

FROM CUSTODY TO COURTROOM: EVALUATING FORENSIC INVESTIGATION IN CASES OF DEATH UNDER POLICE CONTROL

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ABSTRACT

Custodial deaths are considered one of the gravest violations of constitutional governance, directly implicating the principle of the State's duty to safeguard life and dignity under Article 21 of the Constitution of India. In recent years, there have been several reported incidents regarding the custodial deaths of accused across various states that create a national debate on accountability, transparency, and the effectiveness of investigative procedures. And in those such cases, Forensic Science becomes the principal instrument through which truth can be abstracted, and the responsibility is determined. However, whereas the judicial safeguards have developed over the years through significant judgments such as D.K. Basu vs. State of West Bengal, the operational integrity and judicial assessment of forensic evidence in custodial death cases are still inadequately explored.

This paper critically assesses the forensic evidence chain from the autopsy table to the judicial bench, scrutinizing forensic pathology, injury pattern analysis, toxicology, digital evidence preservation, and chain-of-custody practices. It also explores procedural and evidentiary reforms brought about by the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Sakshya Adhinyam, 2023, specifically the focus on forensic directives and digital documentation. The paper reveals a structural deficit between forensic investigation and judicial assessment, contending that the institutional dependence of forensic agencies on police frameworks and disparities in evidentiary standards corrode the efficacy of accountability. It ends with recommendations for forensic empowerment, scientific integrity, and a legitimate transition from custody to courtroom justice.

INTRODUCTION

Death under police custody or control is one of the most severe challenges to constitutionalism and the rule of law. When the State denies a person from their personal liberty through arrest or detention, it assumes a special responsibility of care and accountability. Death in such circumstances is not merely a crime but a constitutional occurrence, which falls within the ambit of Article 21 of the Indian Constitution, which guarantees the right to life and personal

liberty. The judiciary has consistently held that violence and torture in custody are a direct attack on human dignity and constitutional legitimacy. There have been recent instances of deaths in police custody in different states in which trial is ongoing, and many cases are still pending over the years. In such a situation, it is forensic science that becomes the main tool for reconstructing truth. The cause, manner, and timing of death are largely determined through medical and scientific analysis, such as post-

mortem analysis, documentation of injury patterns, toxicological analysis, and analysis of digital evidence. It is therefore that the process of “custody to courtroom” is greatly influenced by the integrity, independence, and scientific validity of forensic science.

Custodial torture is not permissible or valid whether it is during investigation in custody or otherwise. There is a Latin maxim **Salus populi est supreme lex** which means the safety of the people is supreme law.⁷⁶ The torture and custodial deaths have always been condemned by the Hon'ble courts and even in the 113th Law commission report they have mentioned that if detainees have been injured during custody it is presumed that the particular injury is caused by the police unless contrary evidence is produced.⁷⁷ Forensic pathology is crucial in custodial death investigations, but structural issues like organizational ties and evidentiary bias can undermine its effectiveness.

The recent transformation of the Indian criminal justice system through the passage of the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, and the Bharatiya Sakshya Adhinyam, 2023 brings a fresh focus on forensic science analysis and digital evidence. The procedural code now requires forensic analysis in designated categories of grave offenses and improves the evidentiary framework for electronic and scientific evidence. The research examines the trajectory of forensic evidence in custodial death cases, assessing the effectiveness of legal frameworks, institutional structures, and scientific practices in bridging the gap between investigation and courtroom adjudication. The study aims to contribute to strengthening transparency, scientific integrity, and State accountability in India's criminal justice system.

⁷⁶ The welfare of the people shall be the supreme law.” It underscores the fundamental principle that the collective welfare and safety of society take precedence over individual rights or interests when the two come into conflict. The maxim often guides governments and courts in creating and enforcing laws that serve the public good, especially in scenarios of public emergencies or where societal interests outweigh private concerns.

⁷⁷ *Salus populi est suprema lex* (The welfare of the people is the supreme law), Marcus Tullius Cicero, *De Legibus*, Book III, §3.

