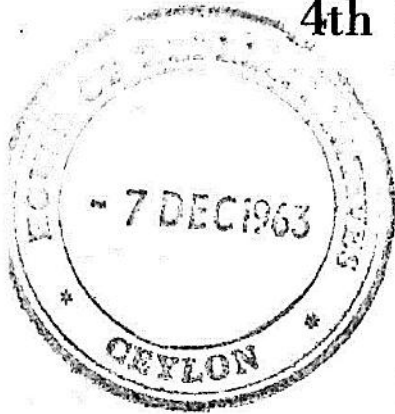


# PARLIAMENT OF CEYLON

4th Session 1963-64



## Criminal Procedure Code (Amendment) Act, No. 10 of 1963

*Date of Assent : December 4, 1963*

*Printed on the Orders of Government*

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*Criminal Procedure Code (Amendment)*  
*Act, No. 10 of 1963*

L. D.—O. 7/62.

AN ACT TO AMEND THE CRIMINAL PROCEDURE CODE

[Date of Assent : 4th December, 1963]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Criminal Procedure Code (Amendment) Act, No. 10 of 1963.

Short title.

2. For so long and so long only as this section remains in force, section 440A of the Criminal Procedure Code shall have effect as though for sub-section (8) of that section, there were substituted the following new sub-section :—

Amendment of section 440A of Chapter 20.

“(8) (i) The trial of any person before the Supreme Court under this section may commence or continue in the absence of such person if the Court is satisfied—

(a) that such person is evading arrest or absconding ; or

(b) that such person is unable to attend or remain in Court by reason of illness and has consented to the commencement or continuance of the trial in his absence ; or

(c) that such person is unable to attend or remain in Court by reason of illness and no prejudice will be caused to such person by the commencement or continuance of the trial in his absence.

(ii) The commencement or continuance of the trial of any person before the Supreme Court under this section in the absence of such person shall not be deemed or construed to affect or prejudice the right of such person to be defended by a pleader at such trial.”

3. Section 2 of this Act shall remain in force until the date of the conclusion of the trial of any person before the Supreme Court under section 440A of the Criminal Procedure Code which commenced before, and is pending on, the date of the coming into operation of this Act ; and accordingly shall cease to be in force on the conclusion of such trial.

Time limit to operation of section 2 of this Act.