

Orissa Police
Criminal Investigation Department,
Cuttack.

POLICE CIRCULAR ORDER NO. 319 /2005

REVISED FORMAT FOR SUPERVISION NOTES OF SENIOR POLICE OFFICERS.

It is observed that very lengthy supervision notes are often being issued by Supervising Officers which are tedious and contain unnecessary details or repetition of same facts. It becomes difficult for the I.O. as well as other Supervising Officers to peruse such lengthy supervision notes. The S.O. must bear in mind that the purpose of supervision of a case is to optimise the time and resources of the I.O..

An ideal supervision note should contain only bare facts and be as precise as possible. In fact, an ideal supervision note should not exceed 4 to 5 pages.

Supervision notes should be written under the following headings. Headings not suitable to a particular case may be ignored and others added, if necessary.

1. INFORMATION :- a) Facts mentioned in the F.I.R. be narrated briefly, (detailed address of complainant and other persons mentioned in the FIR need not be repeated). Only a precis of the F.I.R. should be mentioned.

b) Actual facts ascertained by local inspection be noted. Any vital contradiction of the FIR be cited and discussed.

2. SPOT :- a) The spot should be discussed in brief, clearly indicating evidence available at the spot. Unnecessary details need not be given. Proper description of the spot is relevant only in property offence cases and in crime against the human body. Detailed description of the spot is not necessary in cases under sections 406 IPC, 409 IPC, etc.

b) A spot map should preferably be enclosed with the Supervision note.

3. INVESTIGATION :-

a) Prosecution witnesses :- Statements of prosecution witnesses should be recorded briefly. If more than one prosecution witness proves the same point, the statement of each witness need not be repeated. It will suffice to mention that witnesses B, C and D corroborate the statement of witness A.

b) Defence Witnesses :- The statement of defence witnesses, if any should be recorded in brief.

It should be mentioned whether witnesses examined for prosecution or defence are interested witnesses and plausibility, defects and discrepancies of their version be discussed.

The statement of the accused person/ persons should be recorded in brief and plea/ alibi, if any, should be thoroughly verified and discussed in the Supervision Note.

c) Facts, if any ascertained by inquiry, from confidential sources, records etc. be mentioned.

d) Medical Opinion, i.e. details of injuries noticed by the M.O. and his opinion about the nature and cause of injury be mentioned.

e) Inquest Report :- Details of the inquest report including detailed description of the dead body (col.4), injuries on the dead body (col.5) and probable cause of death (col.9 & 10) be mentioned.

f) Report of the Ballistic Examiner / Chemical Examiner's report / Report of the Handwriting Bureau/ any other expert opinion be mentioned.

In cases of homicide, murder, accident etc. in which Post-Mortem examination of the dead body is held, opinion of the M.O. in column VII of the Post Mortem report as to the cause of death should be given. If there is any discrepancy between the Inquest Report and the P.M. report, the same should be discussed in brief.

4. ACTION TAKEN :-

a) Searches:- Place of search and date and seizure, if any be mentioned briefly.

b) Arrests:- Date of arrest and bail, if on bail and if there is any deviation from the Hon'ble Supreme Court order be mentioned.

c) Co-operation with bordering police.

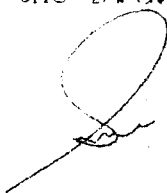
d) T.I. Parade held and result thereof.

e) Other action, Absconders, etc.

5. DEDUCTIONS :- Modus Operandi of the case, degree of knowledge and alternate theories be discussed briefly and clear opinion included about the sections of law applicable in the case and names of accused persons against whom evidence is available.
6. DEFECTS, DELAYS AND OMISSIONS IN INVESTIGATION BE MENTIONED BRIEFLY ON A SEPARATE SHEET.
7. INSTRUCTIONS TO I.O. : Only meaningful and actionable be given.

A sample supervision note is attached for guidance.

This issues with the approval of the D.G.P..


10/1/05
Spl. D.G. of Police, C.I.D.,
Orissa, Cuttack.

MODEL SUPERVISION NOTE

1. INFORMATION :

On 30.5.94 at 10.30 P.M. complainant Sri Gangadhar Rout, reported orally at the P.S. to the effect that on the previous evening at about 10 PM, on hearing an alarm raised by some people, he rushed out of his house to the village road and found Faji @ Franallad Rout's wife, lying on the road with bleeding head injury. Karunakar Fadhi, Sarat Behera and others, who were already there, informed him that Faji had severely assaulted his wife and fled away. He along with Purna Nayak, Bhagirathi Behera and others brought her to village Badapokhari. She was unable to speak at that time. He left her on the verandah of Rabindra Rout's shop and went to fetch a trolly rickshaw. On his return at about 11 PM, he found that the victim had succumbed to the injuries. He further added that Faji and his wife used to quarrel frequently as Faji was suspecting her fidelity.

