



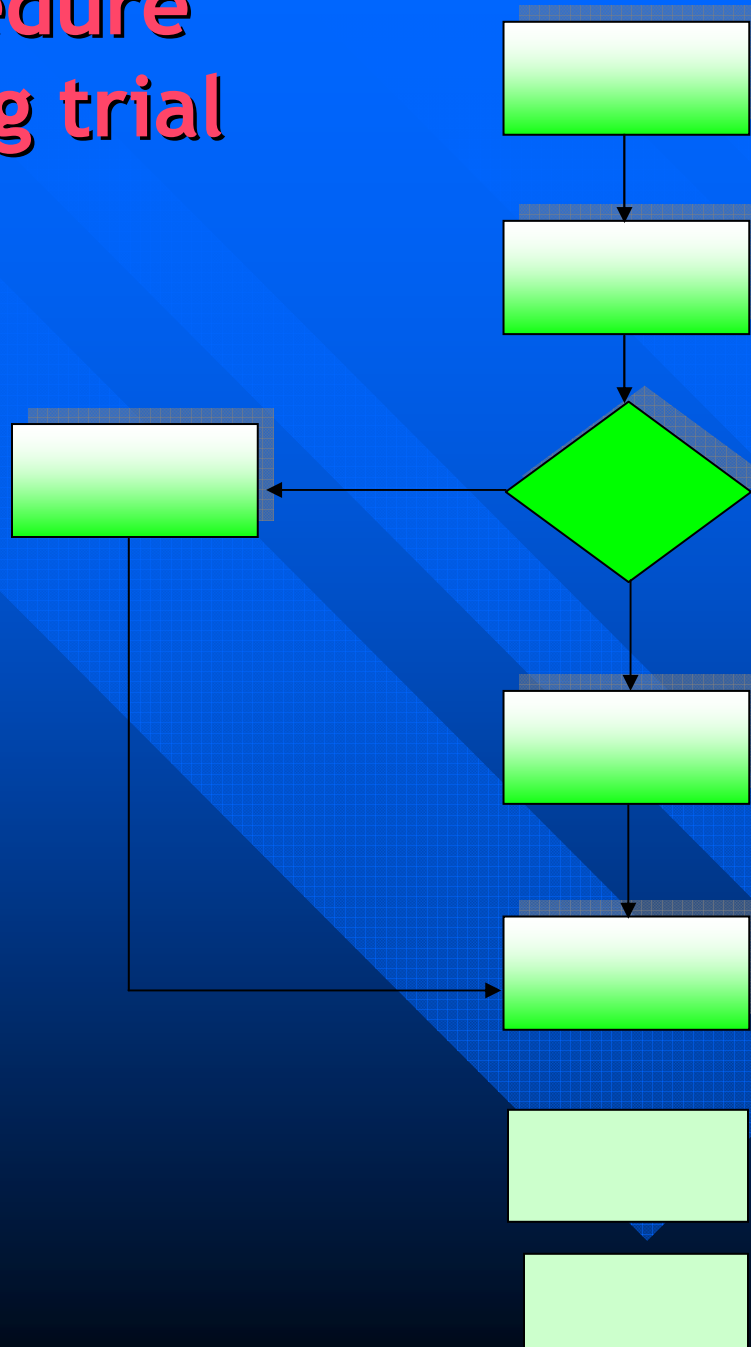
**SYARIAH COURT  
CRIMINAL PROCEDURE  
ENACTMENT OF SELANGOR  
(AMENDMENT) 2003.**

# CONTENTS

- INTRODUCTION
- TRIAL
- JUDGMENT
- EXECUTION
- APPEAL
- CONCLUSION

# Procedure during trial

Yes



Registration  
(Charge)-s78-  
95

Mention within  
21 days

Trial-Plea  
Guilty

No  
Hearing-s 96-101

Judgment s 118-  
120

Appeal s136-151.

Execution s 121-

# PROCEDURE IN TRIALS

- Section 96 (a)- when the accused is appears or is brought b4 the ct, a charge containing the particulars of the offence shall be framed, read, explained to him and he shall be asked whether he is guilty or or claims to be tried.  
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- If the accused PG, the plea shall be recorded and he may be convicted.
- (The accused shall understand the nature and consequences of his plea).

## If the accused claims trial

- (c) if refuse to PG or claims trial, the court shall proceed to hear the complainant, if any and to take all such evidence as may be produced in support of prosecution.
- D) if necessary the ct shall obtain from the complainant or the names of any persons likely to be acquainted with the facts of the case and to be able to give evidence for the prosecution and shall summon to give evidence b4 itself.

## Cont..

- (e) the accused or his PS shall be allowed to cross examine all the witnesses for the prosecution through the judge.
  - (f) if upon taking all the evidence referred to in c, d, and e the ct find that no case against the accused has been made out which if unrebutted would warrant his conviction the ct shall record an order of acquittal.
- (No prima facie case). The Ct may discharge the accused if the charge is groundless.

# If there is amendment

- (h) if when such evidence has been taken the ct is of the opinion that there are grounds for presuming that the accused has committed the offence charged or some other offence it shall consider the charge recorded against the accused and decide whether it is sufficient and it necessary shall amend the charge.
- (l) the charge if amended shall be read to the accused as amended and he shall be again asked whether he is guilty or has any defence to make.



## Cont...

- (j) If no PG, or if no amendment is made the accused then shall be called upon enter his defence and to produce evidence, and be allowed to recall and cross examine any witness through a judge.
- (k) written statement- shall file with th record.
- (l) if the accused applied to the court to issue summons for compelling the attendance of any witness, for the purpose of cross examination or the production of any document or other thing, the ct shall issue the summons unless- vexation or delay or defeating the purpose of justice.



## Cont.....

### ■ (m)

If the Ct found that  
the accused  
not guilty-record  
an acquittal



If guilty or plea  
guilty-the court  
shall pass sentence  
according  
to the law.

### (n)

When the proceedings have been instituted upon the  
complaint  
of some person upon oath under s 74 and upon any day  
fixed  
for the hearing of the case the complainant is absent, the  
ct may in its Discretion discharge the accused.

# Thank You



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