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CASE COMMENT: K.P. TAMILMARAN V. STATE BY DEPUTY SUPERINTENDENT OF POLICE (2025)

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ABSTRACT

CITATION: 2025 SCC INSC 576

BENCH: JUSTICE SUDHANSHU DHULIA.

JUDGEMENT: April 28, 2025

In the areas of "honour killings," police accountability, caste-based violence, and evidentiary jurisprudence in India, the Supreme Court's ruling in *k.p. tamilmaran v. state by deputy superintendent of police*¹⁶⁷ are a significant ruling. It shows the Court's strong stance against crimes motivated by caste, its stress on strict investigation standards, and its reaffirmation of changing principles of evidence (particularly with regard to hostile and related witnesses). At least three intersecting domains are affected by the ruling:

- (i) Criminal accountability of public servants (especially police officers) in caste atrocity cases;
- (ii) Evidentiary doctrine regarding hostile/related witnesses and judicial powers under CrPC s. 311/Evidence Act s. 165; and
- (iii) Police duty to register FIRs suo motu and investigate cognisable offenses without prejudice, particularly in cases involving members of Scheduled Castes.

Keywords: Honour Killings, Cast Based-Violence, CrPc section 311, evidentiary jurisprudence

GRASP - EDUCATE - EVOLVE

¹⁶⁷ 2025 SCC INSC 576

BACKGROUND AND FACTS OF THE CASE

The lawsuit stems from a violent intercaste murder that took place in Tamil Nadu in July of 2003. As stated in the record: In defiance of caste boundaries, a young couple, Murugesan (Dalit) and Kannagi (from the majority Vanniyar caste), got married. A gang of people (A1–A13) lured, kidnapped, tortured, and poisoned them with a lethal insecticide (Nuvacron) in a cashew orchard before secretly cremating their bodies. Two police officers, A-14 and A-15, were among the fifteen accused that were put on trial. Thirteen of them were found guilty by the trial court in 2021: A-1 to A-3, A-5 to A-8, A-10 to A-13 under IPC S. 302¹⁶⁸ read with 149¹⁶⁹ and other offenses; A-2 (Kannagi's brother) was given the death penalty; A-14 (SI) and A-15 (Inspector) were found guilty under IPC Ss. 217¹⁷⁰, 218¹⁷¹ and SC/ST Act Ss. 3(2)(i)¹⁷², 4¹⁷³ for failure of duty and fabrication of evidence. On June 8, 2022, the Madras High Court changed various convictions and penalties in response to an appeal: A-2's death sentence was converted to life; A14's conviction under some counts was overturned, and his sentence was lowered from life to two years; several accused were found not guilty. On April 28, 2025, the Supreme Court heard the appeals and rendered its decision.

ISSUES

The issues in the *k.p. tamilmaran v. state by deputy superintendent of police* case were:

- 1. Prosecution evidence's sufficiency and dependability:** Specifically, how to handle hostile witness testimony, related witness testimony, the 18-year trial delay, and the utilization of Section 311 CrPC¹⁷⁴ and Section 165¹⁷⁵ Evidence Act powers to call more relevant witnesses.
- 2. Liability of public servants (police**

officers): Under IPC Ss. 217¹⁷⁶ & 218¹⁷⁷ for abuse of the official position, and under SC/ST Act Ss. 3(2)(i)¹⁷⁸ & 4¹⁷⁹ for offenses pertaining to members of Scheduled Castes, such as failing to register a formal complaint, conspiring to implicate innocent Dalit's, and suppressing evidence.

3. Police duty to file a FIR suo motu: In accordance with the ruling in *Lalita Kumari v. Govt. of U.P. (2014)*¹⁸⁰, the question is whether a police official may disregard information about a crime that is punishable by law, postpone registration, or tamper with an investigation.

4. Judicial activism and trial fairness: The ability of courts to actively seek the truth (under s. 311/165) as opposed to merely acting as passive arbiters, particularly in crimes of great social significance (such as honor killings).

5. Sentence and compensation: The proper severity of punishment for "honour killings" and the State's duty to compensate victims for shortcomings in the state apparatus and investigation.

JUDGMENT & REASONING: A summary of the Court's reasoning on the main points is provided below:

A. Evidentiary standards and hostile/related witnesses: The Court reiterated that just because a witness is deemed "hostile" or is a relative of the deceased does not automatically mean that their testimony will be rejected under Indian law. Based on precedents like *Sat Paul v. Delhi Administration*¹⁸¹ and *Jaikam Khan v. State of U.P.*¹⁸², it concluded that the fact-finder has the discretion to consider all of the testimony and rely on the portion that is unquestionable.

The Court emphasized that each piece of evidence must be evaluated on its own merits and that the legal maxim "*falsus in uno, falsus*

¹⁶⁸ Indian Penal Code, 1860, s 302

¹⁶⁹ Indian Penal Code, 1860, s 149

¹⁷⁰ Indian Penal Code, 1860, s 217

¹⁷¹ Indian Penal Code, 1860, s 218

¹⁷² SC/ ST Tribes (Prevention of Atrocities) Act, 1989, S 3(2)(i)

¹⁷³ SC/ ST Tribes (Prevention of Atrocities) Act, 1989, S 4

¹⁷⁴ Code of Criminal Procedure, 1973, s 311

¹⁷⁵ The Indian Evidence Act, 1872, s 165

¹⁷⁶ Indian Penal Code, 1860, s 217

¹⁷⁷ Indian Penal Code, 1860, s 218

¹⁷⁸ SC/ ST Tribes (Prevention of Atrocities) Act, 1989, S 3(2)(i)

¹⁷⁹ SC/ ST Tribes (Prevention of Atrocities) Act, 1989, S 4

¹⁸⁰ AIR 2014 SUPREME COURT 187

¹⁸¹ AIR 1976 SC 294

¹⁸² Appeal Nos. 434-436 of 2020

*in omnibus*¹⁸³ has little bearing on our criminal justice system. Despite hostilities, the Court determined that important portions of the evidence in this case such as eyewitness accounts (PW-49, step-mother), witnessing family members (PW-1 father), and other corroborating material were trustworthy and adequate to prove guilt. The Court additionally stated that "related witnesses" such as the deceased's relatives are natural witnesses and cannot be disqualified based just on their relationship. "Due care and caution" must be used when examining their proof.