I supervised the case on _____ and the I.O. _____ attended my supervision.

2. S P O F. :

The spot in this case is located at village Badapokhari, about 12 kms. north-east from the P.S. A village road runs in east-west direction through village Badapokhari. This village road is located about 600 feet from the house of the deceased.

During spot visit, the IO found a patch of blood near the small culvert located in front of the deceased's house, another patch of blood was found west to the first patch of blood about 75 Ft. away, where the victim was found lying on the road by witnesses. It appears that the accused and his wife quarrelled suddenly when both of them had been to attend the call of nature and the husband severely assaulted the victim, who fled towards the village road, but was chased by the accused and assaulted near the culvert where a patch of blood was found. The victim fled further towards west and fell down on the road after covering a distance of about 75 ft. where, patch of blood was found. The accused fled away towards

village Badapokhari as the weapon of offence i.e. axé with a wooden handle was found in a bush, by the side of the road at a distance of about 525 ft. from the culvert.

Except two patches of blood found on the road and the axe having blood stains recovered from the bushes ~~XXXX~~ by the side of the road, no other incriminating material was found at the spot or in the house of the accused.

2. INVESTIGATION :

(a) Prosecution Witnesses

(i) Jayadhar Rout, the complt. fully corroborated the incident as narrated in the FIR. He further added that on the date of occurrence, on reaching the spot, where the victim was found lying, he had heard the mother and the sister-in-law of the accused telling the people, who had gathered there, that Paji had severely assaulted her a little while ago and fled away.

(ii) Nishakar Rout, the youngest brother of the accused, proved that on the date of occurrence, while he along with Ajay Ku. Panda and Naru was proceeding towards village Masalpur to witness an Opera show, on the way, he heard an alarm and rushed towards the spot. On reaching the spot he found his sister-in-law (wife of Paji) lying in a pool of blood on the village road. He rushed to Pravakar Sahu, the Sarpanch and informed him about the incident. While his sister-in-law was being shifted for medical treatment she succumbed to the injuries on the verandah of the tailoring shop of Rabindra Rout. He further added that, he learnt from Ashan Rout, W/o Sambhunath Rout (his second brother) that Paji and his wife had gone out to the field after dinner and soon after she was found on the village road with bleeding head injury and Paji had fled away apparently after severely assaulting her. He further proved that Paji and his wife used to quarrel often as the former was suspecting her fidelity.

(iii) Sambhunath Rout, the elder brother of the accused, proved that on the date of occurrence he had gone to his father-in-law's house to village Garurhota. By about mid night of the same day Nisakar Rout and others of his village went to and informed him about the incident. He immediately returned

his house and learnt from his wife (Ashan Rout) that about 9.30 P.M. that evening Faji and his wife had gone to the field together, but soon after Faji's wife was found on the village road with bleeding injury and Faji was missing. Apparently, Faji had severely assaulted his wife and fled away.

(iv) Karunakar Padhi @ Umakanta, S/o Dibakar Padhi of village Jayanarayanpur Sasan, PS-Cupada proved that on 30.5.94 at about 9.30 P.M. after the day's work was over, while he along with Upendra Padhi was going to his village, suddenly a lady came on the village road holding her head in both her hands and fell down. In the light of his lantern he found her bleeding profusely from her head. He raised alarm, hearing which many villagers gathered there. Soon Nisakar Rout also arrived there and identified his sister-in-law. Soon after, Nisakar Rout's mother and elder sister-in-law arrived there and, after seeing the victim's condition told those gathered there that Faji and she (victim) had gone to the field together after dinner a little while ago and obviously Faji had severely assaulted her and fled away.

(v) Upendra Padhi S/o Gauranga Padhi of village Jayanarayanpur fully corroborated the statement of Karunakar Padhi @ Umakanta.

(vi) Purna Nayak S/o Kailash Chandra Nayak of village Badapokhari proved that on 30.5.94 at about 10 PM he reached the spot hearing an alarm raised by people. There he saw Faji's wife lying on the road with bleeding injury on her head. He heard the mother-in-law and the sister-in-law of the victim telling the gathering that Faji had gone to the field after dinner along with the victim and apparently he had severely assaulted her and fled away.

