

## No. 30 OF 1935.

A LAW TO MAKE BETTER PROVISION FOR THE PREVENTION OF CRIME. A.D. 1935.

30 of 1935.

W. D. BATTERSHILL,] [16th October, 1935.

*Officer Administering the Government.*

BE it enacted :—

1. This Law may be cited as the Prevention of Crime Law, 1935. Short title.

2. A Commissioner or a President of a District Court upon information on oath that any person is likely to commit a breach of the peace or to disturb the public tranquillity may, if in his opinion there is sufficient ground for proceeding, issue a summons in the form set out in the First Schedule to this Law requiring such person to attend before him to show cause why he should not execute a bond in such amount as the Commissioner or the President of a District Court shall direct, with or without sureties, in the form set out in the Second Schedule to this Law, for keeping the peace or refraining from acts liable to disturb the public tranquillity for any period not exceeding one year as such Commissioner or President of a District Court thinks fit to fix. Security for keeping the peace.

3. A Commissioner or a President of a District Court upon information on oath that there is within his jurisdiction a person who comes within one of the categories mentioned below, may, if in his opinion there is sufficient ground for proceeding, issue a summons in the form set out in the First Schedule to this Law requiring such person to attend before him to show cause why he should not execute a bond with or without sureties, in the form set out in the Second Schedule to this Law, for his good behaviour for any period not exceeding one year, as such Commissioner or President of a District Court thinks fit to fix— Security in other cases.

(a) any person who is found in any place whether public or private, in such circumstances as to satisfy the Commissioner or President of a District Court that he was about to commit or aid in the commission of any offence ;

(b) any person who is by habit a robber or thief or receiver of stolen property, or habitually protects or harbours thieves or aids in the concealment and disposal of stolen property ;

- (c) any person who is so desperate or dangerous as to render his being at large without security hazardous to the community.

When  
warrant of  
arrest may  
issue.

4. Whenever—

- (a) it appears to a Commissioner or a President of a District Court upon the report of a Police officer in charge of a Police Station or upon other information (the substance of which report or information shall be recorded by such Commissioner or President of a District Court) that there is reason to fear the commission of a breach of the peace or disturbance of the public tranquillity and that such breach of the peace or disturbance of the public tranquillity cannot be prevented otherwise than by the immediate arrest of any person ;
- (b) any person summoned to appear before a Commissioner or a President of a District Court in accordance with the provisions of section 2 or section 3 of this Law, does not appear within a reasonable time after service of such summons,

such Commissioner or President of a District Court may issue a warrant for the arrest of such person.

Procedure  
at enquiry.

5.—(1) When any person appears or is brought up upon a summons or warrant issued under sections 2, 3 or 4 of this Law, the Commissioner or President of a District Court shall proceed to enquire into the truth of the information upon which he has taken action and to take such further evidence as may appear necessary.

(2) If on enquiry it is proved that the person should be required to execute a bond, the Commissioner or President of a District Court shall make an order accordingly :

Provided that no person shall be ordered to give security of a nature different from or of an amount larger than or for a period longer than the security, amount or period respectively specified in such summons or warrant.

(3) If on enquiry it is not proved to be necessary that the person should execute a bond, the Commissioner or President of a District Court shall make an entry on the record to that effect, and, if such person is in custody only for the purpose of the enquiry, release him, or if he is not in custody, discharge him.

(4) The procedure to be followed in proceedings under this Law as to the taking of evidence on oath, examination and cross-examination of witnesses, appearance of advocates,

service of orders, summonses and other documents, enforcement of orders and other like matters shall be the same as the procedure for the time being followed in summary proceedings before a Magisterial Court :

Provided that—

- (a) no charge other than that revealed by the information contained in the summons shall be framed ;
- (b) in proceedings under this Law it shall not be necessary to prove that the person charged was guilty of any particular act or acts tending to show his purpose or intent or character and an order may be made against such person if from the circumstances of the case and from his known character as proved to the Commissioner or President of a District Court it appears to such Commissioner or President of a District Court that an order ought to be made.

6. Where any person is ordered by a Commissioner or a President of a District Court to execute a bond under the provisions of section 2, 3 or 5 of this Law or to be placed under police supervision under the provisions of section 14 of this Law such person may, within ten days from the date of such order appeal to the Governor in Council whose decision thereon shall be final and conclusive.

Appeal to  
Governor in  
Council.

7.—(1) The bond to be executed by any person under this Law shall bind him to keep the peace, or to refrain from acts liable to disturb the public tranquillity or to be of good behaviour.

Nature of  
bond and  
power to  
forfeit it.

(2) Where a bond conditioned to keep the peace or to refrain from acts liable to disturb the public tranquillity or to be of good behaviour has been executed under the provisions of this Law by any person as principal or surety in accordance with an order of a Commissioner or a President of a District Court such Commissioner or President of a District Court upon proof of the conviction of the person bound as principal by such bond of any offence which is in law a breach of the condition of such bond, may adjudge such bond to be forfeited, and adjudge the persons bound thereby, whether as principal or sureties, or any of such persons, to pay the sums for which they are respectively bound, and such judgment shall be a final judgment and shall be executed in accordance with the law for the time being in force relating to the execution of civil judgments,