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NR 460 GR 150

No. Q1- 155582 /2017/PHQ
Police Headquarters, Kerala
Thiruvananthapuram-695010
Email: phq.pol@kerala.gov.in
Dtd: 27/09/2017

Executive Directive No. 25 / 2017

Sub: **Statement under 164 (5A) Cr.PC mandatory in sexual offences under the Indian Penal Code - Procedure to be strictly complied with - Instructions - reg.**

Read: (1) PHQ Circular No. 30/2012 dated 15/10/2012.
(2) PHQ Circular No. 22/2017 dated 25/08/2017.

As per section 164 (5A) of the Code of Criminal Procedure, 1973, as soon as the commission of an offence punishable under sections 354, 354A, 354B, 354C, 354D, sub-section (1) or sub-section (2) of section 376, 376A, 376B, 376C, 375D, 376E or 509 of the Indian Penal Code is brought to the notice of the Police, the Judicial Magistrate shall record the statement of the person against whom such offence has been committed in the manner prescribed in section 164(5) Cr PC. It is noticed that in many instances such statements are either not recorded or recorded after long delay.

All Officers are instructed to strictly comply with the procedure u/s 164(5A) r/w 164(5) Cr.PC in the above mentioned offences under the Indian Penal Code.

W 27/9
Loknath Behera IPS
Director General of Police &
State Police Chief, Kerala

To: All Officers in List 'D' [upto SHO level]

GN Copy to:
All Officers in PHQ
ED Register / Police Website

Handwritten signatures and initials

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