Scope of the Study:

This study analyses the procedural and forensic obligations mandated under Section 176 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), specifically the obligatory forensic analysis by the visiting expert and videography for crimes. In the context of custodial death cases in India, specifically the recent occurrences in Tamil Nadu, such as Ajith Kumar in 2025, with 44 recorded injuries, this study assesses the efficacy of these requirements in the face of structural challenges such as forensic laboratory arrears and police-dominated crime scenes. It also encompasses the analysis of forensic independence through NHRC panel guidelines, crime scene preservation difficulties in custodial settings, evidence integrity through chain-of-custody principles under BNSS Section 193(3), and the judicialization of scientific conclusions, for torture wounds, through the Bharatiya Sakshya Adhinyam, 2023.⁷⁸ The study also encompasses judicial enforcement trends since the 2024 reforms, with insights from the D.K. Basu guidelines,⁷⁹ and the need for reform in independent investigations to fill the conviction rate gap, with data from the NHRC indicating 27 deaths in Tamil Nadu between 2021 and 2025.

Research Gap:

Though custodial deaths have been widely studied from a constitutional and human rights point of view, there is limited research that specifically examines the forensic aspect of such deaths from custody to court. There is a lack of research that systematically examines the forensic investigation process, such as crime scene preservation, post-mortem examination standards, digital evidence collection, and adherence to the legal mandate under Section 176(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023⁸⁰, and its impact on the evidentiary outcome at the trial. There is also a

⁷⁸ The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023), s. 193(3).

⁷⁹ D.K. Basu v. State of West Bengal, (1997) 1 SCC 416 (SC) – laying down guidelines to prevent custodial violence and regulate arrest procedures.

⁸⁰ The Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023), s. 176(3)

lack of research that examines the effectiveness and courtroom outcome of mandatory forensic participation and whether it makes any difference in accountability or is merely a procedural requirement. This research gap is addressed by this research, which critically examines the effectiveness, autonomy, and court outcome of forensic procedures in custodial death cases under the new criminal law regime.

Objectives

1. To examine the constitutional and statutory provisions relating to custodial deaths in India, particularly under Article 21 of the Constitution of India and the new criminal laws.
2. To analyze the role of forensic investigation in the determination of the cause, manner, and accountability of death occurring under police custody.
3. To evaluate the effectiveness of procedural safeguards, including the mandatory involvement of forensic experts under Section 176(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.
4. To assess the value of forensic and digital evidence in the trial of cases, particularly under the Bharatiya Sakshya Adhiniyam, 2023.
5. To identify the gaps and suggest reforms to ensure independent, transparent, and effective investigation of custodial deaths.

Literature Review

Custodial deaths have long been examined in legal and criminological scholarship as a serious challenge to constitutional governance and human rights protection. Scholars have emphasized that the investigative response to deaths in police custody must go beyond routine criminal procedure and incorporate rigorous forensic scrutiny to ensure transparency and accountability.

Early scholarship on custodial violence in India focused primarily on the **structural imbalance between police authority and detainee rights**. Studies by **K.S. Subramanian** highlight that custodial violence often emerges from

institutional cultures within policing that prioritize confessional investigation over scientific evidence collection.⁸¹ Subramanian argues that the persistence of such investigative practices weakens accountability mechanisms and underscores the need for independent forensic scrutiny in cases of custodial death.

Similarly, **Upendra Baxi's writings on human rights jurisprudence** identify custodial deaths as a critical site where the State's monopoly on force must be subject to constitutional limits.⁸² Baxi emphasizes that Article 21 jurisprudence has expanded the concept of the right to life to include protection against torture and inhuman treatment, thereby placing an affirmative duty on the State to ensure impartial investigation whenever death occurs under police control.

Judicial scholarship and doctrinal analysis frequently refer to the landmark judgment in **D.K. Basu v. State of West Bengal**, where the Supreme Court of India established procedural safeguards to prevent custodial violence and ensure transparency during arrest and detention.⁸³ Legal commentators note that these guidelines introduced institutional obligations such as arrest memos, medical examinations, and documentation of detention. However, despite these procedural safeguards, scholars argue that the **forensic dimension of custodial death investigations remains underdeveloped**.

