

# **The Code of Criminal Procedure (Tamil Nadu Amendment) Act, 2003**

TAMILNADU

India

## **The Code of Criminal Procedure (Tamil Nadu Amendment) Act, 2003**

### **Act 29 of 2003**

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The Code of Criminal Procedure (Tamil Nadu Amendment) Act, 2003 Tamil Nadu Act 29 of 2003 Statement of Objects and Reasons. - According to sub-section (2) of section 167 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), no Magistrate shall authorise detention of an accused person in any custody unless the accused is produced before him. Therefore, as per the above said provision, accused persons have to be physically produced before the Magistrate by the police for authorising the detention of the accused. It involves the expenditure of Government money and manpower. In order to save the money and manpower, the Government have decided to introduce the electronic video linkage facility in the Courts and prisons and to produce the accused person before the Magistrate through such electronic video linkage. The Government have decided to amend sub-section (2) of the said section 167 for the purpose. 2. The Bill seeks to give effect to the above decision. Published in Part IV-Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 9th May 2003. Received the assent of the President on the 17th September 2003 and published in Part IV-Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 22nd September 2003. An Act further to amend the Code of Criminal Procedure, 1973, in its application to the State of Tamil Nadu. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-third Year of the Republic of India as follows:-

### **1. Short title, extent and commencement.**

- This Act may be called the Code of Criminal Procedure (Tamil Nadu Amendment) Act, 2003. (2) It extends to the whole of the State of Tamil Nadu. (3) It shall come into force at once.

## **2. Amendment of section 167.**

- In section 167 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974),-(1)in the proviso to sub-section (2), in clause (b), after the expression "produced before him", the expression "either in person or through the medium of electronic video linkage" shall be added;(2)in the Explanation-II under sub-section (2), after the expression "an accused person was produced", the expression "in person or, as the case may be, through the medium of electronic video linkage" shall be inserted.