

Madhya Pradesh Case Management In Trial Courts And First Appellate Subordinate Courts (Criminal) Rules, 2006

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No.C-3115-II 15-50-87.- (Published in M.P. Gazette (Extraordinary) dated 10.8.2006 at page 806 (5)) In exercise of the powers conferred by section 477 of the Code of Criminal Procedure, 1973 (2 of 1974), the High Court of Madhya Pradesh, with the previous approval of the State Government hereby, makes the following rules in regard to case management in Trial Courts and First Appellate Subordinate Courts (Criminal) in the State of Madhya Pradesh, namely:-

1. Short title and commencement :-

(1) These rules may be called the Madhya Pradesh Case Management in Trial Courts and First Appellate Subordinate Courts (Criminal) Rules, 2006.

(2) These rules shall come into force from the date of their publication in Madhya Pradesh Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Code" means the Code of Criminal procedure, 1973 (2 of 1994)

(b) The words and expressions used but not defined in these rules,

shall have the same meaning as assigned to them in the Code.

3. Criminal Trials and Criminal Appeals to Subordinate Courts :-

(a) Criminal Trials - Criminal Trials should be classified based on offence, sentence and whether the accused is on bail or in jail. Capital punishment, rape and cases involving sexual offences or dowry deaths should be kept in Track-I. Other cases where the accused is not granted bail and is in jail, should be kept in Track-II. Cases which affect a large number of persons such as cases of mass cheating, economic offences, illicit liquor tragedy and food adulteration cases, etc, should be kept in Tack-III. Offences which are tried by special court such as POTA, TADA, NDPS, Prevention of Corruption Act, etc. should be kept in Track-IV. Track V - all other offences.

An endeavour should be made to dispose of Track-I cases within a period of nine months, Track-II and Track-III cases within twelve months and Track-IV within fifteen months.

(b) Criminal Appeals.- Wherever an appeal is filed by a person in jail, as far as possible, the memorandum of appeal may be accompanied by important documents, if any, having a bearing on the question of bail.

4. xxx xxx xxx :-

Advance notice should simultaneously be given by the counsel for the party who is proposing to file the appeal, to the counsel for the opposite party in the subordinate Court, so as to enable the other party to appear if they so choose even at the first hearing stage.

Note - Whenever there is any inconsistency between these rules and the provision of the Code of Criminal Procedure, 1973 or any other statutes, the provision of such Code or Statute shall prevail.