

Cantonments Act, 1924

Section 58 - Arrest of Persons and Seizure and Contiscation of Things for Offences Against the Two Last Foregoing Sections

(1) Any police officer or excise officer may, without an order from a¹[Judicial Magistrate] and without a warrant, arrest any person whom he finds committing an offence under section 56 or section 57, and may seize and detain any spirituous liquor or intoxicating drag in respect of which such an offence has been committed and any vessels or coverings in which the liquor or drag is contained.

(2) Where a person accused of an offence under section 56 has been previously convicted of an offence under that section, an officer in charge of a police station may, with the written permission of a¹[Judicial Magistrate] seize and detain any spirituous liquor or intoxicating drug within the cantonment or within any limits defined under that section which, at the time of the alleged commission of the subsequent offence, belonged to, or was in the possession of, such person.

(3) The court convicting a person of an offence under section 56 or section 57 may order the confiscation of the whole or any part of anything seized under sub-section (1) or sub-section (2).

(4) Subject to the provisions of²[Chapter XXXIV of the Code of Criminal Procedure, 1973 (2 of 1974)], anything, seized under sub-section (1) or sub-section (2) and not confiscated under sub-section (3) shall be restored to the person from whom it was taken.

1. Substituted by Act 15 of 1983, section 38, for "Magistrate" w.e.f. 1-10-1983.

2. Substituted by Act 15 of 1983, section 38, for "Chapter XLIII of the Code of Criminal Procedure, 1893" w.e.f. 1-10-1983.
