

17/22
15-2

India's criminal justice system needs to be reformed in the country to prevent the large scale under trial prisoners. Examine

The Supreme court in the Satyendra Kumar Anil case expressed the ineffectiveness of bail system in the

country. Due to this there is an increase in under trial persons.

Undertrials constitute 75% of population and the capacity of the prisons is at 118%.

Reforms in criminal justice system

Unauthorized arrests are made by police under Section 41 and 41-A of the CrPc which restrict the fundamental rights

The grant of bail rests with the courts and their approval is final.

Before granting bail, the demographics of undertrials needs to be taken and there must be a timeline for disposal of bail.

The undertrials are mostly people without assets, means and orphans. Increase in undertrials is high due to lack of bail compliance. Lack of means to arrange cash bonds, property documents, etc. reasons for inability to comply with bail conditions.

Actions Reasons for rejecting - and granting bail must be clear. Bail law as present in UK bail law to grant bail based on merit. The 11 guidelines of DK Bose judgement must be adhered to prevent arbitrary arrest of persons with required reform at courts, polia and law, the cumbersome criminal justice system can be made expeditious.