

MUTHIALPET CIRCLE  
No. 217/MC/CR/16  
Date: .....

OFFICE OF THE IGP  
PUDUCHERRY  
No. 968/CR  
Date 25/02/2016

No.J/11016/5/2014/P3/H  
Government of Puducherry  
Home Department

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1626/SP/CR/16  
OFFICE MEMORANDUM  
12/03/16

OFFICE OF THE DIGP  
PUDUCHERRY  
No. 411/CR/16  
Date 29/02/16

Puducherry, dt.  
23.02.2016

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

SP (HQ)  
No. 1119/LK  
Received on 02/03/16  
Despatched on .....

OFFICE OF THE SSP (HQ)  
PUDUCHERRY

No. 734/CR/2016

Received On 01/03/16

Despatched On 02/03/16

Kind reference is invited to the subject mentioned above.

2. The guidelines for prevention of mistakes committed by the Investigation Officers drawn by the Directorate of Prosecution, Law Department is given below:

(a) The Investigation Officer shall approach Directorate of Prosecution for legal guidance right from the beginning of the registration of a case or even before the registration of a case.

73/DE-1/2016

dt. 04.03.2016

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(b) Only cases regarding heinous crimes are being referred to Directorate of Prosecution that too at the final stage for draft charge sheet. Hence, 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.

DI GP 29/2  
SP/20/CR/16

(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) Directorate of Prosecution is monitoring the functions of the Prosecutors, it will be much helpful if the Police Department provides Directorate of Prosecution about the stage by stage progress of all cases.

SP (HQ)

SP DE Circulate

All SHO, CI, SP's and SPPTS

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

(h) If a cases 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.

IN

cc: Muthialpet for A/A

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

S.P. (EAST)

INSPECTOR OF POLICE  
MUTHIALPET CIRCLE  
PUDUCHERRY

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3. In this connection, the Inspector General of Police is requested to issue necessary instructions to all Police Officers/Personnel for strict compliance and to incorporate the guidelines in the training module. A copy of the instructions/compliance report issued in this regard may be forwarded to this Department for record.

// By order //

F.P. Verbina Jayaraj  
22/2/16  
(F.P. VERBINA JAYARAJ)

UNDER SECRETARY TO GOVERNMENT

To

The Inspector General of Police,  
Pondicherry.

Enclt : 1064/SP(HA)/DE.II/2016 dt. 04.03.2016

Copy Communicated for information  
and necessary action.

To : The SPs & CI  
Rashtro, Puducherry  
Karaikal, Mahe and  
Yanam.

I. N. N. N.  
SP (HA) 103

[S/A 101]

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