

Jabatan Kehakiman,
Mahkamah Tinggi,
Kuala Lumpur.
28hb. Julai, 1971.

Kepada: Semua Yang diPertua Khas/Yang diPertua Kanan/Yang diPertua,
Mahkamah Sesyen.
Semua Majistret, Mahkamah Majistret.

REGISTRAR'S CIRCULAR NO: 8 OF 1971

CRIMINAL APPEALS FROM SUBORDINATE COURTS TO THE HIGH COURT

In order to maintain uniformity of procedure throughout West Malaysian Courts this circular is issued on the instruction of the Hon'ble the Chief Justice.

2. Where notice of appeal only is filed without any request, in time, for the notes of evidence under section 307(iii) of the Criminal Procedure Code (F.M.S.) or section 302(3) of the Criminal Procedure Code (S.S.) requiring that the appellant be supplied with a signed copy of the grounds of decision, such decision shall be forwarded to the appellant under cover of a letter in the following terms:-

"Dear Sir,

I forward herewith a copy of my grounds of judgment.

2. Please note that pursuant to section 307 of the C.P.C. you are requested to file your position of appeal within 10 days of receipt of the judgment."

3. Where, on the other hand, the appellant makes an application for the notes of evidence as well as the grounds of decision under section

307(v) of the Criminal Procedure Code (or Section 302(v) of the S.S.Code) which provides that the last date of filing the petition of appeal shall be 10 days from receipt of either the grounds of judgment or notes of evidence, whichever is the later, the Hon'ble the Chief Justice is of the view that needless labour can be saved by sending the appellant, as soon as possible, the grounds of decision with a request that he informs the court if, after perusal thereof, he intends to proceed with his appeal and intimating that, until such answer is received, the court will not commence preparation of the notes of evidence for the appeal record. Such grounds of decision shall be forwarded under cover of a letter in the following terms:

"Dear Sir,

I forward herewith a copy of my grounds of judgment. The notes of evidence will be supplied to you in due course if you wish to pursue the appeal. If, on the other hand you decide not to pursue the appeal after perusing, then I shall be much obliged if you will kindly inform me to this effect as this would save time and expense in regard to the typing of the notes of evidence and the exhibits. Please do not fail to extend to me your kind cooperation by informing me within 10 days of the receipt of this letter whether or not you wish to proceed with the appeal. Thanking you in anticipation.

Yours etc. "

4. Please note that the instructions and procedures as outlined in the following circular letters:

Practice Note No. 1/56

Practice Note No. 3/56

Practice Note No. 1/58

Practice Note No. 2/60

Practice Note No. 2/61

Registrar's Circular No. 3/56

Registrar's Circular No. 1/67

Registrar's Circular No. 4/71

are still required to be complied with.

(MOKHTAR BIN HAJI SIDIN)

b.p. PENDAFTAR.

s.k.

Y.B.Peguam Negara, Malaysia, Kuala Lumpur.

Setiausaha, Majlis Peguam, Malaya, Kuala Lumpur.