

THE CODE OF CRIMINAL PROCEDURE (KARNATAKA AMENDMENT) ACT, 1993.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.
2. Amendment of section 228.

* * * *

STATEMENT OF OBJECTS AND REASONS

Act 22 of 1994.- (As appended to at the time of introduction)

As per sub-section (1) of section 228 of the Code of Criminal Procedure, 1973, if a Session Judge is of the opinion that there is ground for presuming that a accused has committed an offence which is not exclusively triable by the Court of Session he may frame charge and transfer the case for trial to the Chief Judicial Magistrate even though the offence is triable by the Judicial Magistrate First Class. Therefore, it is considered necessary to make a local amendment to section 228 to enable the Session Judge to transfer such case to the Chief Judicial Magistrate or the Judicial Magistrate First Class competent to try the offence.

Hence this Bill.

(Obtained from L.A. Bill No. 45 of 1993.)

* * * *

KARNATAKA ACT No. 22 OF 1994.

(First published in the Karnataka Gazette Extraordinary on the Eighteenth day of May, 1994)

THE CODE OF CRIMINAL PROCEDURE (KARNATAKA AMENDMENT) ACT, 1993

(Received the assent of the President on the 12th day of May, 1994)

An Act further to amend the Code of Criminal Procedure, 1973 in its application to the State of Karnataka.

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), in its application to the State of Karnataka for the purposes hereinafter appearing;

BE it enacted by the Karnataka State Legislature in the Forty-fourth year of the Republic of India as follows :

1. Short title and commencement.- (1) This Act may be called the Code of Criminal Procedure (Karnataka Amendment) Act, 1993.

(2) It shall come into force at once.

2. Amendment of section 228.- In section 228 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), in sub-section (1), in clause (a), for the words "to the Chief Judicial Magistrate and thereupon the Chief Judicial Magistrate" the words "to the Chief Judicial Magistrate or to any Judicial Magistrate competent to try the case and thereupon the Chief Judicial Magistrate or such other Judicial magistrate to whom the case may have been transferred" shall be substituted.

* * * * *