

TABLE OF CONTENTS

	Page
PREFACE.....	ii
INTRODUCTION	1
Aim of Study	5
Scope	7
Methodology	8
Preview of the Paper	12
CHAPTER	
I. ORIGIN AND THEORY OF BAIL	14
Individual's Interest And Society's Needs	17
II. LAW RELATING TO ARREST	20
Arrest and Summons	20
Arrest under a Warrant	21
Arrest without a Warrant	22
Rights of a Suspect Upon Arrest	23
The Summons	24
III. LAW OF BAIL	29
Criminal Jurisdiction and Powers of the Subordinate Courts	29
Law of Bail	34
Bailable Offences	36
Non-Bailable Offences	39
Reasonable Grounds To Believe	41
Sub-Sections (ii) and (iv) of Section 388	45
Cancellation of Bail	47
Section 389	50
Exceptional and Very Special Reasons ... Procedure to be Followed when	51
Applications are made under Section 389. Grounds for the Refusal or Grant of	53
Bail	54
English Law	55

CHAPTER	Page
Malaysian Cases and Cases from Singapore	58
Who Can Apply for Bail	60
Agreements to Indemnify a Surety	63
 IV BAIL SETTING AND THE ABILITY TO FIND SURETIES	 66
Nature of Bond	68
Sureties	68
Bail Setting Practices In the Lower Courts	69
Bail Amount and Charge	77
The Ability to Find Sureties	79
Delay in Finding Sureties	87
Conclusion	88
 V EXTENT, NATURE AND CONSEQUENCES OF DETENTION PENDING TRIAL AND SENTENCE	 89
Relationship Between Custody and the Outcome of the Trial	93
Conclusion	101
 VI CONCLUSION AND PROPOSALS FOR REFORMS	 102
 APPENDIX	
A	
B	
C	