

POLICE INVESTIGATION COMPENDIUM

All Investigation Processes

Investigation of Certain Specific Type of Offences

Standard Operating Procedures (SOPs) in Several Cases

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Foreword

The voluminous compendium is a comprehensive coverage of all aspects of criminal investigations. It covers all investigations processes, investigation of specific offenses, organized crimes, standard operating procedures in many specific cases including homicide, dacoity and rape cases.

It even covers the origin, history and role of police in India, police investigation as such from registration of FIR, Management of Crime scene, collection of material evidence from the crime scene, preparation of panchnama, examination of witnesses, all aspects of arrest of accused, police custody, bail, remand, interrogation and investigative interviewing.

It also speaks about scientific aids to police investigation, role of Forensic Science, opinion of experts, technology integration in crime investigation and detection.

Provisions regarding Searches and Seizures under various provisions are listed.

Confessions, recovery U/s 27 of Indian Evidence Act, as well as Extra judicial confession are explained.

So also dying declaration, Test Identification Parade as well as recording of statement of witnesses u/s 164 CrPC as well as the importance of case diary u/s 172 CrPC are covered.

Report of police officer on completion of investigation u/s 173 CrPC, relevant legal provisions, review of evidence are explained with guidelines for finalization of case, preparation of charge sheet along with memorandum of evidence are all explained along with provisions of law and case laws.

Compounding of offenses u/s 320 CrPC as well as compounding of non-compoundable offenses are explained with provisions of law and even case laws.

Dealing with developing and maintaining confidential informants and sources and ethical management of sources and informants are given.

Elaborate coverage is there on investigation of specific offenses like cyber crimes, crime against women and children, Dowry death cases, economic crimes, suspicious death cases and multi-level marketing crimes.

Under each such class of offenses detailed provisions of IPC and special acts as well as the Indian Evidence Act, the mode of investigation, case laws, landmark judgments and the instructions of the government are given in detail.

There is an entire chapter devoted to organized crimes. Explaining the specific components constituting such crimes, the various provisions of law like NDPS Act dealing with drug trafficking, money laundering, hawala, fake Indian currency notes and the special procedure and care to be taken investigating such cases along with caution to be exercised in dealing with crime against women and children (POCSO Act) are given in details.

Very pragmatic and useful guidelines are given on common steps to be taken in the investigation of cases.

Inclusion of even the latest landmark judgments of the Supreme Court and the High Courts is the very valuable addition.

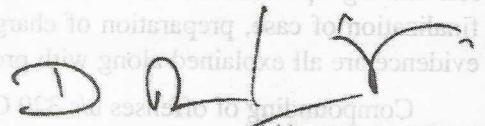
The author Ch. Malhal Rao who retired as DCP after 32 years of practical knowledge in policing has been working as guest faculty and as a Resource Person in several prestigious institutions like the National Police Academy, Telangana State Police Academy and Central Detective Training Institute. He has also published four books.

The co-author Shri N Aravind Prasad is an advocate practicing in the High Courts and Districts Courts. He has been conducting training classes for training police officers in the Telangana State Police Academy.

In investigation of cases under the increasing number of acts with frequent amendments and as interpreted by the Supreme Court and High Courts, the judgments can keep varying from time to time. Hence no compendium can claim to be complete and final.

But yet what has been attempted to be achieved by the authors in this "Police Investigation Compendium" is no mean achievement. It is a very valuable handbook for all investigating officers.

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FOREWORD

Rule of Law is the bed rock of Governance in a democratic society. The Rule of Law is enforced through two sets of institutions (i) Civil Justice System (ii) Criminal Justice System. The Police and Criminal Investigation constitute one of the four pillars of Criminal Justice System. The Criminal Investigation sets law into motion. Therefore, a fair and effective system of criminal investigation contribute for upholding of Rule of Law in a democratic society, *inter-alia* it helps in effective maintenance of public order and peace, protection of rights of citizens and equitable enforcement of Law and Justice.

