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# **CASE STUDY - ANANT CHINTAMAN LAGU V. STATE OF BOMBAY**

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## **ABSTRACT:**

The case of Anant Chintaman Lagu v. State of Bombay delves into the intricate use of circumstantial evidence in proving guilt in criminal proceedings. This paper examines the significance of circumstantial evidence in establishing guilt beyond a reasonable doubt, particularly in cases where direct evidence is lacking. Through an analysis of the facts and legal arguments presented in the case, as well as relevant precedent cases such as the Sunanda Pushkar murder case, the paper highlights the pivotal role of circumstantial evidence in securing convictions. The paper begins with an introduction elucidating the concept of circumstantial evidence and its reliance on inference and inductive reasoning. It further explores the necessity of establishing conclusive circumstances that exclude alternate hypotheses, thereby supporting the inference of guilt. The case study of Laxmibai Karve's mysterious death and the subsequent actions of the accused, Anant Chintaman Lagu, illustrate the application of circumstantial evidence in criminal trials. The analysis section scrutinizes various pieces of evidence presented during the trial, including Lagu's deceptive conduct, abandonment of the victim, and forgery of documents. The court's observations on Lagu's conduct and the comparison with similar precedent cases underscore the persuasive power of circumstantial evidence in proving guilt. Ultimately, the paper concludes that while direct evidence may be preferred, circumstantial evidence remains indispensable in cases where direct proof is unavailable. The judgment in Anant Chintaman Lagu's case reaffirms the significance of circumstantial evidence in securing convictions, thereby upholding justice and ensuring accountability, even in the absence of direct proof.

**KEYWORDS:** Circumstantial Evidence, Criminal Conviction, Anant Chintaman Lagu, Laxmibai Karve, Supreme Court, Forensic Analysis, Forged Documents, Legal Precedent.

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## **INTRODUCTION:**

The use of circumstantial evidence has been discussed in the case of Anant Chintaman Lagu v. State of Bombay. A person may properly deduce the presence or non-existence of another fact from Circumstantial Evidence, which is direct proof of a Fact. Circumstantial Evidence may be used to demonstrate someone's guilt of a charged crime if it leads to an inference of guilt beyond a reasonable doubt but not explicitly demonstrating guilt. Circumstantial Evidence is proof of circumstances that can be used to infer the presence of a fact rather than prove it explicitly. Circumstantial Evidence relies on inductive reasoning and is mostly reliant on inference. It is important to thoroughly establish the facts from which guilt is to be inferred.

The Circumstances should be of a conclusive nature and tendency, they should exclude every possible hypothesis other than the one to be proved, and there must be a chain of evidence that is so complete as to not allow any reasonable ground for the conclusion consistent with the inference of guilt. The facts so established should be consistent only with the hypothesis of the guilt of the accused, that is they should not be explainable on any other hypothesis other than that the accused is guilty.

The Apex Court believed that the Circumstantial Evidence used by the prosecution and noted by the High Court in the impugned judgement to prove the charge is obviously incomplete and incoherent to allow conviction of the appellant in light of the aforementioned observations and the facts and circumstances of the case. Even though the autopsy and chemical analysis fail to reveal any poison, the fact that a person died from poisoning can be proven at trial for murder by alleged poisoning by circumstantial evidence: even though the cause of death may not seem to be proven by direct evidence, Circumstantial Evidence can support a conviction if it can be inferred from the Medical Testimony of experts and the facts of the case that the victim's death must have been caused by the administration of an unknown poison or medicine that functions as a poison, In this instance, the court has concluded that "a conviction might be based on Circumstantial Evidence provided that it is so compelling that the court can categorically find that the death was not Natural".