In the field of forensic science, **V.V. Pillay's forensic medicine studies** emphasize that autopsy findings, injury pattern analysis, and physiological indicators are crucial in distinguishing natural death from torture-related fatalities.⁸⁴ Pillay notes that custodial deaths often involve injuries consistent with blunt force trauma, positional asphyxia, or stress-induced cardiac failure, making meticulous forensic documentation essential

⁸¹ K.S. Subramanian, *Political Violence and the Police in India* (Sage Publications 2007)

⁸² Upendra Baxi, *The Future of Human Rights* (Oxford University Press 2002).

⁸³ D.K. Basu v. State of West Bengal, (1997) 1 SCC 416 (SC).

⁸⁴ V.V. Pillay, *Textbook of Forensic Medicine and Toxicology* (18th edn, Paras Medical Publisher 2016).

for judicial evaluation.

Further contributions from **B.R. Sharma's forensic pathology research** stress the importance of standardized medico-legal protocols in custodial death investigations.⁵ Sharma argues that inconsistencies in autopsy procedures, inadequate preservation of biological samples, and delays in forensic reporting often weaken the evidentiary value of scientific findings during trial.

The issue of **chain-of-custody and forensic reliability** has also been extensively examined. Scholars point out that when forensic laboratories operate under administrative control of police departments, questions arise regarding institutional independence and evidentiary credibility.⁸⁵ This structural dependence may undermine public confidence in the integrity of forensic conclusions, particularly in cases where police personnel themselves are implicated.

Recent literature has begun to examine the **impact of India's new criminal law reforms enacted in 2023**, particularly the **Bharatiya Nagarik Suraksha Sanhita (BNSS)** and the **Bharatiya Sakshya Adhiniyam (BSA)**. Commentators observe that these statutes introduce greater emphasis on forensic investigation, digital documentation, and evidentiary integrity.⁸⁶ For instance, BNSS provisions encourage scientific investigation and digital recording of evidence, while the BSA modernizes evidentiary standards concerning electronic and forensic records. These developments are viewed as attempts to strengthen scientific investigation within the criminal justice process.

Despite these reforms, academic commentary highlights a persistent **gap between forensic investigation and judicial evaluation of scientific evidence**. Courts often rely heavily on testimonial evidence while treating forensic

findings as corroborative rather than determinative.⁸⁷ This evidentiary imbalance may weaken the capacity of forensic science to establish accountability in custodial death cases.

Overall, the existing literature demonstrates that while legal safeguards and forensic methodologies have evolved significantly, **systemic weaknesses remain in integrating forensic science with judicial decision-making**. The literature therefore calls for institutional reforms aimed at enhancing forensic independence, improving medico-legal training, and strengthening evidentiary standards in cases involving deaths under police custody.

Limitations:

The limitations of this research on forensic analysis in custodial deaths as per BNSS Section 176 are a consequence of its doctrinal-empirical approach and data limitations. The use of secondary data sources such as NHRC reports and judicial pronouncements may be prone to biases of under-reporting, as the actual number of custodial deaths may be 2-3 times higher than the reported numbers due to unreported incidents.

The primary sources of forensic autopsy reports and videography footage are limited by official secrecy regulations, thus preventing case-specific in-depth analysis from Tamil Nadu cases such as Ajith Kumar (2025). The recentness of BNSS/BNS enactment (after July 2024) limits longitudinal data, with only 18-24 months of data on post-enactment cases as of February 2026, thus preventing effective conviction trend analysis.

The geographical perspective of national trends with a focus on Tamil Nadu neglects the hyper-local differences in forensic lab capacity at the state level. There has been no primary field of research, such as interviews with forensic scientists or police officials, which may have

⁸⁵ B.R. Sharma, *Forensic Science in Criminal Investigation and Trials* (Universal Law Publishing 2015).

