

prosequi either by stating in Court or by informing the Court in writing addressed to the Registrar that the Crown intends that the proceedings shall not continue, and thereupon the accused person shall be at once discharged in respect of the charge for which *nolle prosequi* is entered and, if he has been committed to prison, shall be released or, if he is on bail, his recognizance shall be discharged, but his discharge shall not operate as a bar to any subsequent proceedings against him on the same facts.

(2) If the accused person is not before the Court when *nolle prosequi* is entered, the Registrar shall cause notice in writing of the entry to be given to the Superintendent of Prisons, if the accused is detained, and to the Magistrate, and the Magistrate shall forthwith cause a similar notice in writing to be given to any witnesses bound over to give evidence at the trial and to the accused and his sureties if he has been admitted to bail.

Institution of proceedings

12. On receipt of the copy of the documents relating to the preliminary inquiry, the Attorney General, if he sees fit to do so, shall institute such criminal proceedings in the Court against the accused person as to him seem proper.

PART 4

INDICTMENTS, ETC.

Mode of trial

13. Every person committed for trial shall be tried on an indictment filed by the Attorney General, but nothing in this section shall affect the right of the Attorney General to file a criminal information.

Filing and service of copy of indictment

14. (1) Subject to the provisions hereafter in this section contained, every indictment shall be filed in the Registry of the High Court at least 5 days before the day of trial of the accused person charged in the indictment.

(2) The Registrar shall, at least 4 days before the day of trial, deliver or cause to be delivered to the Superintendent of Prisons if the accused person has been committed to await his trial, or if he would in due course have been so committed if he had not been admitted to bail, a certified copy of the indictment, and the copy shall be given by the Superintendent of Prisons to the accused person forthwith, if he is in custody, or when he applies for it, if he is on bail.

(3) Whenever the Superintendent of Prisons delivers a copy of the indictment to an accused person he shall notify the Registrar of the fact and any such notification purporting to be signed by the Superintendent of Prisons shall be *prima facie* proof of the fact that the copy was delivered to the accused person, and at the time and on the date, mentioned therein.

(4) Whenever the Court orders or allows another indictment to be preferred at the same sitting of the Court for the same offence or for a minor offence, the accused person shall not be entitled to have a copy served upon him for a longer period than 24 hours before his arraignment on the other indictment.