

POLICE CIRCULAR ORDER No. 140

Instances have come to notice where various firms have printed and circulated advertising pamphlets resembling currency notes of different denominations in shape, size, colour and form. Such pamphlets are also in circulation in this State. It is likely that unscrupulous persons will pass on these pamphlets to the illiterate masses as genuine currency notes and thus cheat them. In fact some such cases of cheating have already been registered.

Use of
Advertising
pamphlets
resembling
currency
notes.

With a view to prevent making, using or delivering such documents section 489-E was added to the I.P.C. in the year 1943 by the Indian Penal Code (Amendment) Act VI of 1943.

It is requested that full use should be made of this section wherever circulation of such documents come to notice.

The section is non-cognizable and hence, the permission of the competent magistrate will be required under section 155 (2), Cr. P.C. to investigate into the offence. Of course, no such permission will be necessary where a cognizable offence of actual cheating or an attempt i.e. a cognizable offence is committed, since in such cases the non-cognizable offence can be tagged with the main cognizable offence for the purpose of investigation and subsequent proceedings.

In all such cases, steps should be taken to trace out the sources who publish and circulate the documents. The section itself gives enough opportunity towards this end.

(Previous Police Circulate Order No. 3 of 1961)