



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART IX

#### SUMMARY PROCEEDINGS

##### *General*

#### **134 Incidental applications**

- (1) This section applies to any application to a court for any warrant or order of court—
  - (a) as incidental to proceedings by complaint; or
  - (b) where a court has power to grant any warrant or order of court, although no subsequent proceedings by complaint may follow thereon.
- (2) An application to which this section applies may be made by petition at the instance of the prosecutor in the form prescribed by Act of Adjournal.
- (3) Where it is necessary for the execution of a warrant or order granted under this section, warrant to break open shut and lockfast places shall be implied.