

The Criminal-Procedure-Code-CrPC-1973

Section 176 - Inquiry by Magistrate into cause of death

176. Inquiry by Magistrate into cause of death. (1) 2*[When any person dies while in the custody of the police or when the case is of the nature referred to in clause (i) or clause(ii) of sub-section (3) of section 174] the nearest Magistrate- empowered to hold inquests shall, and in any other case mentioned in sub-section (1) of section 174, any Magistrate so empowered may hold an inquiry into the cause of death either instead of, or in addition to, the investigation held by the police officer ; and if he does so, he shall have all the powers in conducting it which he would have in holding an inquiry into an offence.

1 Subs. by Act 46 of 1983, S. 3

2 Subs. by s.4, ibid.

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(2) The Magistrate holding such an inquiry shall record the evidence taken by him in connection therewith in any manner hereinafter prescribed according to the circumstances of the case.

(3) Whenever such Magistrate considers it expedient to make an examination of the dead body of any person who has been already interred, in order to discover the cause of his death, the Magistrate may cause the body to be disinterred and examined.

(4) Where an inquiry is to be held under this section, the Magistrate shall, wherever practicable, inform the relatives of the deceased whose names and addresses are known, and shall allow them to remain present at the inquiry.

Explanation.-In this section, expression "relative" means parents, children, brothers, sisters and spouse.

CHAP

JURISDICTION OF THE CRIMINAL COURTS IN INQUIRIES AND TRIALS