

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**768.31 Joint defendants; discharge for insufficient evidence.**

Sec. 31. Whenever 2 or more persons shall be included in the same indictment and it shall appear that there is not sufficient evidence to put any defendant on his defense, it shall be the duty of the court to order such defendant to be discharged from such indictment, before the evidence shall be deemed to be closed.

**History:** 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17324;—CL 1948, 768.31.

**Former law:** See section 13 of Ch. 165 of R.S. 1846, being CL 1857, § 6080; CL 1871, § 7959; How., § 9572; CL 1897, § 11955; and CL 1915, § 15828.