

Registered with the Registrar
of Newspapers for India under
No. 10410



Registered No.
PY/44/2021-23

புதுச்சேரி மாநில அரசிதழ்
La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு	EXTRAORDINAIRE	EXTRAORDINARY
அதிகாரம் பெற்ற வெளியீடு	Publiée par Autorité	Published by Authority
எண் } No. } No. }	புதுச்சேரி Poudouchéry Puducherry	புதன்கிழமை Mercredi Wednesday (2 Bhadra 1944)
	2022 ௫ 24 24th	ஆகஸ்ட் 24 Août August 2022 2022

**THE HIGH COURT OF JUDICATURE AT MADRAS
JUDICIAL NOTIFICATION**

*Amendments to the Criminal Rules of Practice, 2019
(R.O.C.No. 48768-A/2017/F1)*

NOTIFICATION

In exercise of the powers conferred by Article 227 of the Constitution of India, section 477 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and of all other powers thereunto enabling, the High Court of Judicature at Madras, with the previous approval of the Government of Tamil Nadu and the Government of Union territory of Puducherry, hereby makes the following Amendments to

the Criminal Rules of Practice 2019, published in the Tamil Nadu Government Gazette, Part III, Section 2 (Supplement), Issue No. 51-A, dated December 18, 2019, and the Gazette of Puducherry, Part-I, Extraordinary, Issue No. 226, dated December 18, 2019. The Amendments shall come into force with effect from the date of publication in the Official Gazette.

AMENDMENT

In the said Rules, in rule 42, after sub-rule (2), the following sub-rules shall be added, namely:—

“(3) The deposition of witnesses shall be recorded in typed format, if possible. The record of evidence shall be prepared on computers, if available in the Court, on the dictation of the Presiding Officer:

Provided that, in case, the language of deposition is to be recorded in a language other than English or the language of the State, the Presiding Officer shall simultaneously translate the deposition either himself or through a competent translator into English.

(4) The deposition shall be recorded in the language of the witness and in English, when translated as provided in sub-rule (3).

(5) A translator shall be made available in each Court and the Presiding Officers shall be trained in the local language, on the request of the Presiding Officers.

(6) The Presiding Officers shall not record evidence in more than one case at the same time.

(7) Objections by either the prosecution or the defence Counsel shall be taken note of and reflected in the evidence and decided immediately, in accordance with law or at the discretion of the learned Judge, at the end of the deposition of the witness in question.

(8) During cross-examination, the relevant portion of the statements recorded under section 161 of the Code used for contradicting the respective witness shall be extracted. If, it is not possible to extract the relevant part as aforesaid, the Presiding Officer, in his discretion, shall indicate specifically the opening and closing words of such relevant portion, while recording the deposition, through distinct marking.

(9) In such cases, where the relevant portion is not extracted, such portions shall be distinctly marked as prosecution or defence exhibit, as the case may be, so that other inadmissible portions of the evidence are not part of the record.

(10) In cases, where the relevant portion is not extracted, the admissible portion shall be distinctly marked as prosecution or defence exhibit, as the case may be.

(11) The rule applicable to recording of the statements under section 161 of the Code shall also *mutatis mutandis* apply to the statements recorded under section 164 of the Code, whenever such portions of prior statements of living persons are used for contradiction or corroboration.

(12) Omnibus marking of the entire statement under sections 161 and 164 of the Code shall not be done.

(13) The Presiding Officers shall ensure that only admissible portion of section 8 or section 27 of the Indian Evidence Act, 1872 (Act 1 of 1872), is marked and such portion alone is extracted on a separate sheet and marked and given an exhibit number.”.

High Court, Madras,
12-08-2022.

REGISTRAR-GENERAL.