

CHAPTER I

INTRODUCTION

Statistical analysis of exhibits or material objects sent to FSL deals with the no. of cases dealt with the forensic reports in both criminal and civil cases and given judgement as convictional or acquittal .

The impact of forensic reports on particular cases will be in such a way that it will support the justice and helps to maintain law and order perfectly.

The exhibits or material objects such as physical evidences from scene of offence collected by the Investigating Officer and the clues team are the primary evidences used for analysis of any crime.

Also the exhibits such as finger prints; palm prints; signatures; handwritings; are the exhibits or material objects which will be sent to FSL's for examination to know whether any forgery or malpractice occurred claiming anyone's property as theirs, will be sent in civil cases by the court of law.

The evidences are been examined to check whether they are fit for examination or not will be observed by the court of law and which are fit for examination only will be sent to FSL.

The materials which are been sent to the FSL will be sent along with a letter of advice in biological evidences examination and asked for any suspicious chemicals or poisons detected in the samples sent to estimate the cause of death. In the terms of court of law and the police terms there are some words which are used in the documents produced in any type of case.

O.S = Original suit

CC = Calendar case.

I.P.C = Indian penal code

Cr. P. c= Criminal procedure code

CR.NO = Crime number

All the information collected in criminal cases are under the sec.174Cr.p.c in which viscera samples are sent to FSL for detection of any poison to estimate and know the cause of death.

My topic deals with statistical analysis of the samples sent to FSL for examination and the time period of getting the result back and the impact of FSL reports on the case are been observed and noted.

The effective working of the FSL for giving the report on particular cases and their role in making the justice is highly considered as a forensic significance. Also without the role of Forensic science the judicial system can't itself give the accurate findings on any particular case to know the cause of anything that leads to loss to any person or victim.

My contribution in this study is much more far from the previous studies as there is no project study as my project which deals with Forensic reports role in giving the justice to the people who are effected.

As in previous studies the ratio of the particular cases either civil or criminal are been discussed but not that statistical analysis of samples sent to FSL and their reports significance in judgement.

Cr .p. c called as **Criminal Procedure Court**, which defines as it is the main legislation on **Procedure** for administration of substantive **Criminal law** in India. It was enacted in 1973 and came into force on 1 April 1974. (1).

CHAPTER II

LITERATURE REVIEW

According to B. Robertson et al. (1995), the reasoning of the methods deployed by forensic scientists seemed to emanate from two principles. Firstly, the Locards's principle implies that every contact leaves a trace whenever any two objects come into effect with each other in any way. Secondly, the principle of individuality implies that two objects may be indistinguishable, but no two objects are identical. These two principles have been of fundamental values for the forensic scientists, that is; Identification becomes easier because of the fact that the characteristic of being non-identical ensures that two different person will not leave identical traces during contact.

The major forensic evidence in this particular study will be considered to be forensic deoxyribonucleic acid (DNA). The development of new scientific methods, particularly the increased knowledge of DNA has and will without any doubt continue to have, an almost extraordinary impact on our forensic evidence in the justice system, particularly in the court. Though forensic evidence has advanced tremendously, there has been critics in due way on the whole topic of forensic evidence, be it DNA or others.

Fiction series and films have given the perception that science can solve any forensic dilemma. The „CSI EFFECT“ is obviously depicting wonders when forensic is at questioned, however this does not really implies the reality of forensic evidences. Boolell (2016:3) states that „furthermore, crime reporters, often confusing real life with glamorous television series, have gone a long way in giving a new status to medico legal profession, one that inspires awe and respect“.

An innovation, a mechanism that has the power to decide upon an accused person cannot be allowed to work without control. Thus, it is tremendous important to have a proper control of forensic science evidence and DNA.

As stated in earlier chapter, DNA and forensic evidence can be perceived as indefensible by juries, thus these evidence need to be properly scrutinised by legal protection.

David Faigman is clearly the most comprehensive author in the field of forensic evidence. *Modern Scientific Evidence: the law and science of Expert Testimony* has been originally published in 1997, then revised and supplemented several times. He also published *Modern Scientific Evidence; Forensics* in 2008. The Faigman compilations speak to an extensive gathering of perspectives, particularly with regards to the tolerating of particular kinds of forensic evidence. (2).

Applicability of Forensic Science in Criminal Justice System in India with emphasis on Crime scene investigation is given by Dr. Sonia Kaul Shail Assistant Professor of Criminology and Criminal Justice Administration, Karnavati University, Gandhinagar, Gujarat. Email: soniashali@yahoo.com

[The present paper will investigate the legislative framework with regard to applicability of forensic science in criminal justice system. It will also try to explore the causes as to why the role of forensic science in Indian criminal justice administration is still at a very basic stage or prohibitory in nature, even though since last few decades, a tremendous technological advancement in scientific era has been made. The Indian legal system and its allied subsidiaries need to be remolded towards the achievement of result oriented forensic investigation and trial, so that speedy remedy & justice to victims of heinous crimes may be provided].

