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**ODISHA POLICE
CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT**

No. 14728 /CID-Law

Dt 20 /04/2019

To

All District SsP including SsRP Rourkela/Cuttack/DCSP,
Cuttack/Bhubaneswar UPD.

Sub: Utilization of Video conferencing in Court procedures/Production of hard core criminals.

After arrest of accused person his physical production in court is mandatory u/s 167 Cr.P.C. However production of such accused persons on subsequent dates till submission of charge sheet is a routine exercise. There are number of instances where the accused persons have escaped from the police custody during their transit for production in the Court. Especially in cases of terrorism/naxalism or other heinous offences safe production and custody of accused persons in the Court is a challenge for police.

2. In the amended provisions of Section 167(2) (b), it has been enjoined that the Magistrate may extend further detention of the accused in the judicial custody even through the electronic linkage/video conference.

In order to avoid escape of hard core criminals from police custody, the District SsP should ensure that on the dates of routine production, the accused persons are not physically produced in the Courts and their production is complied by electronic video linkage/video conference.

In this regard applications are required to be moved in the Court in order to obtain prior permission of the Court.

3. **Minors deposing as victims in Rape Cases :-**

- i. In Section 273 Cr.P.C, a special provision has been made for minor rape victims to avoid confrontation with the accused during trial of the case.
- ii. The District SsP may consult the conducting Public Prosecutor to move the Court for appropriate measures for recording evidence of victims through video conference so as to avoid direct eye contact between the victim and the accused. This may be carried out in addition to the measures provided u/s 36 of the POCSO Act.
- iii. During trial of warrant procedure cases before a Magistrate, the evidence of a witness can be recorded by audio-video electronic means u/s 275(1) Cr.P.C.
- iv. This will save time as well as cost. This way important witnesses especially public servants can depose evidences without leaving their headquarters.



(S. K. Upadhyay)

Additional Director General of Police,
CID, Crime, Odisha.

Memo No. 14729 / CID-Law

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Copy forwarded to

1. Commissioner of Police, Bhubaneswar-Cuttack/all range IsGP/DIsGP/ ADGP, Rlys, Bhubaneswar for information and necessary action please.
2. All Public Prosecutor/Addl. Public Prosecutor/All Special Public Prosecutor appointed under POCSO Act (T) District SsP/DCsP.



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CID, Crime, Odisha.