The primary purpose of Investigation is to establish truth through a process of collection of evidence, identification of the violators of the law and presentation of the admissible evidence before the Court of Law. Given the immense importance of Criminal Investigation, it requires a professional approach in training of police officers in Criminal Investigations with a view to establish a well-trained cadre of professional investigators.

I am delighted to go through the present Compendium on Police Investigation written by Sri Ch. Malhal Rao, an accomplished police officer in collaboration with a legal expert. Sri Malhal Rao having begun his career in the erstwhile State of Andhra Pradesh as direct recruit Sub-Inspector, rose to the pinnacle of his career retiring as a Superintendent of Police (Non Cadre).

Sri Malhal Rao all through his career had been involved in investigation of criminal cases in various capacities which helped him to acquire the requisite expertise. Even after his retirement, Sri Malhal Rao has continued his passion in Criminal Investigations and involved himself as a trainer in training of the officers of Indian Police Service (IPS) at SVP National Police Academy and officers of State Police Service at the Telangana State Police Academy in the subject of Crime Investigation.

Sri Aravind Prasad Advocate at the High Court of Judicature of Telangana who is the co-author has been associated with the Telangana State Police Academy as a guest faculty in training Police Officers in Law and Criminal Investigations.

Having personally known Sri Rao for over (30) years as a very sincere, committed and professional police officer with a vast experience and expertise in the field of criminal investigations, Mr. Rao is well qualified to have written this Compendium on Criminal Investigation.

Police Investigation Compendium covers various aspects of practical application of law and police sciences in the field of Criminal Investigation. This compendium will assist and benefit in transformation of young recruit police officers into well trained professional investigators in addition to assisting the seasoned police officers in the field in enhancing their effectiveness in criminal investigations.

The compendium covers various aspects of investigative processes, the underlying theories and procedures that remain relevant throughout the career of a police officer. The craft of criminal investigation is well illustrated and the components of Crime Scene Management, Evidence Collection, Witness Management etc., are well documented as essential foundations of effective investigation. The reader gains an in-depth understanding, as he goes through various stages of crime investigation. I see this volume as a very useful hand book, having an enduring value to police officers of all levels involved in Criminal Investigations.


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FOREWORD

I am immensely pleased to go through the maiden Book of duo Shri Ch. Malhal Rao and Shri N. Aravind Prasad titled “POLICE INVESTIGATION COMPENDIUM” on the subject of “police investigation”. Shri Malhal Rao is a retired police officer with a lot of efficiency, knowledge and expertise in criminal investigation to his credit and is presently a faculty member in National Police Academy and Telangana State Police Academy and Sri N. Aravind Prasad, is a practicing Advocate with lot of academic knowledge and is a faculty member in State Police Academy and this rare combination produced the book.

I have no words to express my profound happiness for being honoured with this opportunity to write a Foreword. In my long career in the judiciary since 1984, I have never seen a book that details the procedure for investigation as thoroughly as this. This book not only deals with the process of investigation in traditional offences, but also other offences, such as, organized crimes, cyber crimes, economic offences, etc. So far, no author dealt with standard operating procedures (SOPs) in their books. It appears Sri Ch. Malhal Rao, out of his experience as police officer dealt with SOPs in Part - III and it is very useful, and I consider it as a novel feature in the book. The book teaches the do’s and do nots to the IOs, prosecutors and defence lawyer, which will prevent them from committing errors and blunders in discharging their duties. This book can be taken as a guide and treasure by the concerned for a flawless work in their field. What is great about this book is that the language used by the authors is plain and simple, such that even a layman can understand and benefit himself/herself.

After going through the book, I am reminded of the adage, “the more it is divided, the better it is known”. I sincerely express that this book is a first of its

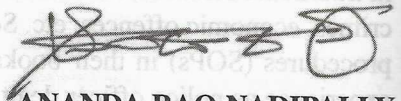
kind on the chosen topic and this will equip the IOs, prosecutors, lawyers and all the concerned with relevant law, procedure, techniques, tools, methods of approach and it makes them perfect.

