Preventive steps to be taken by N.R.Is for prevention of arrest by Police?

BY

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Indian criminal law is applicable to both citizens of India and foreigners who commit crimes within the territory of India.

Under Indian law, you may be arrested in a variety of circumstances. The arrest and detention can be for committing offences under the *Indian Penal Code* and/or under various laws (for example,the *Narcotic Drugs and Psychotropic Substances Act* and the *Foreign Exchange Management Act*).

For offences committed under the *Indian Penal Code*, investigations will be conducted in accordance with India’s *Code of Criminal Procedure*, 1973. This is a comprehensive set of rules that defines the powers of the police and the judiciary and lays down the procedures to be followed in the conduct of an inquiry or trial. For offences committed under other legislation, investigations will be conducted in accordance with procedures outlined in this legislation, coupled with India’s *Code of Criminal Procedure*, 1973.

If your presence is necessary for an investigation, and if there is sufficient evidence suggesting that you may flee, hide or destroy evidence, you may be detained. Indian authorities may confiscate your travel documents, such as your passport, while the investigation is ongoing, until charges are withdrawn or you complete your sentence.

**“A DAY IN PRISON IS LONGER THAN A THOUSAND YEARS” DON’T LET THAT HAPPEN TO YOU!!!**

A huge number of our NRI clients come to LEGAL FIRMS/LEARNED ADVOCATES because of false litigation initiated against them. Most of these charges are either unfounded or baseless. To top it all NRIs have to be fearful of coming to India on account of such fraudulent charges. More often than not, relatives, friends or others initiate such action against NRIs simply to prevent them from coming to India. The motive is to grab their property or maintain illegal occupancy. In totality, NRIs are faced with the following issues –

* Fear of being arrested or their passports being confiscated
* The anxiety that they would never be allowed to leave the country
* The subsequent loss of their properties here.
* Many who have been declared proclaimed offenders (PO’s) and are not able to get trustworthy lawyers for representation to manage their criminal litigation have to languish outside the borders of the country.
* Such victimized NRIs simply keep waiting for a chance to return and claim their inheritance or rightful shares to their lost properties.
* Ironically, thousands of PO’s who continue to live in fear overseas for years are not aware that the cases against them could be resolved through representation in the court.
* Such POs can now be successfully defended in the appropriate courts of law.
* Several such people who have contacted us from different parts of the world have now been able to get rid of the stigma of being called PO’s and have gone on to successfully defend themselves to recover and restore their full rights.
* On an inquiry where a client is involved in a criminal case in any court in India, the very first step is to read and review the complete case file to take an informed decision on how to proceed further.

SATYA MEVA JAYETHE= MERA BHARAT MAHAAN HAI=JAIHIND.