

Rno 51
7/11/17



PROCEEDINGS OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, NELLORE,
SPSR NELLORE DISTRICT
Saturday, 28th day of October, 2017.
PRESENT: Junaid Ahmed Moulana
Principal District and Sessions Judge, Nellore

Sub: Courts – Criminal – Recording of Statements U/Sec.164 Cr.P.C and holding of identification parades by the Judicial Magistrate of I Class, Nellore District under Rule 31 and 32 of Criminal Rules of Practice and Circular orders, 1990 – Revised – Orders –Issued

- Ref:1. This Court's proceedings dated 17.11.1992 communicated in Dis. No. 5710, dated 29.11.1992
2. Hon'ble High Court's Circular in ROC. No. 510/SO-1/2002, dated 02.09.2002.
3. This Court's Circular dated 30.01.2003 in Dis. No. 530, dated 01.02.2003.
4. This Court's proceedings dated 09.12.2004 communicated in Dis. No. 6830, dated 09.12.2004.
5. Proceedings of the Chief Judicial Magistrate-cum-Principal Senior Civil Judge, Nellore dated 22.01.2015

As per the G.O.Ms. No.80, LAW(LA&J-Home Courts-C), Department dated 10.07.2013 the Additional Judicial Magistrate of I Class, Sullurupet and Judicial Magistrate of I Class, Naidupet are established and the Courts at Sullurupet and Naidupet have been functioning from 02.08.2014 and 22.03.2015 respectively.

In the reference first cited the undersigned issued standing instructions nominating Judicial Magistrate of I Class to comply the requisitions filed by the Prosecuting agency pertaining to Test Identification parades and recording of 164 Cr.P.C statements to avoid procedural delay.

In the reference 2nd cited, the Hon'ble High Court issued a circular, vesting power of Administrative Control over the judicial Magistrates of I Class, upon the I Additional District and Sessions Judge, such as, sanction of leaves etc., and since some of the Judicial Magistrates have been violating the guidelines enumerated in the Circular second cited, by seeking permission from the Chief Judicial Magistrate and issued Circular in the reference 3rd cited directing the Judicial Magistrates of I Class in the District to follow the instructions in Circular in the reference 2nd cited and proceedings issued by the Principal District and Sessions Judge, Nellore and Chief Judicial Magistrate-cum-Principal Senior Civil Judge, Nellore respectively in the references 4th and 5th cited, with regard to recording of Statements Under Section 164 Cr.P.C and holding Identification parades by Judicial Magistrates of I Class in the District.

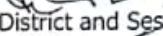
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In view of establishment of new Courts i.e., Additional Judicial Magistrate of I Class, Sullurupet and Judicial Magistrate of I Class, Naidupet and also in view of the difficulties expressed by some of the Judicial Officers in the District the following revised orders are issued.

Therefore in the above circumstances, the Judicial Magistrate of I Class in the District are directed hereby to follow the instructions scrupulously keeping in mind the guidelines enumerated in the references cited, while disposing of requisitions referred above. The table shown in reference first cited in given hereunder for further guidelines.

S.No.	Requisitions filed by the police (Prosecuting agency) arising from the territorial Jurisdiction of the Court	Judicial Magistrate of I Class nominated to comply with the requisition of the police (Prosecuting Agency)
(1)	(2)	(3)
1.	II Additional Judicial Magistrate of I Class, Nellore	Judicial Magistrate of I Class for Special Mobile Court, Nellore
2.	IV Additional Judicial Magistrate of I Class, Nellore	Special Judicial Magistrate of First Class for trial of Prohibition and Excise Offences, Nellore
3.	V Additional Judicial Magistrate of I Class, Nellore	Special Judicial Magistrate of I Class for Railways, Nellore/ In case not available Judicial Magistrate of I Class for Special Mobile Court, Nellore
4.	Judicial Magistrate of I Class for Special Mobile Court, Nellore	Special Judicial Magistrate of First Class for trial of Prohibition and Excise Offences, Nellore
5.	Special Judicial Magistrate of I Class for Railways, Nellore	Special Judicial Magistrate of First Class for trial of Prohibition and Excise Offences, Nellore
6.	Special Judicial Magistrate of First Class for trial of Prohibition and Excise Offences, Nellore	Judicial Magistrate of I Class for Special Mobile Court, Nellore
7.	Additional Judicial Magistrate of I Class, Kovur	Principal Junior Civil Judge, Kovur
8.	Additional Judicial Magistrate of I Class, Kavali	Principal Junior Civil Judge, Kavali

9.	Additional Judicial Magistrate of I Class, Kovur	Principal Junior Civil Judge, Kovur
10.	Junior Civil Judge, Atmakur	Judicial Magistrate of I Class, Udayagiri
11.	Judicial Magistrate of I Class, Udayagiri	Junior Civil Judge, Atmakur
12.	Additional Judicial Magistrate of I Class, Gudur	Principal Junior Civil Judge, Gudur
13.	Judicial Magistrate of I Class, Kota	Additional Judicial Magistrate of I Class, Gudur
14.	Additional Judicial Magistrate of I Class, Sullurupet	Principal Junior Civil Judge, Sullurupet
15.	Additional Judicial Magistrate of I Class, Venkatagiri	Additional Judicial Magistrate of I Class, Gudur
16.	Judicial Magistrate of I Class, Naidupet	Additional Judicial Magistrate of I Class, Sullurupet


Principal District and Sessions Judge
Nellore

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To
All the Judicial Magistrate of I Class in the district

Copies

1. The Superintendent of Police, Nellore with a request to send necessary communication to the concerned S.H.Os in Nellore District
2. The Superintendent of Police for Railways at Vijayawada for information
3. The S.H.Os of Railway Police Stations of Gudur, Bitragunta, Venkatagiri, Sullurupet, Renigunta, Ongole, Tandiarpet, for compliance with regard to the territorial jurisdiction of the Special Judicial Magistrate of I Class for Railways at Nellore
4. The I Additional District and Sessions Judge, Nellore for information
5. The Chief Judicial Magistrate of I Class-cum- Principal Senior Civil Judge, Nellore for information
6. All Superintendents, Principal District Court, Nellore and Additional District Courts, Nellore, Gudur for information
7. To the file