

PAYMENT OF FINES BY INSTALMENTS.
I/directed to refer to certain criminal cases in which,

after imposing fines, the Court allowed time for payment, or directed payment by instalments. In two of the cases, the accused and his surety were living and working outside the jurisdiction of the Malayan Union Court, the balance of the fines was unpaid, and the accused and the surety cannot now be traced, with the result that Government has sustained a substantial loss of revenue. In other cases the accused failed to pay the balance of fines and it was found later that they had given false addresses and absconded so that no further action could be taken.

2. In all cases in which time is granted for which to pay fines by instalments and surety is ordered,

(1) the surety must reside within the jurisdiction,

(2) the advice of the Police as to the sufficiency of the surety, should be taken before the accused is released.

3. It should be kept in mind too that the Police are generally in a better position to judge as to the sufficiency of a surety and to keep in touch with persons charged before the Courts than are the executive officers of the Courts. Their co-operation and advice should therefore invariably be sought in these matters before the accused is released.

4. One of the primary duties of Registrars of District Courts and of the Chief Clerks in the Magistrates' Courts is to attend to matters of this nature with great care and to ensure that there is no loss to Government by reason of evasion of payment of fines.

The Registry,
Supreme Court,
Malayan Union,

Kuala Lumpur, 26th May, 1947.

Murray H. Jack
REGISTRAR.

Copy to: All Asst. Registrars, Supreme Court,
All District Judges,
All Secretaries to Resident Commissioners (for distribution
to all Magistrates)