

SUBJECT : LAW OF EVIDENCE
SUBJECT CODE : H3JI

Objectives of the Course :

Origin and the Inception of Act, 1872 – Evidentiary value and administration of justice. The obligation duty of the Court of Justice on the mode of Proof - Trial and the Evidence Law – Co – Relation and applicability.

UNIT – I : Preliminary

Indian Evidence Act, 1872 – scope, object and applicability of Indian evidence act and exclusion – Statutory definition. Indian Law of Evidence and English Law of Evidence – Comparison – Constitutional perspective of Evidence – Golden Rule Evidence, Presumption of Law and fact – Kinds of Evidence.

UNIT – II : Relevancy of Facts

Relevance of facts and admissibility of facts – Res Gestae – Hearsay. Occasion, cause and effect etc., - Motive, preparation and conduct – explanatory facts – Acts of conspirators – When facts not otherwise relevant become relevant – Facts determining quantum of damages – customs – State of mind, body or bodily feeling – Similar facts – Course of business. Admission and confession.

UNIT – III : Relevancy of Third Person Evidence

Relevancy of statement made by person who cannot be called as witness. Relevance of Judgements of Courts. Relevance of opinion of third persons – Expert Cases. Law of Forensic Science – Forensic Institutions – Principles of Forensic Science proof and Forensic technology – Forensic science and criminal Justice system – Criminal trial, Scientific Examination and Expert witness u/s 112A. Relevance of character in civil and criminal cases.

UNIT – IV : of Proof

Facts which need not be proved – Judicial notice – Modes of Proof – Oral Evidence – Hearsay evidence – Exceptions – Primary and Secondary evidence – Documentary evidence – Documents – Public and private documents – Presumptions as to the documents – Exclusion of oral evidence by documentary evidence . Burden of proof – Rules relating to burden of proof and Doctrine of Estoppel.

UNIT – V: Witnesses

Witnesses – Categories of witnesses – communications – Accomplice – Examination of witnesses – questions to be and not to be asked – Hostile witness – Impeaching credit of witness – Refreshing memory – Judges question – Appeal against improper admission and rejection of evidence.

Books prescribed:

1. Ratanlal : Law of Evidence
2. Avatar Singh : Law of Evidence
3. Vepa Sarathi : Law of Evidence
4. Dr.V.Krishnamachari : Law of Evidence
5. P.S. Achutan Pillai : Law of Evidence
6. B.R. Swarna : Forensic Science in criminal trial and Investigation

Books for Reference:

1. Sankar : Law of Evidence (2 Volumes)
2. Sir John Woodroffee and Syed Amir Ali : Law of Evidence (4 Volumes)
3. Walls H.J. : Forensic Science