Due to the progression in criminal justice system, there has been a remarkable penetration in crime investigation techniques as far as technological infusion is concerned as observed in the previous decade. The utilization of scientific tools and techniques in crime detection by police officials, identification of alleged criminals /offenders helps in establishing a crucial link between the judiciary and police force. Further, they take account of these physical evidences that are reliable and determine the accuracy the innocence or guilt of the criminal/offender.

Forensic science is a discipline that functions within the parameters of the legal system and may have remarkable contribution in supporting justice in crime investigation and other serious violations. Its purpose is to provide guidance to those conducting criminal investigation by recognition and recovery of evidences at crime scenes and accurate information upon which they can rely in resolving criminal and civil disputes. The crime include homicide, rapes, incidents related to accidents, undisclosed bodies, misplaced persons, cases related to fraud and forgery. In India, the statements and witnesses are used as a source of evidences and those who are proved guilty are then prosecuted. Hence, Forensic science services might be the most significant crime combating device for the enforcement of law. (3).

E Judiciary: a Step towards Modernization in Indian Legal System

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E judiciary a step towards modernization in Indian legal system: Indian legal system having a hoary past under different rulers though underwent metamorphosis but the basic structure of it did not alter to a great extent. During the period of East India company changes took place to have a modern judicial system.

After independence the old system continued to a great extent under the frame work of Constitution of India and Indian judiciary became a unified pyrimidicle structure.

The modern India while has the said structure the information and communication technology has virtually paved a new line of thinking in modernizing Indian judicial system. An overall review of the development in administration of justice till now achieved and the things to be achieved are going to be considered in the light of artificial intelligence and its use in sentencing process. Video conferences from jail to court, court to court, court to witnesses are some of the innovative study, which is going to be discussed.

In the field of legal education the technological impact is also going to be discussed. The paper intends to have a study under three different groups such as a study with reference to past computerization, the present stage of computerization and how it has to evolve in future.

Ultimately to have a scientific empirical analysis to have a look as to how the computerization in judiciary has become an effective tool to bring down the pendency of cases and to reduce the delay. What course of action is to be resorted to have technology friendly courts? (4

CHAPTER III

AIM & OBJECTIVES

AIM:

To perform statistical analysis of the exhibits or material objects sent to **FSL Mangalagiri** and **Regional Forensic Science Laboratory Vijayawada** in civil cases from 2007-11 and in criminal cases from 2017-19.

OBJECTIVES:

1. To determine the no. of exhibits sent to forensic science laboratories in both criminal and civil cases.
2. To identify number. of cases given judgement based on FSL reports.
3. To determine the time period of getting FSL reports back.
4. To identify, do the exhibits sent to FSL'S are fit for examination or not.

CHAPTER IV

MATERIALS & METHODOLOGIES

The materials required to collect the data are:

1. The records of FIR index of 174Cr.p.c and the case files with the forensic reports.
2. The civil records maintained by the court of law and their FSL reports are been examined.

METHODOLOGY:

The cases of criminal are been collected by going to Yeleswaram Police station and going through the FIR index and also the cases under 174Cr.p.c in which the samples of viscera are sent to forensic science laboratories.

In civil cases by checking the records of cases in which the samples are sent to FSL and the judgement given in that particular case are been observed and noted clearly.

CHAPTER V

OBSERVATION TABLES

CIVIL CASES OBSERVATION TABLE

| Sr.no | Type of case | Year | Sent samples to FSL | Punishment given | section | Duration |
|-------|--------------------------|------|---|----------------------|-------------|----------|
| 1. | Finger prints forgery | 2011 | Hand writing Samples of both accused and complainant | In process | I. p. c 463 | 6months |
| 2. | Signature forgery | 2019 | Sample signatures of accused & complainant along with questioned document | Suit is dismissed | I. P. C 463 | 5 months |
| 3. | Thumb impression forgery | 2007 | Thumb impressions of both accused and plaintiff | Suit is dismissed | I. p. c 463 | 5 months |
| 4. | Finger prints forgery | 2009 | Finger prints of plaintiff & accused | Suit is dismissed | I.P.C 463 | 4 months |
| 5. | Signature forgery | 2008 | Sample Signatures of plaintiffs and accused | Favour of petitioner | I.P.C 463 | 4 months |