⁸⁶ National Human Rights Commission, *Custodial Deaths and Police Accountability in India* (NHRC Report

⁸⁷ Bharatiya Nagarik Suraksha Sanhita, 2023, s 176(3); Bharatiya Sakshya Adhiniyam, 2023, ss 57, 63.

overlooked the ground realities of implementation. Future research must include surveys and real-time FSL audits for improved validity.

2. Evolving Legal Framework

India's legal infrastructure has been progressively developed and provides certain immunity and protection for prisoners from police brutality even though certain inevitable things lead to custodial deaths. There are new statutory mechanisms under the Bharatiya Nyaya Sanhita and Bharatiya Nagarik Suraksha Sanhita, which are now effective. These new statutes aim to reform the Forensic practice to enhance admissibility of digital and scientific evidence and provides stronger procedural safeguards to preserve the chain of custody and medical evidence. There have been several reports of custodial deaths across the states and even in Tamil Nadu where 27 people died between 2021 and 2025.

2.1 Constitutional Safeguards

The protection is Article 21 which says that every person has the right to life and personal liberty. The state is responsible if someone dies in custody unless it can be proven that the death was due to causes. This has been confirmed by the Supreme Court several times. Article 20(3) says that people do not have to say anything that might be used against them (Self-incrimination), which means that confessions made under torture are not valid. Article 22 says that people who are arrested must be told why they are being arrested, i.e. the grounds for arrest and must inform their relatives about the arrest. They must also be given access to a lawyer within 24 hours. These rules are often broken when people are mistreated in custody. The Supreme Court has interpreted these rules broadly, which means that the government must be transparent in its investigations. In the case of Raghbir Singh v. State Of Haryana (1980), the Hon'ble Supreme Court emphasized the constitutional prohibition of custodial torture under Article 21 of the Indian Constitution.

In **D.K. Basu V. State of West Bengal**, the Supreme Court laid down several procedural safeguards to prevent these custodial tortures as the safeguards such as providing mandatory arrest memos, periodic medical examinations which provides more transparency in custodial procedures. Even in the case of **Nilabati Behera V. State of Orissa**, the Supreme Court of India recognized that the custodial deaths not only violate the principle that the state must provide security to the citizens and in case of this violation the State is only liable and the families must be compensated adequately and this not only attracts criminal prosecution but also accountable to constitutional violation.

2.2 National Human Rights Commission Guidelines

The National Human Rights Commission has some guidelines for investigating deaths. These guidelines say that a team of five doctors must investigate the death and they must keep a record of everything they find. The commission must also get a report within two months. The commission is keeping an eye on how the new laws are being followed, especially in Tamil Nadu, where there have been many cases of custodial deaths. The commission is also working with the National Legal Services Authority to make sure that people who are affected by deaths get the help they need. In some cases, the commission has ordered investigations into deaths like, in the case of Namakkal and Tirunelveli where some people died in custody.

2.3 Recent sensational cases

a. Sivagangai Custodial Death (2025)

In mid-2025, the custodial death of 29-year-old Ajith Kumar in alleged police custody in the Sivagangai district of Tamil Nadu attracted considerable attention from the public and the judiciary. The post-mortem report indicated the presence of 44 external injury marks and severe internal bleeding, indicating brutal torture, which is unprecedented in lawful custody

procedures. Five police personnel were subsequently arrested and remanded for their alleged involvement in the custodial death, and the case was directed to be investigated by the Central Bureau of Investigation (CBI) to maintain impartiality. In a recent judicial pronouncement, the Madras High Court rejected the anticipatory bail application of a senior officer accused in the case, reiterating the judiciary's demand for accountability and expressing grave concern over procedural violation.

b. Sathankulam Father-Son Custodial Deaths (2020)

One of the most infamous cases of custodial deaths in Tamil Nadu in recent years took place in June 2020, where P Jayaraj (59) and his son J Bennix (31) were allegedly beaten to death by the police at the Sathankulam police station in the Thoothukudi district. The father-son duo was allegedly beaten up badly while in police custody, forced to clean up their own blood, and died soon after. The case saw the involvement of the CBI and CB-CID, with arrests from various police personnel. Additional charge sheets have been filed, and the trial is still underway, reflecting the long-drawn forensic and judicial analysis.

