

PARLIAMENT OF CEYLON

1st Session 1960-61



Criminal Procedure Code (Amendment) Act, No. 42 of 1961

Date of Assent : June 17, 1961

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*Criminal Procedure Code (Amendment) Act,
No. 42 of 1961*

L. D.—O. 15/60.

AN ACT TO AMEND THE CRIMINAL PROCEDURE CODE.

[Date of Assent: 17th June, 1961]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act, No. 42 of 1961.

Short title.

2. Section 122 of the Criminal Procedure Code, hereinafter referred to as the "principal enactment", is hereby amended in sub-section (3) of that section by the substitution, for the words, "Neither the accused", of the words and figures "Save as otherwise provided in section 122A, neither the accused".

Amendment of
section 122
of Chapter
16.

3. The following new sections are hereby inserted immediately after section 122, and shall have effect as sections 122A and 122B, of the principal enactment.

Insertion
of new
sections
122A and
122B in
the principal
enactment.

* Certified
copies of
information
given under
section 121
(1) and of
certain
statements
recorded
under
section 122
(1).

122A. (1) Where in pursuance of any information given under sub-section (1) of section 121 proceedings are instituted in a Magistrate's Court under section 148, the accused or his proctor shall be entitled to obtain from the proper authority a certified copy of such information and of any statement made under sub-section (1) of section 122 by the person against whom or in respect of whom the accused is alleged to have committed an offence.

(2) In this section, the expression "proper authority",—

(a) in relation to any information or statement contained in an Information Book kept by an officer in charge of a police station, means such officer, and

(b) in relation to any information or statement contained in an Information Book kept by an inquirer, means such inquirer.

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No. 42 of 1961

Certified
copies obtained
under section
122A to be
admissible
in evidence.

122B. In any proceedings under this Code, the production of a certified copy of any information or statement obtained under section 122A shall be *prima facie* evidence of the fact that such information was given, or that such statement was made, to the police officer or inquirer by whom it was recorded; and notwithstanding the provisions of any other law, it shall not be necessary to call such officer or inquirer as a witness solely for the purpose of producing such certified copy.'.