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Extradition Act, 1962

Section 17 - DEALING WITH FUGITIVE CRIMINAL WHEN APPREHENDED

1) If the Magistrate, before whom a person apprehended under this chapter is brought, is satisfied on inquiry that the endorsed warrant for the apprehension of the fugitive criminal is duly authenticated and that the offence of which the person is accused or has been convicted is an extradition offence, the Magistrate shall commit the fugitive criminal to prison to await his return and shall forthwith send to the Central Government a certificate of the committal. . (2) If on such inquiry the Magistrate is of opinion that the endorsed warrant is not duly authenticated or that the offence of which such person is accused or has been convicted is not an extradition offence, the Magistrate may, pending the receipt of the orders of the Central Government, detain such person in custody or release him on bail. (3) The Magistrate shall report the result of his inquiry to the Central-Government and shall forward together with such report any written statement which the fugitive criminal may desire to submit for the consideration of that Government.