Even after the lapse of several years, human rights activists have been observing resistance to transparency and documentation at custodial facilities associated with the case.

c. Custodial Death of Vignesh (2022)

In the 2022 custodial death of Vignesh in Chennai, there were reports that the police had ordered that the body be cremated and not buried, apparently so that the body could not be produced for a medical examination in case any suspicious arises. The family, who were not allowed to view the body, also alleged that the police were attempting to cover up the custodial murder of their

son by paying them hush money. Although the police claimed that he died from 'seizure', the post-mortem revealed 44 serious injuries.

There are many other incidents where the death of accused occurs due to external and internal injuries, humiliation, harassment and several other factors caused by the police during the custody and even after the release they couldn't cope up with the pain and suffering and eventually they end up their life.

IMPACT OF THE NEW CRIMINAL LAWS ON CUSTODIAL DEATH INVESTIGATION

In the context of the new substantive criminal law under the Bharatiya Nyaya Sanhita, 2023, acts leading to custodial death would fall under the ambit of the law relating to the offence of murder, culpable homicide not amounting to murder, and causing grievous hurt. In the event of death resulting from acts of torture, assault, and intentional injury, these provisions would be applicable. The gravity of the offence would thus mandate the application of the procedural law under the Bharatiya Nagarik Suraksha Sanhita, 2023. Section 176(3) of the BNSS brings about a crucial change to the criminal justice system by mandating the visit of a forensic expert to the spot to collect forensic evidence for the offence which is punishable for Seven years or more thus, eventually the custodial death will attract. Forensic experts must arrange videography to collect and process evidence. As acts leading to custodial death would attract a severe sentence of imprisonment, this provision becomes the core of the Bharatiya Nagarik Suraksha Sanhita. In addition to this, Section 196 of the BNSS makes the Magisterial Inquiry a mandatory provision for the event of death occurring in police custody thus it makes the no place for biased investigation.

The role of forensic science in the investigation of custodial death cases assumes particular significance, as the crime occurs inside a confined space wherein the absence of any independent eyewitnesses. In such cases, the

role of autopsy reports, patterns of injuries, histopathological examinations, toxicology reports, and time-of-death determinations assumes particular significance plays a major role. In the case of State of M.P. v. Shyamsunder Trivedi, the Supreme Court has held that direct evidence regarding custodial torture is rarely available, and the courts are forced to rely on medical reports and the surrounding circumstances to assess the liability. In another case, Shakila Abdul Gafar Khan v. Vasant Raghunath Dhoble, the police officials cannot escape liability on the grounds that the offenses were committed inside the police station without the presence of independent witnesses.

Furthermore, the jurisprudence on encounter/custodial deaths has also given a boost to the concept of procedural accountability. In the case of People's Union for Civil Liberties v. State of Maharashtra, the Supreme Court stipulated the requirements of independent investigation, registration of FIR, magisterial inquiry, and the maintenance of evidence, which are applicable to custodial deaths as well. Additionally, the rules of evidence relating to the admissibility of expert evidence and electronic evidence are now provided under the Bharatiya Sakshya Adhinyam, 2023, which recognizes the admissibility of expert opinion evidence and electronic evidence as relevant evidence. These provisions become relevant when CCTV evidence, video evidence of autopsies, and video evidence of forensic investigations mandated under Section 176(3) of the BNSS are considered. The constitutional provisions under Article 21, the penal provisions under the Bharatiya Nyaya Sanhita, the procedural provisions under the Bharatiya Nagarik Suraksha Sanhita, particularly Section 176 and Section 196, and the evidence provisions under the Bharatiya Sakshya Adhinyam create a comprehensive legal regime for the investigation of custodial deaths. However, the success of this regime would depend on the strict adherence to the procedure established by law.

