

1959

*Present : Sansoni J.*

SALAHUDEEN, Petitioner, and A. C. M. THAHIR (Inspector of Police), Respondent

*S. C. 423—Application for revision in M. C. Colombo, 12279*

*Criminal Procedure Code—Section 325 (1) (b)—Scope.*

Section 325 (1) (b) of the Criminal Procedure Code does not authorise a Magistrate to require an accused to report at the Police Station during the period for which he has been bound over.

**A**PPPLICATION to revise an order of the Magistrate's Court, Colombo.

*Colvin R. de Silva, with M. S. M. Nazeem and M. T. M. Sivardeen, for accused-petitioner.*

No appearance for Attorney-General.

October 26, 1959. SANSONI, J.—

The Crown does not apparently seek to justify the order made by the learned Magistrate in this case. Neither the petitioner's counsel nor I have been able to find any provision under Section 325 (1) (b) of the Criminal Procedure Code which authorizes a Magistrate to require an accused to report at the Police Station during the period for which he has been bound over.

I therefore delete that part of the sentence which requires the accused to report at the Modera Police Station on every Monday, Wednesday, and Saturday during his probation period. Subject to this variation the application is dismissed.

*Order varied.*