

Code of Criminal Procedure, 1973

Section 54 - Examination of Arrested Person by Medical Officer

1[(1) When any person is arrested, he shall be examined by a medical officer in the service of Central or State Government, and in case the medical officer is not available, by a registered medical practitioner soon after the arrest is made:

Provided that where the arrested person is a female, the examination of the body shall be made only by or under the supervision of a female medical officer, and in case the female medical officer is not available, by a female registered medical practitioner.

(2) The medical officer or a registered medical practitioner so examining the arrested person shall prepare the record of such examination, mentioning therein any injuries or marks of violence upon the person arrested, and the approximate time when such injuries or marks may have been inflicted.

(3) Where an examination is made under sub-section (1), a copy of the report of such examination shall be furnished by the medical officer or registered medical practitioner, as the case may be, to the arrested person or the person nominated by such arrested person.]

1. Substituted vide The Code of Criminal Procedure (Amendment) Act, 2008 to be effective from 31.12.2009 vide Notification No. S.O. 3313(E) dated 30.12.2009.

"(1) When a person who is arrested, whether on a charge or otherwise, alleges, at the time when he is produced before a Magistrate or at any time during the period of his detention in custody that the examination of his body will afford evidence which will disprove the commission by him of any offence or which will establish the commission by any other person of any offence against his body, the Magistrate shall, if requested by the arrested person so to do direct the examination of the body of such person by a registered medical practitioner unless the Magistrate considers that the request is made for the purpose of vexation or delay or for defeating the ends of justice.

[(2) Where an examination is made under sub-section (1), a copy of the report of such examination shall

be furnished by the registered medical practitioner to the arrested person or the person nominated by such arrested person.]

STATE AMENDMENT

1[Uttar Pradesh:

In section 54 , the following sentence shall be inserted at the end, namely:-

"The registered medical practitioner shall forthwith furnish to the arrested person a copy of the report of such examination free of cost."

After Section 54 , the following section shall be inserted, namely:--

" 54 -A. Test identification of the accused.- When a person is arrested on a charge of committing an offence and his test identification by any witness is considered necessary by any Court having jurisdiction, it shall be lawful for an Executive Magistrate acting at the instance of such Court, to hold test identification of the person arrested."."