CRIMINAL CASES OBSERVATION TABLE

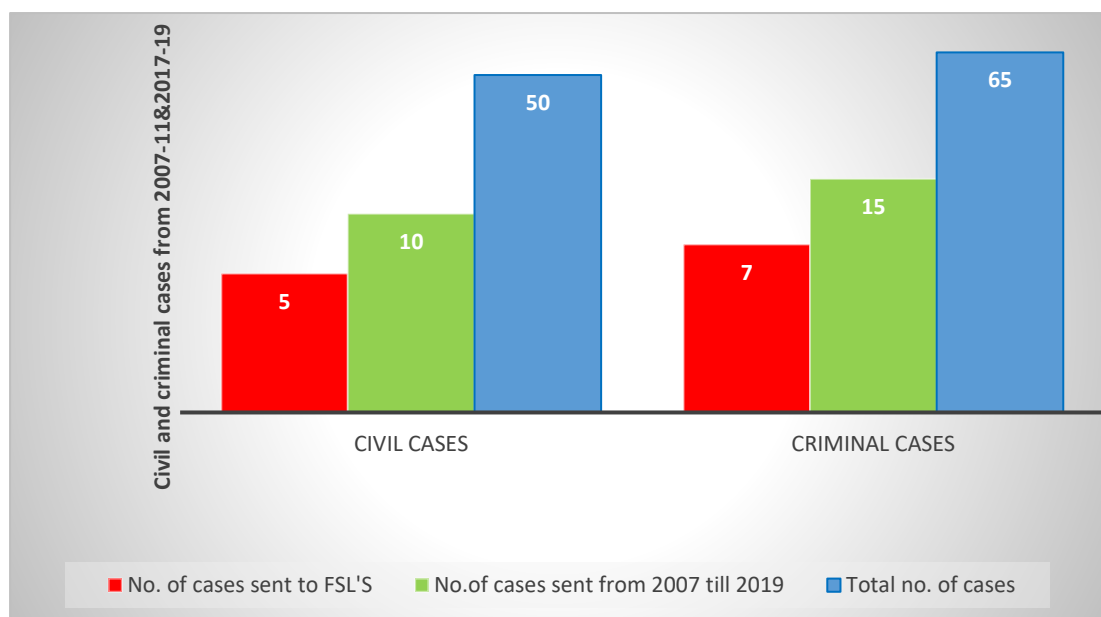
| Sr. no | Case type | year | Samples sent to FSL | Punishment given | section | Duration |
|--------|------------------------------------|------|--|----------------------|-----------------------------|----------|
| 1. | Cheque bounce | 2013 | Signatures of accused & complainant along with Q.D | In favour of accused | I. p. c 138 | 5 months |
| 2. | Murder | 2018 | Blood stained cloth, cement brick with dark brown stains | In process | 302 I. p. c | 3 months |
| 3. | Electric shock | 2019 | Visceral samples | Report yet to come | 304(II) | - |
| 4. | Death due to agriculture poisoning | 2017 | Visceral samples | - | 309 altered to 174 cr. P. c | 3 months |
| 5. | Drowning | 2019 | Stomach with contents and small intestine with contents | - | 174 cr. p. c | 2 months |
| 6. | Death due to hanging | 2018 | Visceral samples | - | 174 cr. P. c | 3 months |
| 7. | Death due to snake bite | 2019 | Visceral samples | - | 174 cr. P. c | 4 months |

Also there are about **9 criminal cases** which are sent to R.FSL Vijayawada and the report yet to come, and also **3 to 4 civil cases** in which the FSL reports yet to come. The FSL reports are a source to the court of law to know the cause of crime and by giving the opinion in that particular case the court of law can be taken decision to give judgement.

The impact of FSL reports in the above given cases shows how the FSL reports are acting to give their best in that particular case and the judgement given is favourable to justice.

OBSERVATION TABLE:

Bar graph showing the results of total no. of cases of criminal and civil cases sent to FSL, given FSL report and given judgement from 2007 to 2019.



The red colour indicates no. of cases sent to both Mangalagiri and Regional.FSL Vijayawada, green colour indicates no. of cases sent from 2007-2019 and blue colour indicates total no. of cases.

As compared to civil cases the role of Forensic reports in criminal cases is crucial and is very high.

CHAPTER VI

RESULT & CONCLUSION

RESULT:

The outcome of this project is based on the result of Forensic reports of no. of cases sent to FSL and no. of cases given judgement based on the opinion of Forensic reports given on particular case.

CONCLUSION:

I conclude that this project is not done by anyone till now.

Also I came to know that the Forensic Laboratory of Mangalagiri is not giving their interest in some cases, which is discussed in a criminal case of C.C: 41/2013 (CHEQUE BOUNCE) in which signature on front page is not been observed and not done any examination on that signature which results in judgement favour to the defendant or the accused.

CHAPTER VII

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