

IL – 403: Criminal Procedure Code Unit -1 Introduction:

Unit -1 Introduction:

- a. Peculiarity between substantial and Procedural law
- b. Object and Importance of Cr.P.C
- c. Constitution and jurisdiction of Criminal Courts
- d. Classification of Offences
- e. Functionaries under the Cr.P.C
- f. Basic Concepts(Definition):
 - a. Bailable and Non-Bailable Offences, Cognizable and Non- cognizable Offence, Compoundable and non-compoundable offences, First Information Report and Complaint, Charge, Investigation, Inquiry and Trial, Summons Case, Warrant Case

UNIT-II: Arrest, Pre-Trial Proceedings, Search and Investigation

- a. Provision for Bail under the Code
- b. Process to Compel Appearance of Person
- c. Process to Compel Production of Things
- d. Condition Requisites for Initiation of Proceeding
- e. Complaint to Magistrate
- f. Commencement of Proceeding before Magistrate

UNIT-III: Trial Proceedings

- a. Power of police to arrest without warrant
- b. Framing of Charges and Joinder of Charges
- c. Jurisdiction of the Criminal Courts in Inquiries and Trials
- d. Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial
- e. Maintenance of wife, children and parents
- f. Judgment and Sentences under the Code
- g. Submission of Death Sentences for Confirmation
- h. General Provisions as to Inquiries and Trial g. Execution, Suspension, Remission and Commutation of Sentences

UNIT-IV: Miscellaneous:

- a. *Appeals* :
 - i. concept – creation of statute – cannot be filed as a matter of right
 - ii. Kinds of appeal
 - iii. When appeal is not permissible
 - iv. Special Right to prefer appeal(appeal in non-appealable cases)
 - v. Powers of Appellate Court

b. ***Reference and Revision –***

- i. Reference - purpose and significance
- ii. Revision - purpose and significance
- iii. When Revision is permissible?
- iv. Revisional Courts and their Powers

c. ***Bail and Bond***

- i. Bail in Bailable and Non – Bailable Offences & related provisions
- ii. Anticipatory Bail
- iii. Approach of the Apex Court in granting Bail

d. ***Miscellaneous:***

- i. Inherent Power of High Courts
- ii. Power of quash FIR, Criminal Complaints and Criminal Proceedings
- iii. Judicial approach and guidelines given by the Apex Court while exercising quashing powers by High Courts

Suggested Readings:

1. Ratanlal & Dhirajlal, Criminal Procedure, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012
2. S.C. Sarkar, The Law of Criminal Procedure, Wadhwa & Co. , Nagpur, 2007 References:
 1. K.N. Chandrasekharan Pillai, R.V. Kelkar's Lectures on Criminal Procedure, Eastern Book Company, 2013
 2. K.N. Chandrasekharan Pillai, Criminal Procedure, Eastern Book Company, 2004
3. Aiyer, Mitter, Law of Bails- Practice and Procedure, Law Publishers(India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, Law of Bail, Bonds, Arrest and Custody, Lexis Nexis, 2008
5. P.K. Majumdar, Law of Bails, Bonds and Arrest, Orient Publication, 2012
6. Justice P.S. Narayana, Code of Criminal Procedure, ALT Publications, 2012
7. Bare Act of Code of Criminal Procedure, 1973