(vii) Bhagirathi Behera, S/o Shyam Sundar Behera of village Badapokhari proved that on 30.5.94 at about 10 PM while he was returning from the village market he heard an alarm raised by people. On reaching the spot he found a lady lying on the road with head injury. He heard from the victim's mother-in-law and the sister-in-law as well as other villagers that her husband namely Faji had severely assaulted her and fled away.

(b) Defence witnesses :- Nil.

(c) Facts ascertained from confidential sources/records etc.

Supervision and investigation revealed that the victim was married to the accused in the month of June last. There was no dispute relating to dowry. However, since their marriage the accused began suspecting her fidelity which led to frequent acrimonious bouts between the two. The present incident appeared to be a fatal culmination of their strained relationship.

(d) Medical Opinion :- N.A.

(e) Inquest report :

Inquest was held on the dead body of Jasodha Rout w/o Paji @ Frahallad Rout on 31.5.94 between 8.00 AM to 10 AM by the IO in presence of an Executive Magistrate. The I.O. noted a deep wound on the head, above right ear, of the deceased.

P.M. report

Autopsy of the dead body was conducted on 1.6.94 at 1 P.M. by Dr. Sunandan Barik of S.D. Hospital, Nilagiri. The M.O. noted the following injuries :-

1. Incised wound - 2" x 1 1/2" x bone deep, over right temporal region, 2 cm. above the right ear.
2. Fracture of underlying temporal bone, 1-1/2" x 1/4" x total bone deep.

On dissection the brain was found intact, soft and pulpy.

There was no discrepancy between the Inquest report and the Autopsy report.

The M.O. opined that time since death was within 48 hours from the time of post-mortem examination and cause of death was due to injury to vital organ i.e. brain causing shock and haemorrhage.

4. Action taken :

(a) Searches & seizures.

The I.O. searched the house of the accused on 31.5.94 but did not get anything incriminating.

The I.O. seized the following on 31.3.94.

1. One axe with wooden handle having suspected blood stains, from the bushes from near the spot (weapon of offence).
2. Blood stained earth and sample earth.

3. Blood stained wearing apparels of the deceased, seized on 2.6.94 after the F.M. examination.

b) Arrest :- The accused has not yet been arrested as he absconded soon after the occurrence.

7. Deduction :

In this case there is no eye-witness to the occurrence. However, the mother-in-law and the sister-in-law of the victim had seen the victim and the accused going to the field together at about 9.30 P.M. on 30.5.94. A little while after their departure an alarm was raised by two persons on seeing the victim with bleeding injury on her head. There was no trace of the accused anywhere near the spot soon after the occurrence. The accused has been absconding since then which proves his subsequent conduct.

A little distance away from the spot the weapon of offence i.e. axe having suspected blood stains was found in a bush. This axe has been identified by Nisakar Rout, the younger brother of the accused and his mother as theirs. Hence, even though there is no eye-witness to the occurrence there are at least two witnesses who had seen the accused and the victim going out together just before the occurrence. Hence, theory of 'last seen' will be applicable in this case. Besides, the accused has been absconding since the time of occurrence that amply proves his subsequent conduct and the same will be admissible U/s 8 of the Evidence Act.

However, there is some inherent infirmity in the prosecution story as two key witnesses in this case are close relatives of the accused namely, his mother and elder sister-in-law who are likely to turn hostile during the trial. Hence, the prosecution has to make that much extra-effort to buttress the evidence by examining more number of independent as well as reliable witnesses.

It is a true case u/s 302 IPC against Faji @ Frahallad Rout.

5. Instructions to the I.O.

- The I.O. is instructed to carry out the following :
1. He will make sincere efforts to arrest the accused persons immediately and interrogate him thoroughly.
 2. On arresting the accused he will collect his nail clippings and send them to the SFSL to detect blood, if any, and determine its group.
 3. He will make sincere efforts to find out other chance witnesses to the occurrence, if any.
 4. He will examine the mother-in-law and the sister-in-law of the victim and record their statements u/s 161 Cr.P.C.
 5. He will record statements of Gangadhar Rout, Nisakar Rout, Sambhunath Rout, Karunakar Fadhi, Upendra Padhi, Bhagirathi Behera and Pravakar Sahu u/s 161 Cr.P.C.
 6. He will send the weapon of offence, wearing apparels of the deceased and other M.O. exhibits immediately for chemical examination to trace out blood of human origin, if any, and determine the blood group.
 7. He will examine the neighbours who had knowledge about frequent quarrel between the victim and her husband, record their statements and also record the cause of such quarrels.
 8. He will examine independent witnesses, who attended the funeral rites of the victim, to prove that the accused did not attend the same though it is considered mandatory for a Hindu male to attend funeral rites of his wife. It will also prove his subsequent conduct.

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