



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Monday

2023 ജൂലൈ 10
10th July 2023

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25th Mithunam 1198

1945 ആഷാഢം 19
19th Ashadha 1945

നമ്പർ
No.

2274

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 10884/Legn.3/2023/Leg.

Dated, Thiruvananthapuram, 10th July, 2023.

The Code of Criminal Procedure (Kerala Amendment) Bill, 2023 together with the Statement of Objects and Reasons and Financial Memorandum is published under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

A. M Basheer,
Secretary.



**THE CODE OF CRIMINAL PROCEDURE (KERALA AMENDMENT) BILL,
2023**

A

BILL

*further to amend the Code of Criminal Procedure, 1973, in its application to the
State of Kerala.*

Preamble.- WHEREAS, it is expedient further to amend the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), in its application to the State of Kerala, for the purposes hereinafter appearing;

BE it enacted in the Seventy-third year of the Republic of India as follows:-

1. *Short title and commencement.-* (1) This Act may be called the Code of Criminal Procedure (Kerala Amendment) Act, 2023.

(2) It shall come into force at once.

2. *Amendment of section 62.-* In the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) (hereinafter referred to as the said Code), in its application to the State of Kerala, after sub-section (3) of section 62, the following sub-section shall be inserted, namely:-

“(4) In addition to other modes of service, the summons shall, if practicable, be served electronically as well.” ;

3. *Amendment of section 91.-* After sub-section (3) of section 91 of the said Code, the following sub-section shall be inserted, namely:-

“(4) In addition to other modes of service, the summons shall, if practicable, be served electronically as well on whom the summons is to be served under sub-section (1).”.



STATEMENT OF OBJECTS AND REASONS

The Hon'ble High Court had proposed to amend sections 62 and 91 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), consequent to the direction of the Hon'ble Supreme Court. During the outbreak of the Covid 19 pandemic, the State Police Chief has reported that there are serious health hazards in following the conventional mode of service of summons. The electronic methods used to effect the service are much convenient and effective in locating the persons who are deliberately trying to avoid the service.

The service of summons is also a very important function of the Police, but the same cannot be discharged by the Police to the extent desired all over the State. Hence, the service of summons could be made possible through e-mail, in order to avoid delay that can be occasioned under the present circumstance.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure out of the Consolidated Fund of the State.

PINARAYI VIJAYAN.