B. Authority under Section 165 of the Evidence Act and Section 311 of the CrPC

The Court emphasized that courts must actively seek the truth rather than passively. Applying the three-judge bench's ruling in *Ram Chander v. State of Haryana (1981)*¹⁸⁴ to this fact-rich case, the Court determined that the use of s. 311 to call additional witnesses (PW-49) was legitimate.

It further claimed that the Court may recall witnesses, ask questions, and make sure that technicalities do not undermine justice under s. 165 of the Evidence Act.

C. Police Officer Liability and the Need to File a FIR

The judgment's treatment of the police officers is among its most important aspects (A-14 & A-15). The Court decided that: The investigating authorities breached the well-established doctrine in *Lalita Kumari v. Govt. of U.P.*¹⁸⁵, which states that the responsibility to record a FIR is mandatory, by failing to do so even if cognisable information was available. In order to unjustly blame Dalit's and protect the culprits from the dominant caste, A-15 (Inspector) purposefully falsified evidence and twisted the inquiry. The Court determined that

this violated SC/ST Act Ss. 3(2) (i), 4, and IPC Ss. 217, 218. Both A-14 and A-15 were found guilty (though A-14 was found not guilty on one count), and A-15's life sentence was affirmed. This establishes a benchmark for conviction.

Both A-14 and A-15 were found guilty (though A-14 was found not guilty on one count), and A-15's life sentence was affirmed. This establishes a benchmark for punishing public employees for failing atrocity investigations.

D. honour killing and penalties :

The Court noted that "honor-killing, as these are called, must get a strong measure of punishment," characterizing the conduct as "a wicked and odious crime" based on caste honor and feudal logic from the colonial past. In addition to ordering compensation of ₹5 lakh to the parents and stepmother of the murdered couple, it affirmed life sentences for key criminals and declined to overturn the High Court's reduction of the death sentence to life (for A-2).

Critical Reflections:

Although the ruling is praiseworthy and groundbreaking in many ways, some aspects call for careful consideration:

I **Trial Delay:** The incident occurred in 2003, and the trial was finished in 2021 (18 years later). Although the Court recognized the negative effects of delay (such as witness memory loss, animosity, etc.), systematic delays between states and the enforcement of prompt justice in atrocity cases may have been more forcefully addressed in the ruling.

II **Witness Protection & Hostility:** Despite the Court's strong handling of hostile and connected witnesses, the systematic problems of witness intimidation and threats in caste-atrocity cases are still not sufficiently handled. The impact would have been greater if there had been a broader conversation about bolstering witness protection systems.

¹⁸³ "Falsus in uno, falsus in omnibus" is a Latin legal maxim meaning "false in one thing, false in everything," which suggests that a witness who lies about one part of their testimony is not credible for any part of it.

¹⁸⁴ 1981 AIR 1036

¹⁸⁵ AIR 2014 SUPREME COURT 187

III Compensation and State Duties:

Although compensation was mandated, the Court may have made it clearer that the State is required by law and constitutional rights to offer institutional remedies rather than merely ad hoc compensation to victims of police failure in atrocity cases.

IV Implementation of Standards: While the principles outlined in the ruling such as suo motu FIR registration, the proactive role of courts, and the tough treatment of police complicity are wonderful in theory, there may be ways to ensure their implementation in less dramatic circumstances

V Scope of Public Servant accountability: Although A-14 and A-15 were found guilty; the Court could have provided greater doctrinal clarity on institutional reforms by delving deeper into the ways that systemic factors (such as police culture and caste supremacy) interact with individual accountability.

Importance and Consequences:

- The ruling makes it clear that courts will not let caste-based "honour" crimes go unpunished and that both complicit police officers and offenders from dominant castes would be held fully accountable for their actions.
- It strengthens and explains the doctrine, which states that hostile witnesses should not be disregarded in and of themselves. Instead of using mechanical methods, courts should actively assess testimony and identify believable portions.
- It reaffirms the proactive role of courts and investigating agencies in atrocity crimes: if justice demands more, courts should not wait passively for the adversarial conflict to develop or wait for formal complaints before registering FIRs.
- The case turns into a great teaching resource for criminal procedure, evidentiary law, moot court issues, and socio-legal studies that explores the relationship between violence, caste, and the criminal justice system.

- The ruling emphasizes the need for supervisory procedures for police investigations in caste/atrocity cases, witness protection programs, and prompt trials for such offenses in terms of legislative reform.

Conclusion

For India's criminal jurisprudence on caste-based violence, evidentiary law, and police accountability, *K.P. Tamilmaran v. State*¹⁸⁶ is a seminal ruling. It emphasizes that the poisonous logic of caste honour crimes cannot be tolerated by the promise of equality and dignity found in our Constitution, and that the state apparatus (police, courts) must act swiftly, fairly, and courageously. The case provides rich material on how criminal procedure, evidentiary law, and the realities of caste-violence converge in India's socio-legal ecosystem for both academics and practitioners. Although there are still operational issues, this ruling has greatly advanced the doctrinal foundation.

¹⁸⁶ 2025 SCC INSC 576