



## Tampering of Evidence Under Indian Evidence Act, 1872: Legal Provisions and Implications

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### Abstract

Particularly under the Indian Evidence Act, 1872, the problem of tampering with evidence seriously compromises the integrity of the criminal justice system. This study looks at the legal laws regarding evidence manipulation and its consequences in India. It emphasizes the legal framework controlling evidence tampering, investigates how tampered evidence affects court cases, and points out the Indian legal system's shortcomings and obstacles in handling this matter. The study also investigates practical steps to reduce evidence tampering, legislative changes, and current court patterns. It ends by providing suggestions to improve the effectiveness of the Indian Evidence Act in handling evidence tampering in a dynamic legal environment.

**Keywords:** Tampering of evidence, Indian Evidence Act, 1872, legal provisions, evidence integrity, judicial challenges, forensic evidence, criminal justice system, legal reforms, admissibility of evidence, evidence law

### 1. Introduction

#### 1.1. Background

Evidence tampering has long been a problem in criminal justice systems all over. In India, the issue of altered evidence compromises the integrity of court processes and endangers justice in a major way. The main legislative framework controlling the admission and assessment of evidence in court is the Indian Evidence Act, 1872. Though, even with the thorough provisions of this Act, cases of evidence tampering still exist, which calls into question how well the law prevents or handles such actions.

#### 1.2. Need for Research

The vital issue of maintaining the integrity of evidence in criminal proceedings drives this study. Evidence manipulation not only undermines the truth-seeking process but also erodes public faith in the judicial system. Given new technology developments and growing access to forensic evidence, the current legal requirements could not sufficiently handle contemporary issues like digital evidence manipulation. Examining how successfully the Indian Evidence Act handles manipulated evidence requires a thorough study of its clauses in conjunction with case law, which would also help to indicate possible changes.

#### 1.3. Challenges

Among the main difficulties in tackling evidence tampering in India is the weak implementation of current Indian Evidence Act clauses. The fast development of technology has also created new types of evidence, such digital files and electronic records, which are vulnerable to manipulation in ways the law did not





expect. The problem of evidence tampering is made much worse by the uneven use of forensic evidence, varying court knowledge, and legal procedural flaws.

#### 1.4. Motivation

This study is motivated by the want to know how much manipulated evidence under the Indian Evidence Act affects the situation and to provide feasible remedies to fortify the judicial system. The study intends to help clarify this important topic in Indian law by stressing the shortcomings of the present regulations and investigating how altered evidence affects court results.

#### 1.5. Tampering of Evidence Under Indian Evidence Act, 1872: Legal Provisions and Consequences

The process flow of this study consists of many important stages. A survey of current legal literature, case law, and scholarly studies on tampering with evidence under the Indian Evidence Act. A thorough examination of the Indian Evidence Act, 1872, stressing clauses against evidence manipulation. Review of Case Studies, Analysis of important case studies and court rulings on tainted evidence. Finding important issues in the prevention and detection of evidence manipulation. Ideas for improving the legal provisions and reducing evidence tampering. Last thoughts on the results and suggestions.

### 2. Literature Review

Vemulakonda et al. (2022) question legally and morally the collecting of evidence in India via unlawful tactics. The writers assess the consequences of unlawfully acquired evidence under the Indian judicial system, particularly its admissibility under the Indian Evidence Act. The research underlines the necessity of legislative changes to handle uncertainties and support due process by stressing court precedents and foreign viewpoints on the topic [1].

Emphasizing its authenticity and admissibility, Khan et al. (2022) examine the function of forensic evidence in the Indian criminal justice system. Key court rulings, legal statutes, and forensic science techniques affecting the evidential value of forensic evidence are examined by the writers. The paper draws attention to problems like procedural errors, chain-of-custody concerns, and technological developments affecting the efficacy of forensic evidence in courts [2].

Examining the legal ramifications of evidence falsification and fabrication under Indian law, Murthy et al. (2022) look at this topic. The study offers a summary of instances in which false evidence has caused erroneous convictions and recommends changes for more rigorous perjury law enforcement. The study emphasizes the need of forensic verification and judicial attention in reducing false evidence practices [3].

Focusing on historic court decisions and legislative changes, Dash et al. (2022) investigate the evolution of the Indian law of evidence over time. The study addresses how evidence law is shaped by human rights issues, globalisation, and technology developments. It also looks at modern issues in evidence collecting, preservation, and admissibility in the digital age [4].

