



ODISHA POLICE
CRIME BRANCH
CRIMINAL INVESTIGATION DEPARTMENT

No. 37127 / CID- Law-159-2019

Date 16 .10.2019

CB Circular No.08/2019

To

All District SsP including SsRP, Rourkela/Cuttack/DCsP, Cuttack/
Bhubaneswar UPD/SsP EOW/STF BBSR.

Sub:

Identification of accused by conducting Photo Test Identification Parade

Hon'ble Supreme Court of India while passing Judgment in **Siddharth Vasisth @ Manu Sharma Vs State (NCT of Delhi)** observed that Photo Identification Parade of accused is relevant and admissible **when the accused is concealing himself or not otherwise available or has refused for his identification in the TI parade.**

For the above purpose the investigating officer, in either of the above circumstance, **shall make necessary requisition to District Magistrate cum Collector to depute an Executive Magistrate to conduct Photo Test Identification Parade** of the accused.

For establishing the identity of the accused during investigation of the case, IO will have to collect recent photograph of the accused and take steps to conduct "Test Identification Parade" of that photograph amalgamating the same with similar other photographs of the other persons in presence of an Executive Magistrate and other witnesses. A memorandum to that effect will be prepared by the Executive Magistrate and will be signed by the Executive Magistrate and witnesses in token of the TI parade. Video clippings and CCTV footage(s) recording(s), pertaining to movement of the accused can be used for TI parade like that of the photograph of the accused. The IO should record the statement of the witnesses and Executive Magistrate in separate sheet with regard to their participation and perception in the TI parade.

A sample format for Photo Test Identification Parade of accused person is enclosed as Annexure -I (Can be modified according to number of accused persons).

This is for your information and necessary action.


(S. K. Upadhyay)

Additional Director General of Police
CID, Crime, Odisha.

Annexure-I

**PROCEEDINGS OF PHOTO TEST IDENTIFICATION PARADE
CONDUCTED ON IN PS CASE NO.**

1.	Date & hour of Photo Identification Parade.	:	
2.	Case No. and Sections	:	
3.	Name & designation of the Executive Magistrate conducting Photo Identification Parade.	:	
4.	Place of Photo Identification Parade	:	
5.	Name & address of witnesses present	:	1. 2.
6.	Name & address of person(s) going to identify the suspect/accused.	:	

1. As directed by the District Collector ofDistrict vide Order No....., Dated., myself reached (Place) for the purpose of conducting photo identification parade of accused/suspected persons in the above noted Case. The above noted independent witnesses were also produced by the I.O at (place).....for the said purpose.
2. In this regard on (Date), myself and witnesses assembled at (Place) and we have discussed about the case with the investigating officer at (Place). The IO briefed us that it is necessary for the purpose of investigation of the said case to identify the person who was seen by the witness on the day of incident on

..... at about at The IO explained that the photographs of the suspects/accused person (1) (2) who were absconding ever since the occurrence, were collected during the course of investigation for the purpose of identification and he handed over the colour photographs of the accused/suspects along with 5 (Five) colour photographs of other persons in same size and a empty album to me and requested us to conduct the photo Identification Parade with witness

3. Then I requested to the IO and other staff to go outside. I briefed the witnesses. I sought for willingness of the witnesses to take part in the Photo Identification Parade and they voluntarily agreed to be the witnesses in the Photo Identification Parade.
4. I serially numbered 1 to 18 on the back side of all the 18 photographs (serial number 11 is the photo of the accused/suspect, serial number 15 is the photo of another accused/suspect and serial number 17 is the photo of the accused/suspect) I displayed the photos in the album in photograph serial number 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 without showing the serial numbers. Then I called witness, showed him the album and requested to identify the photos of the accused persons. After verification of all the 18 photographs he **identified 3 photographs in serial number, 11, 15 and 17.** I requested to him to wait outside ensuring that he does not see the events inside the hall.
5. Then, I re-shuffled the photograph in the order of serial numbers 18, 1, 3, 6, 2, 5, 16, 8, 11, 13, 9. 10, 7, 14, 17, 15, 12, 4 without showing the serial numbers. Then I called witness, showed him the album and requested to

identify the photos of the accused persons. After verification of all the 18 photographs **he identified 3 photographs in serial number 11, 17 and 15.**

6. I and witnesses have put signatures on the back side of the identified photographs. The proceedings concluded at Hours.
7. I prepared the proceedings on the spot in the desktop computer/Lap Top and took print out by using a printer attached with the said computer/Lap Top installed at the said office. The album containing the 18 photographs is being sent to the Hon'ble Court in a sealed cover having the jurisdiction through special messenger along with the proceedings.

Signature of Identifier

Signature of witnesses

1)

2)

(.....)
**Signature of Executive Magistrate
with name, seal & date
(Place) Office,
..... District.**

Copy to I.O