

PARLIAMENT OF CEYLON

4th Session 1963-64



Criminal Procedure Code (Amendment) Act, No. 10 of 1963

Date of Assent : December 4, 1963

Printed on the Orders of Government

Printed at the GOVERNMENT PRESS, CEYLON. To be purchased at the GOVERNMENT PUBLICATIONS BUREAU, COLOMBO

Annual Subscription (including Bills) Rs. 30 (Local), Rs. 40 (Foreign), payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, P. O. Box 500, Colombo 1, before 20th December each year in respect of the year following. Late subscriptions will be accepted on the condition that Bills issued before the date of payment will not be supplied.

Price : 15 cents.

Postage : 10 cents.

Criminal Procedure Code (Amendment)
Act, No. 10 of 1963

L. D.—O. 7/62.

AN ACT TO AMEND THE CRIMINAL PROCEDURE CODE

[Date of Assent : 4th December, 1963]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act, No. 10 of 1963.

Short title.

2. For so long and so long only as this section remains in force, section 440A of the Criminal Procedure Code shall have effect as though for sub-section (8) of that section, there were substituted the following new sub-section :—

Amendment of
section 440A
of Chapter 20.

“(8) (i) The trial of any person before the Supreme Court under this section may commence or continue in the absence of such person if the Court is satisfied—

(a) that such person is evading arrest or absconding ; or

(b) that such person is unable to attend or remain in Court by reason of illness and has consented to the commencement or continuance of the trial in his absence ; or

(c) that such person is unable to attend or remain in Court by reason of illness and no prejudice will be caused to such person by the commencement or continuance of the trial in his absence.

(ii) The commencement or continuance of the trial of any person before the Supreme Court under this section in the absence of such person shall not be deemed or construed to affect or prejudice the right of such person to be defended by a pleader at such trial.”.

3. Section 2 of this Act shall remain in force until the date of the conclusion of the trial of any person before the Supreme Court under section 440A of the Criminal Procedure Code which commenced before, and is pending on, the date of the coming into operation of this Act ; and accordingly shall cease to be in force on the conclusion of such trial.

Time limit
to operation
of section 2
of this Act.