

discharge the offender conditionally as hereinafter provided, the court may without proceeding to conviction-

- (a) order such offender to be discharged after such admonition as to the court shall seem fit;
- (b) order such offender to pay State costs not exceeding fifty rupees;
- (c) order compensation under section 16 ;
- (d) discharge the offender conditionally on his entering into a recognizance with or without sureties to be of good behaviour, and to appear for conviction and sentence when called on at any time during such period, not exceeding eighteen months, as may be specified in such order ;
- (e) deal with the offender under the provisions of the Probation of Offenders Ordinance.

Conditions of recognizance.

19. A recognizance under section 18 may contain such conditions as the court may, having regard to the particular circumstances of the case, order to be inserted therein with respect to all or any of the following matters :-

- (a) for prohibiting the offender from associating with thieves and other undesirable persons, or from frequenting undesirable places;
- (b) as to abstention from intoxicating liquor, where the offence was drunkenness or an offence committed under the influence of drink;
- (c) generally for securing that the offender should lead an honest and industrious life;
- (d) providing that the offender, with his surety or sureties, if any, shall appear in chambers before the Judge of the Primary Court at such intervals as may be specified in the order;
- (e) directing the payment of compensation and State costs as provided in sections 16 and 18.

Power of court to vary conditions of recognizance.

20. The court before which any person is bound by his recognizance under this Act to appear for conviction and sentence may vary the conditions of the recognizance, and may,

on being satisfied that the conduct of that person has been such that the recognizance should be discharged, discharge the recognizance.

21. (1) If the court before which an offender is bound by his recognizance under section 18 to appear for conviction and sentence is satisfied on information that the offender has failed to observe any of the conditions of his recognizance it may issue a summons for the attendance of the offender and his sureties (if any) before it.

(2) If upon such summons the attendance of the offender and his sureties (if any) cannot be procured the court may issue a warrant for such purpose.

(3) When the offender appears or is brought before the court before which the offender is bound by his recognizance to appear for conviction and sentence that court on being satisfied after summary inquiry that he has failed to observe any condition of his recognizance may forthwith convict and sentence him for the original offence; or, if the case was one in which the court in the first instance might under the Children and Young Persons Ordinance, have ordered the offender to be sent to an approved or certified school, and the offender is still apparently under the age of sixteen years, make such an order.

22. In lieu of ordering any male person under the age of sixteen years to be fined or imprisoned, a Primary Court may order such person to be whipped in accordance with the provisions of the Corporal Punishment Ordinance and section 294 of the Code of Criminal Procedure Act:

Whipping in certain cases.

Provided that a Judge of a Primary Court shall not have power to order more than six strokes with a light cane to be inflicted on any such person.

23. (1) Where a person has been sentenced to a fine only and to imprisonment in default of payment of the fine a Primary Court may do all or any of the following things :-

Fine may be paid in instalments.

- (a) allow time for the payment of the fine;
- (b) direct payment of the fine to be made by instalments;