Forensic Investigation in Custodial Deaths: From Crime Scene to Courtroom Evaluation

The custodial death case makes a unique challenge to the forensic investigation process because the offence took place within a controlled environment under the jurisdiction of the State, where the accused officers were the custodians of the primary evidence. Unlike the usual homicide offence, the scene of the offence in a custodial death case, whether a police lockup, interrogation cell, or a prison cell, lies within the control of the institution. However, the effectiveness of the forensic investigation process lies within the immediate preservation of the scene, documentation, and adherence to the statutory provisions like Section 176(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, which makes the involvement of a forensic expert a mandate along with the videography of the offence. The first critical phase is the examination of the crime scene. In the context of custodial cases, the forensic reconstruction would include the examination of bloodstain patterns, position of the body, ligature marks in cases of suspected suicide, signs of struggle, and possible blunt trauma. Any delay in the sealing of the crime scene or the continued access of officials would compromise the trace of evidence. In many cases, the account given by the custodial authorities of the death such as suicide or sudden illness has to be tested against the objective physical evidence. The lack of any independent witness would make the forensic documentation critical.

The autopsy is an important aspect of establishing the cause of death. The custodial autopsy would include the examination of the external and internal organs, the dissection of deep tissues to detect any concealed hemorrhages, toxicology reports, and the correlation of the age of the injury with the duration of the custodial stay. The courts have emphasized medical evidence in these cases. The document, published by the Centre for Enquiry into Health and Allied Themes (CEHAT) in 2020, offers a guidebook for doctors to follow if a person dies while under police or

government custody. These guidelines, based on international rules such as the Minnesota Protocol, are intended to prevent the cover-up of police abuse and ensure that every death is investigated impartially. In India, the right to life of a citizen is protected, and a doctor has a moral obligation to be honest and objective, even if he or she works for the government. Autopsy must be conducted by at least two experts, and it is illegal for cleaners who are not trained, to conduct the surgery. There are no police officers allowed in the room so that the doctors are not pressured into lying about the case. The entire process has to be filmed, and a number of pictures have to be taken, including one with a ruler so that the size of the injury can be shown clearly. Doctors must look for signs of torture, such as marks on the soles of the feet or injuries from being hung up and beaten. The guidelines also have strict rules for women or sexual violence cases. These guidelines clearly state that "virginity tests" are unscientific and humiliating and should not be performed. Finally, at the end of the process, the family of the deceased should be treated with respect and given a copy of the report and video for free. The result should be a report that is so detailed that any other doctor could look at the evidence and come to the same conclusion about how the person died.

The judicial approach towards the custodial death is shifted from evidentiary principle to protecting Constitutional right of the individual thus the court takes serious concerns over such offences. In *State of M.P. v. Shyamsunder Trivedi*, the Supreme Court has admitted that custodial violence is not always visible, and that medical and circumstantial evidence can lead to conviction. The judicial reasoning behind custodial violence cases has accepted that internal injuries inconsistent with the official version can negate the theory of accidental or self-caused death. Hence, forensic pathology assumes an important role not just as corroborative evidence but as main evidence in custodial violence cases. Digital Evidence is a new feature that has emerged in recent

custodial violence cases of digital evidence. Videos from police station CCTV cameras, police officers' body cameras, and video recordings of post-mortems are all objective forms of evidence. The admissibility of digital evidence is governed by the *Bharatiya Sakshya Adhiniyam, 2023*, which provides for the admission of electronic evidence with certain procedural safeguards. However, there are certain issues regarding digital evidence, which need to be taken care of by the courts while dealing with custodial death cases. In the case of *Raghubir Singh v. State of Haryana*, the Supreme Court condemned custodial torture resulting in death very strongly. The case related to a person who was arrested and kept in custody at a police post and was subjected to severe physical torture during the investigation, which ultimately resulted in his death due to asphyxiation from brutal assault. The police officer was convicted by the trial court for an offense punishable under Section 302 of the Indian Penal Code, which was further upheld by the High Court and the Supreme Court. While delivering the judgment in this case, Justice V. R. Krishna Iyer expressed serious concern over the frequent instances of police brutality and stated that police violence undermines public faith in the rule of law. It was further emphasized by the Court that the police, who are entrusted with the responsibility of protecting the rights of citizens, cannot indulge in "third-degree" methods in the name of investigating crimes and that there is an immediate need for the State to take adequate steps to prevent the violation of human rights. In *Shakila Abdul Gafar Khan v. Vasant Raghunath Dhoble*, the Supreme Court stressed that absence of independent witnesses should not automatically benefit accused officials when death occurs in custody. This judicial approach strengthens reliance on scientific reconstruction and circumstantial inference and accountability for custody and courtroom. The degree of scientific investigation, documentation, and adherence to legislative requirements determines whether custodial

