

5401-COMPARATIVE CRIMINAL PROCEDURE

1. Organization of Courts and Prosecuting Agencies: Hierarchy of criminal courts and their jurisdiction, Nyaya Panchayat in India, panchayat in tribal area, Organization of Prosecuting agencies for Prosecuting criminal, Prosecutors and the police Withdrawal of Prosecution.
2. Pre-trial Procedures: Arrest and questioning of the accused, The rights of the accused. The evidentiary value of statements /articles seized /collected by the police, Right to counsel, Roles of the prosecutor and the judicial officer in investigation.
3. TRIAL procedure : The accusatory system of trial and the inquisitorial system , Roles of the judge, the prosecutor or and defense attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence Appeal of the court in awarding appropriate punishment, Plea bargaining.
4. Correction and Aftercare Services: Institutional correction of the offenders, General Comparison –after care services in India and France, the role of the court in correctional programmes in India.
5. Preventive Measures in India: Provisions in the Criminal Procedure Code, Special enactments, Public interest Litigation: Directions of criminal Prosecution.

Select Bibliography

Ceylia Hamptom: Criminal Procedure

Wikins and Cros ; Outline of the Law of Evidence

Archbold, Pleading; Evidence and Practice in Criminal Cases(2000) Eastern, Lucknow

Sarkar: Law of Evidence K.N. Chandrasekharan Pillai (ed): R.V. Kelkar's : Outlines of Criminal Procedure Patric Devlin : The Criminal Prosecution in England Serics of Foreign Penal Codes Criminal Procedure Code of People's Public of China

John N. Ferdico: Criminal Procedure (1996), West Sanders & Young : Criminal Justice (1994)

Christina Van Den Wyngart: Criminal Procedure Systems in European Community Joel Samaha

Criminal Procedure (1997), West Criminal Procedure Code,1973 The French Code of Criminal Procedure

14th and 41st Report of Indian Law Commission

The Paper will be taught with reference, wherever necessary to the Procedures in India, England, US France, Russia and China.