

**TAMIL NADU STATE JUDICIAL ACADEMY – HEADQUARTERS, CHENNAI**  
PROFESSIONAL DEVELOPMENT PROGRAMME-I FOR SENIOR CIVIL JUDGES (BATCH-I)  
01.08.2021

**Event Report**

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The Programme commenced with Mr. D. Lingeswaran, Director, TNSJA, providing a brief introduction to the various sessions and topics to be discussed, setting the tone for the day. In the first session the issues and challenges faced by judicial officers in medico-legal cases were presented by each group through their representative.

Mr. V. Jaikumar, Special Officer cum Additional Sub Judge, Pondicherry, from Group A discussed the various aspects of medico-legal evidence in cases dealt with by the Motor Accident Claims Tribunal. He also discussed about comparison of signatures and hand writings by the experts.

Mr. N.S. Jayaprakash, Special Sub Judge (MCOP), Tirupathur, from Group B presented the various difficulties involved in medico-legal cases. It was discussed that in case of contradiction between the doctor's report and eyewitness, the direct evidence i.e., ocular evidence is to be given more priority. It was discussed that the appreciation of evidence involves ascertaining whether the contradiction is material or simple and whether it goes to the root of the matter.

Ms. A. Daoudh Ammal, III Metropolitan Magistrate, George Town, from Group C presented a general overview of medico-legal cases and the various kinds of injuries involved. It was discussed that in medico-legal cases the treatment of the injured gets priority and thereafter the criminal procedure follows. The significance on the forensic laboratory in identifying the type of evidence

based on nature, condition, physical properties, class characteristics and individual characteristics were discussed.

Ms. A. Premavathy, Sub Judge, Mannargudi, from Group D discussed the concept of scientific investigation and the various challenges faced by judges with respect to expert opinion u/Ss.45-51, Indian Evidence Act. Further there were issues in comprehending the expert opinion report and arriving at a conclusion based on it. The aspect of using Sec.293, Cr.P.C. to mark the report without examining the expert was discussed. The complications arising in cases of electronic evidence and electronic signature u/Ss. 45-A & 47-A, Indian Evidence Act, 1872, expert not appearing when summoned etc., were also discussed.

**DNA Profiling and Significance of Forensic Evidence -  
Handwriting, Signature and Thumb Impression – Mr. D. Bhaskar,  
Deputy Director(Retd.), Forensic Sciences Department, Chennai**

The major points for discussion involved the method of DNA Analysis, newer methods for collecting blood samples such as the FTA card (blood card), maintenance of chain of custody, and the need to involve private forensic examiners as well. On the aspect of comparison of handwriting and signature & evidence, it was discussed that it is not easy to forge a signature, unless there is observation and practice. The various aspects of a signature like, slope, slant, individual characteristics etc., were also discussed. Further, the challenges in receiving contemporaneous writing, the ineffectiveness of examining the photocopy of handwriting were also discussed.

**Medico-Legal and Forensic Evidence in Criminal Trials – Dr. R. SelvaKumar, Professor and Head of Forensic Medicine, Kilpauk Medical College**

The discussion pertained to the estimation of age of juveniles, which is done by the doctor upon a referral by police, through physical, dental or radiological examination. In this regard, it was also discussed that no science is exact. It was discussed that the name of the doctor who collected the DNA sample should be mentioned. The resource person stressed that even private doctors should conduct medical examination for sexual offence cases. The resource person pointed out that doctors should understand their responsibility and the importance that the Court attributes to their opinion. Therefore doctors should substantiate their findings properly. The importance of the Medical Code and the need for its updation was highlighted in the discussion.

**Crime Scene Management/Investigation Mr. K. Pari, Assistant Director (Retd.), Forensic Sciences Department, Tamil Nadu**

The concept of crime scene investigation and management, which involves both laboratory work and field work, was discussed with an emphasis on murder for gain cases. It was discussed that a lapse at crime scene will affect the entire case. Forensic science refers to systematic study and application of scientific theory. The importance of securing the accused, preserving the crime scene, how efficient and speedy detection of the case has better chance of leading to conviction, and how to narrow down the culprit, material/physical evidence were discussed. The types of Scene of Crime (SoC), the tools assisting the experts, and the basic crime scene tasks involving protecting, evaluating, documenting, collecting and preserving of evidence, were also discussed. The resource person said that, when fingerprint evidence is conclusive, there is no requirement to go for DNA evidence. The significance

of adopting a systematic approach towards crime scene management was highlighted.

**Types of Injury - Dr. Manikandaraj, Senior Assistant Professor of Forensic Medicine, Kilpauk Medical College**

The different types of 'injury' were discussed with an emphasis on the major pitfalls in medico-legal cases, such as lack of a gazette notification for video coverage of blood sample collection for DNA analysis, not having a standard code on storing and disposal of such DNA samples. The need for judicial clarification on these aspects was also raised. The Programme ended with a collective and collaborative discussion, doubt clearing session and feedback, where a motion was moved to recommend the need to have the rules amended as necessary to bring clarity and accommodating appropriate suggestions from all the stakeholders for a workable mechanism for disposal of unexpended portions of DNA samples & material used for the same.

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