

Course– VIII. General Principles of Criminal Procedure

100 (4 Credits)

Objective:-

It is quite necessary to know about the formation of the court and criminal justice system of the country. PIL is now effective organ. Looking to all the aspect, we introduced in syllabus.

1. Organization of Courts and Prosecuting Agencies :

- 1.1. Hierarchy of criminal courts and their jurisdiction
 - Nyaya Panchayats in India.
 - Panchayats in tribal areas.
- 1.2 Organizations of prosecuting agencies for prosecuting criminals.
 - Prosecutors and the police.
- 1.3 Withdrawal of prosecution

2. Pre-trial Procedures :

- 2.1 Antes and questioning of the accused
- 2.2 The rights of the accused
- 2.3 The evidentiary value of statements / articles seized / collected by the police
- 2.4 Right to counsel
- 2.5 Roles of the prosecutor and the judicial officer in investigation

3. Trial Procedures :

- 3.1 The accusatory system of trial and the inquisitorial system,\m
- 3.2 Role of the judge, the prosecutor and defense attorney in the trial
- 3.3 Admissibility and inadmissibility of evidence
- 3.4 Expert evidence
- 3.5 Appeal of the court in awarding appropriate punishment
- 3.6 Plea bargaining

4. Correction and Aftercare Services :

- 4.1 Institutional correction of the offenders
- 4.2 General comparison - Aftercare services in India and France
- 4.3 The role of court in correctional programmes in India

5. Preventive Measures in India :

- 5.1 Provisions in the Criminal Procedure Code
- 5.2 Special enactments

6. Public Interest Litigation :

- 6.1 Directions for criminal prosecution

Bibliography.

- 1. Celin Hamptom. Criminal Procedure
- 2. Wilkins and Cross. Outline of the Law of Evidence
- 3. Archbold, Pleading, Evidence and Practice in Criminal Cases, Sarkar Law of Evidence
- 4. K.N. Chandrasekharan Pillai (ed.), R.V. Kelkar's Outlines of Criminal Procedure (2000), Eastern, Lucknow
- 5. Patric Devlin, The Criminal Prosecution in England.
- 6. American Series of Foreign Penal Codes, Criminal Procedure Code of Peoples, Republic of China
- 7. John N. Ferdico, Criminal Procedure (1996).
- 8. Sanders Van Den Wyngart, Criminal Procedure Systems in European
- 9. Community, Joel Samaha, Criminal Procedure (1997).
- 10. Criminal Procedure Code, 1973.
- 11. The French Code of Criminal Procedure.
- 12. 14th and 41st Reports of Indian Law Commission.
- 13. The Paper will be taught with reference, wherever necessary, to the procedures in India, England and France.