

JABATAN KEHAKIMAN
MAHKAMAH TINGGI
KUALA LUMPUR

1hb Julai, 1978.

All Presidents, Sessions Court, West Malaysia;

All Magistrates, Magistrate's Court, West Malaysia;

REGISTRAR'S CIRCULAR NO.5 OF 1978

RE: CASES TO THE POST 1-7-1978

It has been brought to the attention of the Honourable the Chief Justice that pursuant to Registrar's Circular No.2/78 there has been some doubts regarding criminal cases under Sections 409 and 457 of the Penal Code which were triable by the pre 1-7-78 Presidents by virtue of Section 63(1) of the Subordinate Courts Act 1948 which were registered in the Sessions Court prior to 1-7-78 and are now pending in the Courts. The question arises as to what should be done to such cases as post 1-7-78 Magistrates do not have the jurisdiction to hear them. The Honourable Chief Justice directs that such cases now pending in the Courts should not be transferred to the post 1-7-78 Sessions Courts. The registration number should not be changed. Pre 1-7-78 Presidents should continue to hear them until they are completed. This should not pose any problem as their gazette notifications as Presidents of Sessions Courts have not been revoked.

Permission is hereby given to all the pre 1-7-78 Presidents to go to the Courts within their previous circuits to hear and complete such cases.

However, fresh cases under the said sections shall only be registered at the post 1-7-78 Sessions Courts.

Thank you.

Saya yang menurut perintah,

(Abdul Hamid b Hj Mohamed)
Ag. Chief Registrar

c.c.

1. Hon'ble Lord President, Federal Court, Malaysia, Kuala Lumpur;
2. Hon'ble Chief Justice, High Court, Malaya, Kuala Lumpur;

4. Hon'ble Judges, Federal Court, Malaysia, Kuala Lumpur;
5. Hon'ble Judges, High Court, Malaya;
6. Y.B. Peguamcara Negara, Jabatan Peguam Negara, Kuala Lumpur;
7. Y.B. State Legal Advisers, States of Malaya;
8. Registrar, High Court, Borneo, Kuching, Sarawak;
9. Deputy Registrar, High Court, Borneo, Kota Kinabalu, Sabah;
10. Senior Assistant Registrars/Assistant Registrars, High Court, Malaya;
11. ACP. Sarjit Singh Gill, CID, Jalan Bukit Aman, Kuala Lumpur;
12. Editor, Malayan Law Journal (Pte) Ltd., 1302-1304, Shenton House, Shenton Way, Singapore, 1.
13. Secretary, Bar Council, States of Malaya, c/o Bar Council, Lot 5.55, 5th floor, Wisma Central, Jalan Ampang, Kuala Lumpur.
14. Secretaries, State Bar Committees, Malaya.