

Prisons (Madras Amendment) Act, 1940

05 of 1940

[09 April 1940]

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PREAMBLE

An Act further to amend the Prisons Act, 1894, in its application to the Province of Madras, for certain purposes.

Whereas it is expedient further to amend the Prisons Act, 1894(Central Act IX of 1894), in its application to the Province of Madras, for the purposes hereinafter appearing; 1[It is hereby enacted as follows:--]

1. These words were substituted for the paragraph containing the enacting formula and the paragraph preceding that paragraph by section 5 of the Madras Re-enacting and Repealing (No. I) Act, 1948 (Madras Act VII of 1948).

1. Short title :-

This Act may be called the Prisons (Madras Amendment) Act, 1940.

2. Amendment of section 39-A, Central Act IX of 1894 :-

In section 39-A of the Prisons Act, 1894(Central Act IX of 1894) (hereinafter referred to as the said Act), the Explanation shall be renumbered as Explanation I and the following shall be added as Explanation II, namely--

" Explanation II.--In this section, prisoner means a convicted criminal prisoner."

3. Insertion of new sections 39-B and 39-C in Central Act IX of 1894 :-

After section 39-A of the said Act, the following sections shall be inserted, namely:--

" 39-B. punishment for escape or attempt to escape from hospital or asylum.--

If any prisoner dealt with under section 39-A escapes or attempts to escape from the hospital or asylum to which he has been sent or when going thereto or returning therefrom, he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

The punishment under this section shall be in addition to the punishment for which the prisoner was liable for the offence of which he was already convicted.

39-C. Provisions applicable to bonds referred to in section 39-A.--

The provisions of Chapter XLII of the Code of Criminal Procedure, 1898 (Central Act V of 1898), shall so far as may be, apply to the bonds referred to in section 39-A."