

C I R C U L A R

Sub: Courts - Criminal Courts - Direction to record and forward the incriminating or adverse statements about the accused by the witnesses including Hostile witnesses in Sessions Cases along with the statements U/s 313 CrI.P.C. - Reg.

It has come to the notice of the Hon'ble High Court that in Sessions Cases the incriminating or adverse statements given by the Hostile witnesses against the accused are not put to the accused while recording the statement of the accused U/s 313 CrI.P.C.

Therefore, all the Sessions Judges are hereby required to question the accused on the incriminating or adverse statements, if any, given by the Hostile witnesses at the time of trial and such portion of statements so recorded must be put to the accused while he/she is examined under section 313 CrI.P.C. and this should be transmitted to the High Court along with the material part of records as and when called for by High Court for reference in Criminal Appeals.

The above instructions should be strictly adhered to and any violation thereof will be viewed seriously.

MADRAS
7.8.2003

Sd/- M. Venugopal,
Registrar (Judicial)
High Court, Madras.

Sd/- xxxx

Sub Assistant Registrar (Criminal Section)

NO. 5725/2003 A1 Dated: 18.8.2003.

Copy communicated to I Addl. District Judge (PCR), Thanjavur, The Chief Judicial Magistrate, Thanjavur at Kumbakonam and all the subordinate Judicial Officers including Judicial Magistrates and District Munsid-cum-Judicial Magistrates, with directions to follow-up the instructions issued by the High Court strictly.

Sd/- K. Ramakrishnan,
18.8.2003

Principal District Judge, Thanjavur.

Copy to:

The Presiding Officer, Special Court under E.C. Act, Thanjavur

Copy to: Sessions Asst., Translator, Typist and File.

/True copy/By order/

P.A. to Prl. District Judge, i/c
Thanjavur.

aa/-