

R.O.C.No. 2545/2000/Fl

C I R C U L A R

P.Dis.No. 67/2001

Sub: Code - Cr.P.C. - Transfer of - Criminal Cases-  
Transfer of Bail applications - Instructions -  
Issued.

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It. has been brought to the Notice of the High Court, while made over bail applications from Principal District Court to Additional or Assistant Sessions Court Under Section 10(3) of Criminal Procedure Code, that the Additional/Assistant Sessions Judges are expected only in the absence of the Sessions Judge or inability for him/her to act then alone the Principal District Judge may make provision for the disposal of urgent application by an Additional Sessions Judge or Assistant Sessions Judge.

The Principal Sessions Judges have got ample powers to entrust disposal of bail application of particular nature to the Additional/Assistant Sessions Judge for disposal and this could be done invoking the provision of Section 10(3) of Criminal Procedure Code.

The Division Bench Judgment reported in 1990(1) Crimes 695 (M.P.) Sesh Narain Bajpai Vs. State of Mathya Pradesh and 1977 Criminal Law Journal 19, (Andhra Pradesh) T.V.Sarma Vs. Actuthuni Nagakoteswararao and others are directly on the point and 1964 Criminal Law Journal 728 Punjab also stresses the same principle.

p.t.o.

Therefore, all the Additional Sessions Judge/  
Assistant Sessions Judge are instructed to dispose of  
bail applications that are made over by the Principal  
District Judges invoking the provisions of Section 10(3)  
of the Criminal Procedure Code.

HIGH COURT: MADRAS:  
DATED: 17-04-2001.

SD/- K.JAYARAMAN.  
REGISTRAR GENERAL.

/True copy/ forwarded/ By Order/  
To

*B.V. Vaidyanathan* 19-4-2001  
ASSISTANT REGISTRAR(RULES)

1. All the Principal District and Sessions Judges.
2. All the Additional District Judge-cum-Chief Judicial Magistrates.
3. The Principal Judge, City Civil Court, Chennai.
4. The Chief Metropolitan Magistrate, Egmore, Chennai.
5. All Assistant Sessions Judges.

+ Spare-5 copies.

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R.O.

From

Int.

Adm.

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Sir,

Offical

to be