

purpose the Judge of the Primary Court may acquit the accused unless he thinks proper to postpone the case for some other day. On ordering such postponement the Judge may order a sum not exceeding fifty rupees to be paid to the accused as costs :

Provided however that if the complainant appears in reasonable time and satisfies the Judge of the Primary Court that his absence was due to sickness, accident or some other cause over which he had no control, such Judge shall cancel any order made under this subsection.

(3) The accused may, for reasons to be recorded in writing, be discharged by the Judge at any time before verdict;

Provided, however, that the Judge may in his discretion consult the Attorney-General, prior to such discharge.

Primary Court to transmit proceedings to Attorney-General when required.

30. The Judge of a Primary Court shall whenever required in writing by the Attorney-General forthwith transmit to the Attorney-General the proceedings in any criminal case in which a trial has been or is being held before him :

Provided that the Attorney-General shall return the record to the Court not later than one month after it is received by him.

Procedure at bearing.

31. (1) It shall be the duty of the Judge of the Primary Court to inquire orally into the charge and, where appropriate by all lawful means to endeavour to bring the parties to an amicable settlement. If the parties agree to compound such offence or offences the Judge shall notwithstanding anything to the contrary in any other law, allow them to do so and make a record of the terms on which the case was compounded and after the accused has complied with such terms, record the fact and acquit the accused.

(2) If the parties refuse to compound the case, then the Judge shall proceed to try the case.

Legal representation.

32. Every accused person and every complainant shall be entitled to be represented by an attorney-at-law ;

Provided, however, that a public officer who has filed a complaint in his official capacity shall be entitled to be represented by

the Attorney-General or a State Counsel or any attorney-at-law specially or generally authorized by the Attorney-General but in the absence of such representation the public officer himself or any other public officer of the Department interested in the prosecution or with the permission of the court, an attorney-at-law may conduct the prosecution :

Provided further that an officer of any Municipality, Urban Council, Town Council or Village Council may appear in person or by an attorney-at-law to conduct the prosecution in any case in which the Municipality, Urban Council, Town Council or Village Council is interested.

33. (1) The trial in a Primary Court shall be held in the manner provided for in the Code of Criminal Procedure Act for trials in a Magistrate's Court. Procedure at trial.

(2) The provisions of sections 279 and 283 of the Code of Criminal Procedure Act shall apply to every judgment of a Primary Court and the provisions of sections 289 and 290 of that Act shall apply to every sentence of imprisonment passed by a Primary Court.

34. (I) At any stage of the trial, the Disposal of Primary Court may make such order as it thinks fit for the disposal of any document or other property produced before it. Disposal of Primary Court may make such order as it thinks fit for the disposal of any document or productions.

(2) When an order is made under subsection (1) in a case in which an appeal lies, such order shall not (except when the property is livestock or is subject to speedy and natural decay) be carried out until the period allowed for presenting such appeal has passed, or when such appeal is presented within such period, until such appeal has been disposed of, Stay of disposal order pending

35. The Judge of the Primary Court may, if he deems it necessary, at any stage after the appearance of parties, adjourn the hearing of the trial until he has had an opportunity of inspecting the scene of the offence or any property in respect of which the offence is alleged to have been committed. Notice of the time and place of such inspection shall be duly given by the Judge to the parties, and such notice shall state that the parties are entitled to be present at the inspection. inspection of scene.