

THE CODE OF CRIMINAL PROCEDURE (KARNATAKA AMENDMENT) ACT, 1987.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.
2. Amendment of section 357.

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STATEMENT OF OBJECTS AND REASONS

Act 27 of 1987.- Where the persons belonging to Scheduled Castes or Scheduled Tribe suffer any loss or injury at the hands of an accused not belonging to such caste or tribe, it is proposed to make it obligatory on the part of the criminal courts while passing judgment to order payment by way of compensation, of the whole or part of the fine recovered, to such victims or to order such accused to pay compensation to such victims in case the sentence imposed does not include fine.

Hence this Bill.

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KARNATAKA ACT No. 27 OF 1987.

(First published in the Karnataka Gazette Extraordinary on the Thirteenth day of August, 1987)

THE CODE OF CRIMINAL PROCEDURE (KARNATAKA AMENDMENT) ACT, 1987.

(Received the assent of the President on the Twenty-second day of July, 1987)

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 Thirty-eighth 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, 1987.

(2) It shall come into force at once.

2. Amendment of section 357.- In section 357 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974),-

(1) in sub-section (1), after the words "the Court may", the brackets, figures and words " and where the person against whom an offence is committed belongs to a Scheduled Caste or a Scheduled Tribe as defined in clauses (24) and (25) of Article 366 of the Constitution and the accused person does not belong to a Scheduled Caste or a Scheduled Tribe the Court shall", shall be inserted;

(2) for sub-section (3), the following sub-section shall be substituted, namely:-

"(3) When a Court imposes a sentence of which fine does not form a part, the Court may, and where a person against whom an offence is committed belongs to a Scheduled Caste or Scheduled Tribe as defined in clauses (24) and (25) of Article 366 of the Constitution and the accused person does not belong to a Scheduled Caste or a Scheduled Tribe the Court shall, when passing judgement, order the accused person to pay, by way of compensation, such amount as may be specified in the order to the person who has suffered any loss or injury by reason of the act for which the accused person has been so sentenced".

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