## **FACTS OF THE CASE:**

Laxmibai Karve was a resident of Poona, in the year 1922, she married Anant Ramachandra Karve, a widower. Anant Ramachandra Karve was a moderately rich man, who had been

successful in business. He died in 1945 of pleurisy. He was attended till his death by the appellant and his brother, B. C. Lagu, both of whom are doctors. Anant Ramachandra Karve left a will dated February 28, 1944. By his will he gave the house to Ramachandra with a right of residence in at least three rooms to his widow, Laxmibai. Laxmibai was also declared owner of all her ornaments of about 60 tolas of gold and nose-ring and pearl bangles which were described in the will. In addition to what she inherited from her husband, Laxmibai inherited about Rs. 25,000 invested in shares from her mother, Girjabai, and another 60 tolas of gold ornaments. By Purushottam's death Laxmibai also inherited all the property held by him. Laxmibai had contracted tuberculosis after the birth of Purushottam. The lesion, however, healed and till 1946 her health was not bad. From 1946 she suffered from diabetes. In 1948 she was operated for hysterectomy, and before her operation, she was getting hysterical fits. Laxmibai had, through the appellant, taken an appointment from Dr. Sathe of Bombay for a consultation about her health, for November 13, 1956, at 3-30 p. m. It was to attend this appointment that she left Poona in the company of the appellant by Passenger train on the night of November 12, 1956, for Bombay. It is an admitted fact that Laxmibai was then deeply unconscious and was carried on a stretcher by the appellant to a taxi and later to the G. T. Hospital, where she was entered as an in-door patient at 5:45 a. m. She never regained consciousness and died at 11-30 a. m. Her body remained in the G.T. Hospital till the evening of the 14th, when it was sent to the J. J. Hospital morgue for preservation. Later, it was to be handed over under the orders of the Coroner to the Grant Medical College for the use of Medical Students. It was noticed there that she had a suspicious ligature mark on the neck, and the body was subjected to postmortem examination and the viscera to chemical analysis and then the body was disposed of. Both the autopsy as well as the chemical analysis failed to disclose any poison and the mark on the neck was found to be postmortem. He was also the medical attendant of Laxmibai and generally managed her affairs. The death of Laxmibai was not known to the relatives or friends. The appellant also did not disclose this fact to anyone. On the other hand, he kept it a close secret. Soon afterwards, people began receiving mysterious letters purporting to be from Laxmibai, stating that she had gone on pilgrimage, that she did not intend to return and that none should try to find her whereabouts. She advised them to communicate with her through the newspaper " Sakal ". Laxmibai also exhorted all persons to forget her, as she had married one Joshi and had settled at Rathodi, near Jaipur in Rajasthan. People who went to her rooms at first found them locked, but soon the doors were open and the moveable property was found to have been removed. Through these mysterious letters Laxmibai informed all concerned that she had herself removed these articles secretly and that none was to be blamed or suspected. It is the prosecution case that these letters were forgeries, and that the



appellant misappropriated the properties of Laxmibai, including her shares, bank deposits etc. The appellant has admitted his entire conduct after the death of Laxmibai, by which he managed to get hold of her property. His explanation was that he would have given the proceeds to some charitable institution according to her wishes adding some money of his own to round off the figure. He led no evidence to prove that Laxmibai before she left Poona or at any time gave such instructions to him in the matter. - Meanwhile, the continued disappearance of Laxmibai was causing uneasiness to her friends and relatives. On December 31, 1957, G. D. Bhave (P. W. 8) addressed a complaint to the Chief Minister, Bombay." Similarly, Dr.G.N. Datar (P. W. 5) also addressed a letter to the Chief Minister, Bombay on February 16, 1958, and in both these petitions, doubts were expressed. Ramachandra too made a report, and in consequence of a preliminary investigation, the appellant was arrested on March 12,1958. He was subsequently tried and convicted by the Sessions Judge, Poona. His appeal was also dismissed, and the certificate of fitness having been refused, he obtained special leave from this Court and filed an appeal.<sup>2</sup>

### **ANALYSIS OF EVIDENCE:**

1. Lagu feigning ignorance about the real identity and background of Laxmibai before the doctor of GT Hospital in Bombay.
2. Lagu suppressing the fact that he had known Laxmibai for long as her doctor and not revealing her medical history to GT Hospital.
3. The accused suppressing the original name of Laxmibai from GT Hospitals and telling them her maiden name "Indumati"
4. His act of lying about her non-existent brother in Calcutta.
5. His act of abandoning Laxmibai in Hospital.
6. His act of removing the cash, ornaments and belongings of Laxmibai before admitting her to the Hospital.
7. He influencing Doctors of GT Hospitals to avoid post mortem of Laxmibai by stating that it will cause stigma to her family.
8. The subsequent act of forgery of documents for transferring Laxmibai's properties to the accused.<sup>3</sup>

