

Karnataka Prisons Act, 1963

Section 39 - Power of Superintendent to Send a Prisoner to Hospital or Asylum for Special Treatment

(1) The Superintendent may, if, in his opinion, a prisoner requires special treatment in a hospital outside the prison or in a mental hospital or asylum as defined in the Indian Lunacy Act, 1912 (Central Act IV of 1912), send him to such hospital or asylum, subject to the prisoner or any relative or friend of the prisoner executing such bond and abiding by such conditions, if any, as the State Government may by rule or order prescribe. Any period during which the prisoner is undergoing treatment in such hospital or asylum or spent by him in going thereto, or returning therefrom shall be deemed to be part of the period of his detention in the prison.

Explanation 1.--Nothing contained in this section shall be deemed to affect the operation of section 11 of the [1](#) [Karnataka] Prisoners Act, 1963, in cases in which that section applies.

Explanation 2.--In this section "prisoner" means a convicted criminal prisoner.

(2) If any prisoner dealt with under sub--section (1) escapes or attempts to escape from the hospital or asylum to which he has been sent or when going thereto or returning therefrom, he shall be punished with imprisonment for a term which may extend to two years or with fine or with both; and such punishment shall be in addition to the punishment for which the prisoner was liable for the offence of which he was already convicted.

(3) The provisions of Chapter XLII of the Code of Criminal Procedure, 1898, shall, in so far as may be, apply to the bonds referred to in sub--section (1).

1. Adapted by the Karnataka Adaptations of Laws Order 1973 dated 1.11.1973.
