

## ACT No. V OF 1896.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 27th February, 1896.)*

## An Act to amend the Foreign Jurisdiction and Extradition Act, 1879.

WHEREAS it is expedient to amend the Foreign Jurisdiction and Extradition Act, 1879; It is hereby enacted as follows :—

Amendment of section 3, Act XXI, 1879.

1. In section 3 of the said Act, for the words "officer in British India" the words "officer of the Government of India or of any Local Government," and for the words "the Governor in Council of the Presidency of Fort St. George or Bombay" the words "the Local Government," shall be substituted.

Addition to section 11, Act XXI, 1879.

2. To section 11 of the said Act the following shall be added, namely :—

"The act of desertion from any body of Imperial Service Troops shall be deemed to be an offence in respect of which the Political Agent for the State to which such troops belong may issue a warrant under this section."

Amendment of section 12, Act XXI, 1879.

3. In section 12 of the said Act, after the words "and the accused person, when arrested, shall," the words "unless released on bail in accordance with the provisions of the next following section," shall be inserted.

Insertion of new sections after section 12, Act XXI, 1879.

4. After section 12 of the said Act the following sections shall be inserted, namely :—

Power to Political Agent to direct secu-

"12A. A Political Agent issuing a warrant for the arrest of any person under section 11 may in his discretion direct by endorsement thereon that, if such person

person executes a bond with sufficient sureties for his attendance before the officer mentioned in the warrant at a specified time, the Magistrate to whom the warrant is directed shall take such security and release such person from custody.

rity to be taken and procedure thereon.

“The endorsement shall state (a) the number of sureties (if any), (b) the amount in which they and the person for whose arrest the warrant is issued are to be respectively bound, and (c) the time and place at which he is to attend before the officer mentioned in the warrant.

“Whenever security is taken under this section, the Magistrate shall certify the fact to the Political Agent by whom the warrant was issued, and shall retain the bond.

“12B. If the person bound by any bond executed under the last foregoing section to appear before the officer mentioned therein does not so appear, the Magistrate may, on being satisfied as to his default, issue a warrant directing that he be re-arrested and delivered over to such officer.

Arrest on breach of bond to appear.

“12C. In the case of every bond required to be executed or which may have been executed in accordance with the foregoing provisions, the powers conferred by sections 513 and 514 of the Code of Criminal Procedure, 1882, on the Court which has required the execution of or has taken a bond may be exercised by the Magistrate.”

Application of sections 513 and 514, Act X, 1882.

X of 1882.

5. At the end of section 13 of the said Act the following shall be added, namely :—

Addition to section 13, Act XXI, 1879.

“or, in the case of a deserter, by a duly constituted Military Court.”

6. After section 17 of the said Act the following section shall be added, namely :—

Addition of new section after section 17, Act XXI, 1879.

X of 1882.

“17A. Notwithstanding anything in the Code of Criminal Procedure, 1882, any person arrested without an order from a Magistrate and without a warrant,

Detention of persons arrested under section 54,

in

clause sev-  
enthly, Act  
X, 1882.

in pursuance of the provisions of section 54, clause *seventhly*, of the said Code, may, under the orders of a Magistrate within the local limits of whose jurisdiction such arrest was made, be detained in the same manner and subject to the same restrictions as a person arrested on a warrant issued by such Magistrate under section 15 of this Act."