



**Circular No 144/2024
Dated 17 May 2024**

To Members of the Malaysian Bar

Update on Bail Management in Courts in Malaysia and Invitation to Submit Feedback

We refer to [Circular No 143/2024](#) dated 15 May 2024 entitled “Update on Bail Management in Courts in Malaysia”.

The Bar Council held a meeting with the Chief Registrar of the Federal Court of Malaysia, Tuan Zamri bin Bakar, on 16 May 2024, to discuss the steps moving forward, as well as problems associated with the recent termination of e-Jamin facilities, and the upcoming transition to the conventional bail depositing system.

The Bar Council raised several concerns at the meeting, including the ramifications of terminating e-Jamin and the potential impact on accused persons, particularly those from the B40 group, who might face prolonged incarceration due to the administrative change.

Having addressed the complexities and potential violations of rights resulting from this decision, the Bar Council also sought for a deferment of the e-Jamin termination from the Judiciary, but to no avail. However, the Judiciary is agreeable to the Bar Council’s proposal to work together to reinstate or replace the existing platform in the near future.

Proposals were also made to limit the use of the conventional system to new users while allowing existing users to continue with e-Jamin. However, the Judiciary was unable to accommodate this.

The Judiciary has indicated that the estimated transfer timeline for sums deposited through e-Jamin is between three and seven days, and Members are encouraged to seek extension from the courts and make arrangements with the accused persons where necessary. The Bar Council will actively collaborate with the relevant authorities, and the Judiciary, including State courts, to facilitate a smooth transition and prevent any adverse impact on the public.

For those representing accused persons who are potentially sentenced to a fine, where the accused intends to make payment by utilising e-Jamin, Members are advised to make applications to court for the necessary deferments, considering the time required to process the extraction of the sums from the e-Jamin portal. The Bar Council encourages Members of the Bar to make applications pursuant to section 283 of the Criminal Procedure Code.

Members are also urged to report any challenges they encounter by detailing their feedback of the court matter and the banks concerned, along with any other pertinent information, as outlined in [Circular No 143/2024](#). Please click [here](#) to lodge your feedback or complaint.

The Bar Council is also exploring alternative solutions and other transitional matters concerning this matter.

Thank you.

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Co-Chairpersons
Criminal Law Committee