

warrant-cases instituted on a police report;

(b) is exclusively triable by the Court, he shall frame in writing a charge against the accused.

(2) Where the Judge frames any charge under clause (b) of sub-section (1), the charge shall be read and explained to the accused and the accused shall be asked whether he pleads guilty of the offence charged or claims to be tried.

STATE AMENDMENT

Chhattisgarh

In sub-section (2) of section 228 of the Principal Act, after the word “to the accused” the following shall be added, namely: —

“present in person or through the medium of electronic video linkage and being represented by his pleader in the Court.”

[Vide Chhattisgarh Act 13 of 2006, s. 4.]

Karnataka

Amendment of section 228.—In section 228 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), in sub-section (1), in clause (a), for the words “to the Chief Judicial Magistrate and thereupon the Chief Judicial Magistrate” the words “to the Chief Judicial Magistrate or to any Judicial Magistrate competent to try the case and thereupon the Chief Judicial Magistrate or such other Judicial magistrate to whom the case may have been transferred” shall be substituted.

[Vide Karnataka Act 22 of 1994, s. 2.]

West Bengal

In section 228 of the said Code, in clause (a) of sub-section (1) of section 228, for the words “to the Chief Judicial Magistrate, and thereupon the Chief Judicial Magistrate” the words “to the Chief Judicial Magistrate or to any Judicial Magistrate competent to try the case, and thereupon the Chief Judicial Magistrate or such other Judicial Magistrate to whom the case may have been transferred” shall be substituted.

[Vide West Bengal Act 63 of 1978, s. 3.]

229. Conviction on plea of guilty.—If the accused pleads guilty, the Judge shall record the plea and may, in his discretion, convict him thereon.

230. Date for prosecution evidence.—If the accused refuses to plead, or does not plead, or claims to be tried or is not convicted under section 229, the Judge shall fix a date for the examination of witnesses, and may, on the application of the prosecution, issue any process for compelling the attendance of any witness or the production of any document or other thing.

231. Evidence for prosecution.—(1) On the date so fixed, the Judge shall proceed to take all such evidence as may be produced in support of the prosecution.

(2) The Judge may, in his discretion, permit the cross-examination of any witness to be deferred until any other witness or witnesses have been examined or recall any witness for further cross-examination.

232. Acquittal.—If, after taking the evidence for the prosecution, examining the accused and hearing the prosecution and the defence on the point, the Judge considers that there is no evidence that the accused committed the offence, the Judge shall record an order of acquittal.

233. Entering upon defence.—(1) Where the accused is not acquitted under section 232, he shall be called upon to enter on his defence and adduce any evidence he may have in support thereof.