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# EXPERT TALK WITH MR. RAJIV G

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We were able to get in touch with Mr. Rajiv G, Assistant Professor of Law at B.M.S. College of Law, also a former faculty member of Kristu Jayanti College of Law, Autonomous. He has experience working with law and has encountered several cases and offenders in his years of expertise. We decided to ask him some questions regarding his various encounters and crime. We were curious about the representation of lawyers by the media, evidence seen in court, the role of forensic scientists in India and many other things.

**1. What is the longest case you've been a part of? And what was that case about?**

“The longest case that I was a part of was an intellectual property matter. The case actually began way back when I was probably in college so I was not even a part of that case in the initial stages. When I later joined into the profession, the case was transferred to me. I think it was a case of 1997 probably.”

**2. How was your lifestyle when you were a lawyer? Was it unstable too?**

“Unstable, yeah, 100%. There are days I use to get up at 7:00 AM and return back home at 3:00 AM and go back to work at 7:00 AM the next day.”

**3. Among the criminals that you've encountered, how many have felt remorse for their actions?**

“I belong to the stage of criminal trials wherein there would not be any consequences yet. They are still in the stage of a conviction and more than

often, criminals begin to exhibit remorse only upon conviction, not during the trial. So at that point of time, there would not be any remorse but if they are sentenced and if they go to prison I have seen people who have genuinely had remorse for their actions and people who have pretended that they had remorse.”

**4. In all of the years that you’ve worked as a lawyer, how much has Forensic Science grown with its involvement in law?**

“I’ve seen the growth especially in terms of Forensic Science being tremendously large with the advent of technology and also with respect to privatization. Many forensic scientists have started their own private labs because they cannot depend on the government labs always. Especially when talking about analysis and experimentation. They cannot always go to a government certified centre for their work to be completed on time. A lot of private parties get recognition through certifications; they work independently and at the same time aid the government and the courts in the process.”

**5. What is the type of crime that you’ve encountered the most in Karnataka?**

“As a practitioner, we wouldn’t really be in an open pool where we could take up all of the cases all the time. If you’re talking about pre-trials there would be misappropriation, tax evasion and other stuff like that. If you are talking about trial cases there would be domestic violence, assault, rape, murder, attempted murder, all that.”

**6. In certain cases is it difficult to defend a situation that goes against your own morals and beliefs?**

“Not at all because like I said we have the adversarial system. The way this system works here is, the prosecution is led by the government and for the defence, it would be a private lawyer. So I would have complete liberty to take up a case or not. Personally speaking, if there was any sort of a moral turpitude that would involve me having to go against my principles, I would never take up that case in the first place.”

**7. What evidence did you encounter the most? And what evidence is the most relied upon by the judge and the court?**

“Witnesses and witness statements. Criminal cases run on witness statements. You can say about 75% of the cases.”

**8. If Indian courts are aware of the hostility of eyewitness testimony, what have they done to curb the situation?**

“Judiciary will not be in a position to know when witnesses are going to turn hostile. At the same time, there cannot be a situation where they can create a cage for the witnesses to be put in so that there would not be any sort of external influence that would change their mind later. What I feel is to make a witness feel safe, there are a lot of witness protection programs that the courts offer through the legal aid clinic as well. That would definitely prevent their statement from being changed later due to some external factor.”

**9. How accurate is the representation of court sessions in movies compared to real-life court sessions?**

“10 percent.”

**11. What is your favourite profession? Being a teacher or a lawyer?**

“Being a teacher with the experience of being a lawyer is something that I treasure the most. Teaching something out of the book anybody can do. But teaching something from the point of view of the situation that you are going to land up in, I think a teacher is the only person who is in a position to do that.”

Myth - Fingerprinting cannot be done on wet fingerprints.

Fact - Fingerprinting of wet fingerprints can also be done using a Small Particle Reagent (SPR).