

## **APPENDIX XXIV**

### **(Regulations 348 and 349)**

#### **Conditions which may be imposed under section 124, Code of Criminal Procedure and rules under section 565 of that Code.**

##### **I.-Conditions prescribed under section 124, Code of Criminal Procedure.**

Any or all to the following conditions have been prescribed under section 124(4), Code of Criminal Procedure: A person conditionally discharged shall—

- (a) abstain from doing any act hazardous to the community or to any person;
- (b) abstain from conduct similar to that in respect of which he was ordered to give security;
- (c) reside with a person to be approved by the Magistrate who orders his discharge;
- (d) not enter any area which may be specified by the Magistrate who orders his discharge;
- (e) proceed forthwith to his home district and notify his residence and change of and absence from residence to the police in accordance with the rules prescribed by the Provincial Government under section 565 of the Code of Criminal Procedure.

(Government of Bengal Notification No. 3430PI., dated the 24th December 1924.)

##### **II.—Rules under section 565, Code of Criminal Procedure.**

The following rules have been framed under section 565(3), Code of Criminal Procedure:

(i) Before release a convict shall, upon being required to do so by the Superintendent of the Jail in which he is confined or by any person authorized in this behalf by the Superintendent, notify in Bengal Form No.5093 to the Superintendent or person authorized by him, as the case may be, the village and the homestead in that village in which he intends to reside after his release.

(ii) If, after the seventh day following his release, a convict is released, a convict is residing in any homestead other than that notified by him in



accordance with rule(i), he shall, within nine days after the date of his release, attend in person at the police-station or out post within the local limits of which he is residing and notify to the officer-in –charge the village, and the homestead in that village, in which he is now residing.

(iii) If, after taking up his residence as notified in accordance with any of these rules, a convict intends to change his residence, he shall, if the homestead to which he intends to change his residence is situated within the local limits of the police-station or outpost within which he is at the time residing, at least three, and in any other case, at least seven days before he intends to leave his notified residence, attend in person at such police-station or outpost and notify to the officer-in-charge, his homestead and the village to which he intends to change his residence and the date on which he intends to leave his present notified residence.

(iv) If, after the seventh day following the date notified in accordance with rule, a convict is residing in any homestead (including his last notified residence) other than that notified by him in accordance with rule(iii) as his intended residence he shall, within 9 days after the date so notified, attend in person at the police-station or out post within the local limits of which he is for the time being residing and shall notify to the officer-in –charge thereof the village and the homestead within that village at which he is for the time being residing.

(v) If a convict intends to absent himself temporarily for one or more nights or for any part of a night from his notified residence, he shall, if he does not intend to leave the local limits of the police-station or outpost within which he is at the time residing, not later than the first, and in any other case, not later than the third day before his departure from his notified residence, attend in person at such police-station or outpost and notify to the officer-in-charge his intention to absent himself together with the village and the particular place to which he intends to preceed and the probable dates of his arrival thereat and departure therefrom respectively.

(Government of Bengal Notification NO.876Pl., dated the 26th March 1942.)