

An Act for simplifying the Procedure of the Courts of Criminal Judicature not established by Royal Charter.

WHEREAS it is expedient to simplify the Procedure of the Courts of Criminal Judicature not established by Royal Charter; It is enacted as follows:—

1. This Act shall be called the Code of Criminal Procedure.

Short title.

CHAPTER I.

OF DEFINITIONS.

2. The following words and expressions in this Act shall have the meanings thereby assigned to them, unless there be something in the subject or context repugnant to such construction.

Interpretation.

3. The words "British India" shall denote the territories that are or shall become vested in Her Majesty by the Statute 21 and 22 Vic. c. 106, entitled "An Act for the better Government of India," except the settlement of Prince of Wales' Island, Singapore, and Malacca.

"British India."

4. The words "special law" shall denote a law applicable to a particular subject.

"Special law."

5. The words "local law" shall denote a law applicable only to a particular part of British India.

"Local law."

6. The words "moveable property" shall include corporeal property of every description, except land and things attached to the earth or permanently fastened to anything which is attached to the earth.

"Moveable property."

7. Words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number.

Number.

8. Words importing the masculine gender shall include the feminine.

Gender.

9. The words "enquired into" shall be deemed to comprise every proceeding preliminary to trial; and the word "determined" to comprise trial, and every subsequent proceeding, including the punishment of the offender.

"Enquired into."

"Determined."

10. The word "written" shall include "printed," "lithographed," and "engraved"

11. The words "Criminal Court" shall denote every Judge or Magistrate lawfully exercising jurisdiction in criminal cases, whether for the decision of such cases in the first instance, or on appeal, or for commitment to any other Court or Officer.

12. The words "Court of Justice" shall denote a Judge who is empowered by law to act judicially alone, or a body of Judges empowered by law to act judicially as a body when such Judge or body of Judges is acting judicially.

13. The words "Court of Session" shall, subject to the limitations in Section 22, include the Courts of the Assistant Sessions Judges in the Presidency of Bombay.

14. The words "Magistrate of the District" shall mean the Chief Officer charged with the executive administration of a District in criminal matters by whatever designation such Officer is called.

15. The word "Magistrate" shall include all persons exercising all or any of the powers of a Magistrate.

16. The words "the powers of a Magistrate" shall imply the full powers of a Magistrate.

17. The words "any of the powers of a Magistrate" shall denote powers less than the full powers of a Magistrate.

18. The local jurisdiction of the Magistrate of a District shall, for the purposes of this Act, be deemed a "District;" and the local jurisdiction in a particular part of a District vested in a Magistrate other than the Magistrate of the District, shall be deemed a "Division of a District."

19. In any part of British India to which this Act shall be extended, under the provisions of Section 445, the words "Sudder Court" shall denote the highest Criminal Court of Appeal or revision in such part established.

20. Wherever the word "year" or the word "month" is used, it is to be understood that the year or the month is to be reckoned according to the British Calendar.

"Written."

"Criminal Court."

"Court of Justice."

"Court of Session."

"Magistrate of the District."

"Magistrate."

"The powers of a Magistrate."

"Any of the powers of a Magistrate."

"District."

"Division of a District."

"Sudder Court."

"Year."
"Month."