

23/10/2004

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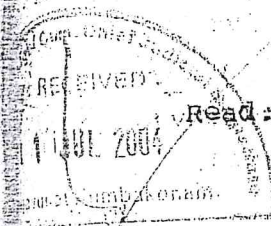
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R.O.C. NO. 2631-A/2004-F1.

P. DIS. NO. 33/2004

C I R C U L A R

Sub: CRIMINAL JUSTICE-Administration of Criminal Justice-FIR-Receipt of FIR-Duty of the Judicial Magistrate-while receiving F.I.Rs - Instruction issued for strict compliance.



Read: High court's Circular in R.O.C. No. 2272-A/74/F1, dated 20.06.74.

....

It has been brought to the notice of the Registry that there are instances where F.I.Rs are being taken on file without the signature of the concerned Judicial Magistrate and without noting down the date and time of receipt of the complaint/F.I.R., and this is contrary to the Criminal Rules of Practice. In view of such omissions on the part of Judicial Magistrate, while receiving F.I.Rs/Complaints, there appears to be an ambiguity as to the exact time and date of receipt of complaint/FIR and as to the authenticity of such complaints/F.I.Rs, which ultimately will have a serious impact on the Judicial proceedings.

The Hon'ble Division Bench consisting of the Hon'ble Mr. Justice N.DHINAKAR and the Hon'ble Mr. Justice M.CHOCKALINGAM while hearing C.A.Nos. 203, 221, 223 and 494/2001, have noted that the concerned Judicial Magistrate who received the F.I.R/complaint had not noted the exact time as to the receipt of the complaint. Therefore, the Hon'ble Division Bench was pleased to direct the Registry to issue Circular to all the Judicial Magistrates to meticulously follow the procedure, in the matter of affixing signature/initial by the Judicial Magistrates immediately on the receipt of the complaint/F.I.R. with time and date.

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In the light of the above all the Judicial Magistrates in the State of Tamil Nadu and Pondicherry are hereby directed to meticulously follow the directions given by the Hon'ble Division Bench to note down the exact time and date of receipt of F.I.R./Complaint while affixing signature/initial by the Magistrate concerned as to the receipt of the F.I.R./Complaint, without fail.

All the Principal District Judges including Principal Judge, City Civil Court and all the Chief Judicial Magistrates including Chief Metropolitan Magistrate, Chennai, are directed to monitor the situation periodically, with a warning that any deviation from the above procedure will be viewed seriously.

The receipt of the circular is to be acknowledged, at once.

HIGH COURT, MADRAS
DATED: 23.06.2004

Sd./K. Balasubramanian,
REGISTRAR GENERAL

True copy/forwarded/by order-

Sd. XXXX
DEPUTY REGISTRAR (GROUPING)

To

XXXX

R.No. 4211/2004/A1, dated 29.06.2004

Copy communicated to all the Additional District Judges and all the subordinate Judicial Officers in Thanjavur District for information, and strict compliance. Any deviation caused would be viewed very seriously. The receipt of the circular must be acknowledged forthwith.

Sd./K. Ramakrishnan,
PRINCIPAL DISTRICT JUDGE,
Thanjavur.

Copy to: /true copy/by order/
Sessions Assistant,
Pri. Dist. Court, Thanjavur.

P.A. TO PRL. DISTRICT JUDGE
Thanjavur.

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2004.07.01