19.09.2023


19/10/23
REGISTRAR GENERAL

To

1. All the Principal District Judges/District Judges in the State of Tamil Nadu. } With a request
2. The Principal Judge, City Civil Court, Chennai. } to communicate
3. The Chief Judge, Court of Small Causes, Chennai. } the Circular to all
4. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris. } the courts/
5. The Chief Judge, Puducherry. } Tribunals under
6. The District Judge, Karaikal. } your jurisdiction.
7. The Director, Tamil Nadu State Judicial Academy, R.A.Puram, Chennai-28. (with a request to communicate to the Regional Centres, at Madurai and Coimbatore).
8. The Section Officer, "F" Section & B3 Section, Madurai Bench of the Madras High Court, Madurai.
9. The Record Keeper, A.D.Records, High Court, Madras & Madurai Bench of the Madras High Court, Madurai.

Copy To:

The Director of Prosecution, No.5, Kamarajar Salai, Chennai -600 005.