

**OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE (L&O)
PUDUCHERRY**

No. 571/SSP(L&O)-RR/2016

Dated: 15.04.16

NOTE

SUPD: 1
No. 2021/SPE/66/16
Court of India in 2010/04/16

Sub: Implementation of directions of Hon'ble Supreme Court of India in Criminal Appeal No.1485 of 2008 in 'State of Gujarat Vs. Kishanbhai' - Guidelines for prevention of mistakes committed by the IOs - Reg.

Ref: O.M. vide No. J/11016/5/2014/P3/H, dt. 23.02.16 of Home Dept., Puducherry.

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The Home Department, Govt. of Puducherry has communicated the following guidelines, drawn by the Directorate of Prosecution, Law Dept., Puducherry in order to prevent the mistakes, being committed by the Investigating Officers :

- a) The Investigation Officer shall approach the Directorate of Prosecution for legal guidance right from the beginning of the registration of a case or even before the registration of a case.*
- b) Only cases regarding heinous crimes are being referred to the Directorate of Prosecution; that too at the final stage for draft charge sheet. Hence, the Directorate finds it very difficult to correct the mistakes committed in investigation on collection of witnesses/evidence, recording of statements, seizures, etc. which are to be done with utmost diligence.*
- c) The Investigation Officers are also advised to seek the legal guidance of Directorate of Prosecution from the beginning, if a case is reported.*
- d) Refresher courses shall be conducted by the Officers of the Directorate of Prosecution, Public Prosecutors, Asst. Public Prosecutors and other Resource Persons and it should be attended by all the Investigation Officers, Inspectors, Sub-Inspectors including Asst. Sub-Inspectors, Head Constables and Police Constables.*
- e) The Officers of Directorate of Prosecution shall be invited to participate in every crime meeting conducted by the Police Department. Thereby, the prosecution will be able to supervise and find out whether the investigation is conducted in the right direction in the Police Department.*
- f) The Directorate of Prosecution is monitoring the functions of the Prosecutors. It will be much helpful if the Police Department provides the Directorate of Prosecution about the stage by stage progress of all cases.*

Wleb

All S.Os/cr. nathrupet for nla.

And

**SUPDT. OF POLICE (EAST)
PUDUCHERRY**

**Forwarded for Necessary action
Mut. PS / Kal. PS / O.P.**

INSPECTOR OF POLICE

g) *The Police Department should follow the guidelines / instructions given by the Hon'ble Supreme Court of India on 7.1.2014 in CrI. Appeal No.1485 of 2008, dated 7.1.2014 in "State of Gujarat Vs. Kishanbhai and Others" in letter and spirit.*

h) *If a case ends in acquittal, the erring investigation officer concerned should be held responsible for such acquittal and appropriate departmental action has to be initiated against him. The official concerned may be withdrawn from investigative responsibilities permanently or temporarily, depending purely on his culpability in the case.*

2. In this regard, all SDPOs, CIs & SHOs in Puducherry District are hereby directed to strictly ensure the above guidelines in letter and spirit. Any lapse in this regard will be viewed seriously.



(Dr. V.J. CHANDRAN, IPS)
Senior Supdt. of Police (L&O)
Puducherry

To : All SDPOs, CIs & SHOs in Puducherry District.

Copy for info. to :

1. The Inspector General of Police, Puducherry.
2. The Dy. Inspector General of Police, Puducherry.
3. The Addl. Secretary to Govt., Home Dept., Puducherry.