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<sup>2</sup> 1960 AIR 500

<sup>3</sup><https://indiankanoon.org/doc/1813863/#:~:text=But%20the%20case%20against%20the.or%20by%20the%20Chemical%20Analyser>

## **ARGUMENT MADE BY APPELLANT:**

The vexed question before the Apex court was how to sustain the conviction in the case when there was no direct evidence of poisoning?<sup>4</sup>

## **COURT OBSERVATION:**

If Laxmibai died in circumstances which prima facie admit of either disease or homicide by poisoning, we must look at the conduct of the appellant who brought her to the hospital, and consider to what conclusion that conduct unerringly points. If the appellant as an honest medical man had taken Laxmibai to the hospital and she had died by reason of disease, his conduct would have been entirely different. He would not have taken her to the hospital bereft of property with which she started from home; he would not have given a wrong or misleading name to cover her identity; he would not have given a wrong age and wrong history of her ailments; he would not have written a letter suggesting that she had a brother in Calcutta, which brother did not exist; he would not have abandoned the corpse to be dealt with by the hospital as an unclaimed body; he would not have attempted to convince the world that she was alive and happily married; he would not have obtained her property by forgeries, impersonation and other tricks indulged in both before and after her death; but he would have informed her relatives and done everything in his power to see that she was properly treated and stayed on to face whatever inquiry the hospital wished to make into the cause of death and not tried to avoid the postmortem examination and would not have disappeared, never to reappear. His prevarications about where Laxmibai was, make a big and much varied list, and his forgeries cover scores of documents."

## **PRECEDENT CASE LAW:**

**SUNANDA PUSHKAR MURDER CASE<sup>5</sup>**, in which accused was MP Mr. Shashi Tharoor, in that case also it couldn't be able to detected from which poison his wife was caused to death. The question is whether the conviction could be occurred when there was no detection of poison from body, if yes then how and why.

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<sup>4</sup> <https://www.casemine.com/judgement/in/5609ab01e4b014971140b780>

<sup>5</sup> <https://timesofindia.indiatimes.com/india/sunanda-pushkar-death-case-court-summons-shashi-tharoor-as-an-accused/articleshow/64462498.cms>

## **JUDGMENT:**

Sessions court convicted Lagu on IPC 302, based

The Justice wrote the Death Sentence to the Anant Chintaman Lagu, In Appeal on Bombay High Court they confirmed the Sentence to death. Supreme Court of India also confirmed the Death Sentence for Lagu based main following reason:

- (i). Disappearing after admitting the deceased with jewelry.
- (ii). Giving False name and address,
- (iii). Committed Murder for Jewelry & Money
- (iv). Making forgery of documents.<sup>6</sup>

## **SUGGESTION:**

In the case Anant Chintaman Lagu case, Circumstantial Evidences plays a Major role to give death sentences for the Lagu. I accept that the justice gave the right judgement for Lagu. Because doctors are equal to the God, it's a Nobel Profession, being a doctor, he committed a Murder for grabbing the Wealth of his patients. The doctors like him, the patients are afraid to go to the hospital for their illness. In this case there is no Participation of Direct Evidence but the justice gave the correct judgement through the Circumstantial Evidence.

## **CONCLUSION:**

In each of these situations, a medical opinion is presented to prove insanity and minority. Before a case against an accused person can be deemed to be fully established and the chain of events is complete, the court needs make sure that the necessary circumstances are met. When there is no direct proof available, indirect evidence may be used as backup. A series of events must occur Contrary to common belief, indirect evidence is not of inferior significance or weight to direct evidence. Only a portion of this is accurate. Although indirect evidence is frequently used in successful convictions, direct evidence is typically seen to be more persuasive. Circumstantial evidence often has an advantage over direct evidence because it is more difficult to suppress or fabricate. Circumstantial evidence often has an advantage over direct evidence because it is more difficult to suppress or fabricate.

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<sup>6</sup><https://www.the-laws.com/Encyclopedia/browse/Case?CaseId=009591122000&Title=ANANT-CHINTAMAN-LAGU-Vs.-STATE-OF-BOMBAY>

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