This literature is based on investigation under the Code of Criminal Procedure, 1973. It is well known that the purpose of investigation is to lift the veil from truth regarding a given offence, so that a real culprit shall be brought before a court of law and an innocent is not troubled. The guiding principle behind the rules of criminal jurisprudence is that let hundred guilty may go unpunished, but one innocent should not be punished. Effective investigation becomes important in this context.

There is a dire need for an investigating officer- whatever designation they may take, to be equipped with law; procedures, techniques and commonsense for application of methods of investigation, to achieve the prime objective of investigation which is to unravel the truth or otherwise of the alleged offence.

This book, which is from the brains of a retired police officer and a practicing advocate, is a trove of practical knowledge, wisdom and insight into this field.

I hope and wish that this book will adorn the table and shelf of every police officer and prosecutor and library of every lawyer and libraries of various academies. I hope the practical oriented and enthusiastic authors would produce many more books of utility and use in the legal field in the coming years for the larger benefit of the civic society. The efforts of the authors and the publishers to serve and benefit the police and legal field by pouring in their valuable time in bringing this priceless book is highly appreciable and commendable. I wish the book to undergo many more editions with added latest material and techniques and case laws in the coming years.



ANANDA RAO NADIPALLY



Preface

The primary object of this book is to provide suggestions, information, instructions, as a learning process and procedure for young police officers in the entire process of investigation and this book works as a practical handbook for Young Investigating Officer's.

Significant efforts have been made to emphasize on the practical aspects of field duty to have better clarity, Comprehension and to empower the young investigating officers so that the field duties can be carried out efficiently assuring consistency. This book is also useful for researchers, teachers of law, law students, young advocates and practicing lawyers to know practical investigation procedures.

It is fact that the police investigation is the foundation on which the whole criminal trial depends. Efforts are made to show the different kinds of errors that could be and have been made in the different stages of investigation by police officers, that have led directly or indirectly to failure of justice.

The Part-I of the book explains about "***The Process of Investigation***" i.e. from commencement of investigation to conclusion of investigation and other relevant connected topics related to process of investigation.

The Part-II of the book deals with "***Investigation of Specific Offences and Organised crimes***" like Dowry death, SC and ST's (PoA) Act, Cyber Crimes, POCSO Act, JJ Act, Human Trafficking, Drug trafficking, Money laundering, Hawala and others cases.

The Part-III of the book exclusively deals with "***The Standard Operating Procedures***" (SOP's) and ***Practical guidelines*** in respect of Investigation of several types of cases. "SOP" is a comprehensive reference document to enable the police officers to deal more effectively in the investigation of cases. The SOPs in respect of investigation of cases Homicide, Dacoit, rape, Automobile crash, kidnap/abduction, burglary, snatching, cheating, etc. are provided.

Supreme Court Guidelines and several Judgements are incorporated in this book. Required Integrated investigation forms (IIFs) are also included in respective places.

This book is not and cannot be or otherwise used as any part of evidence either in court of law or in any other institutions but can only be used for the purpose of understanding the elaborate process of investigation in several types of cases. We have referred few books for educational purposes only and we express our profound gratitude to the eminent authors and publishers.

Firstly, we express our sincere gratitude to esteemed personality Dr. D. R. Kaarthikeyan IPS (R), PADMA SHRI Awarded by Government of India for writing a great foreword by explaining about the comprehensive coverage of chapters in the book.

We are profoundly thankful to our eminent Personality Sri. M. Mahender Reddy, IPS, Director General of Police – Telangana state for providing his precious foreword and for guiding, encouraging us in writing the book.

We extend our sincere thanks to our Prominent Judicial Officer Sri. Ananda Rao Nadipally, Honourable member (Judicial), Telangana State Human Rights Commission. The Support of Sri. Rao and his encouragement throughout this book is so valuable.

Finally, we specially thank our publisher's Sri. Sunil Gogia and Sri. Anil Gogia of Asia Law House, Hyderabad for publishing this book.

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