death cases are resolved with substantive justice or procedural closure. The convertibility of the results of the investigation into credible evidence for the courts remains the determining factor for the actualization of the rule of law and the constitution.

Suggestions

Despite India's robust constitutional and legal framework, cases of custodial death persist. This indicates that it is not the absence of law but the implementation of the law that is a problem, and hence, some changes must be incorporated to ensure true accountability and the protection of human rights.

Firstly, the investigation of a custodial death should be carried out by an independent body, not the same police organization that was involved in the case. This will help to remove any prejudices that may exist, and the public will trust the investigation more. Furthermore, an independent team of forensic experts should visit the crime scene and carry out the post-mortem as quickly as possible.

Secondly, the forensic capabilities should be strengthened by increasing the number of forensic centers, forensic experts, and improving the reporting mechanism so that it does not cause any undue delay in the trial.

Thirdly, strict compliance of Section 176(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, which requires the visit of forensic experts and the video recording of the collection of evidence, should not be made a ritual.

Fourthly, CCTV cameras should be set up in all police stations, and recording should be done continuously and stored appropriately so that there is no chance for tampering. Fifth, police personnel should be given regular training in matters of human rights and proper investigative techniques. "Third-degree" methods should be completely banned. Strong disciplinary and criminal action should be taken if custodial violence is proven.

Lastly, the judiciary should remain vigilant and should scrutinize forensic evidence, raise

questions, and ensure that compensation and criminal accountability go hand in hand. Conclusively, to stop these custodial deaths, laws should not only be stringent but also be honestly followed, and forensic science should play a major role. Only then can the journey from custody to courtrooms be a journey to justice.

CONCLUSION

Custodial death is one of the gravest failures of the criminal justice system because it is the loss of human life under the complete custody and care of the State. When a person is taken into custody, the State is fully responsible for the safety and dignity of human life under its custody. Thus, any loss of human life is not only a crime but also a constitutional issue under Article 21 of the Constitution of India. This study on the topic 'From Custody to Courtroom' was conducted by examining the constitutional provisions, the provisions under the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, the Bharatiya Sakshya Adhiniyam, 2023, and the relevant judicial decisions on the topic. The research also revealed the importance of the forensic examination in cases of custodial deaths, as the crime is usually committed in a closed environment where the presence of independent witnesses is not possible.

Judicial pronouncements have strongly condemned custodial torture and have stressed the importance of accountability. Yet, despite these progressive guidelines and mandatory forensic standards, there are practical difficulties that impede the process. While the presence of law is not sufficient to ensure justice, its implementation and institutional autonomy are also equally vital to ensure that justice is not only done but also seen to be done. This research reveals that the new criminal laws have assisted in significant reforms in criminal law, especially in the areas of mandatory forensic involvement and videography in the commission of crimes. While these reforms have the potential to strengthen

the process of transparency and reliability in criminal evidence, without the involvement of independent investigation, better forensic facilities, and strict judicial scrutiny, these reforms may not achieve their intended purpose. While custodial deaths cannot be prevented without a combination of constitutional commitment, scientific integrity, administrative reform, and judicial vigilance, the credibility of the rule of law depends on ensuring that those entrusted with the enforcement of law do not become law violators themselves. Only then the transition from custody to the courtroom results in justice.