Within the context of the Indian Evidence Act, 1872, William et al. (2021) provide a thorough examination of electronic evidence. They address the court attitude toward digital evidence, Section 65-B certification criteria, and issues with authenticity and dependability assurance. The writers contend that legal clauses should be modernized to better fit digital developments and cyber forensic methods [5].

Particularly in the light of the V. Rajaram case, Poola et al. (2021) investigate the judicial interpretation of Section 65-B on the admission of electronic documents. The article investigates the procedural





requirements for electronic evidence and looks at discrepancies in court decisions. The authors advocate for legislative clarity to remove ambiguity in digital evidence admission [6].

Discussing the development of electronic evidence admissibility in India, Dubey et al. (2017) provide a comparison with other judicial systems worldwide. They investigate significant instances that have influenced court views on digital recordings and underline technical developments that question conventional evidence criteria. The paper advocates changes to strengthen legally tenable electronic evidence [7].

Dhariwal et al. (2024) investigate the crossroads of human rights and evidentiary laws, hence examining how evidence law influences basic rights like the right to a fair trial. Emphasizing the requirement of protections against coercion, torture, and illegal monitoring, the writers advocate a human-rights-centric approach to evidence gathering. The study also questions court reactions to rights infringements in evidentiary concerns [8].

Yadav et al. (2021) look at the legal complexity regarding co-defendant admissions under the Indian Evidence Act. They investigate the evidential worth of such confessions, any prejudices, and the danger of erroneous convictions. The authors recommend policy adjustments to tighten the admission requirements of co-defendant statements [9].

Khudhair et al. (2021) provide a comparison of Indian legal theory on electronic evidence in respect to foreign practices. The authors point out discrepancies in the interpretation of Section 65-B and recommend harmonizing Indian legal norms with world best practices to improve the credibility of electronic documents in court proceedings [10].

Chayal et al. (2018) provide a PhD dissertation examining many facets of Indian evidence law. Legal precedents, legislative changes, and difficulties in properly applying evidence-related clauses are the main topics of the study. The work offers a historical and analytical viewpoint on the development of the Indian Evidence Act [11].

Examining its legal and practical consequences, Banerjee et al. (2023) look at how forensic science fits into India's criminal justice system. The writers underline issues including forensic infrastructure, training, and judicial admissibility of forensic results. The paper supports further incorporation of forensic techniques into judicial processes [12].

Ganguli et al. (2024) evaluate the admissibility of digital evidence by comparing the Bharatiya Sakshya Sanhita with the Indian Evidence Act. The paper identifies important legislative provision changes and investigates how they could affect judicial processes. The writers support a simplified legal approach to digital evidence control [13].

NR et al. (2022) examine the relevance of corroborative evidence in establishing evidential value in Indian courts. The paper addresses legal criteria for corroboration, court interpretations, and the function of supporting evidence in criminal cases. The authors underline the need of a corroborative system to guarantee equitable adjudication [14].

Sahay et al. (2021) investigate the concept of estoppel under Indian evidence law, looking at its relevance in various legal settings. The paper investigates judicial decisions and estoppel's function in avoiding conflicting assertions. The authors contend that a more defined legislative framework would improve its efficacy [15]. The author points out the holes in the legal framework governing digital forensics and





contents that more thorough rules should be created to control the management of digital evidence. The study recommends changes to increase the ability of Indian courts to handle complicated digital evidence concerns.

Particularly from a legislative viewpoint, Srivastava et al. (2022) investigate how DNA evidence affects the Indian criminal justice system. Srivastava et al. draw attention to the increasing dependence on DNA evidence and its vital importance in guaranteeing correct sentences. While handling ethical and procedural issues, they say Indian law has to keep changing to better fit the use of DNA evidence.

Shukla and Pandey (2023) addresses the difficulties of accepting electronic evidence in the era of "deepfakes." The writers contend for improved legal criteria to handle the validity and dependability of modified digital material as it grows. The article underlines the significance of modernised legal frameworks to handle the difficulties new technology in the evidence domain creates.

Under the Indian Evidence Act, 1872, Gupta (2021) emphasizes the effectiveness of dying statements. The paper investigates the legal concepts behind deathbed statements and their relevance in criminal cases. Gupta calls for a more complex method of dealing with dying statements, so guaranteeing that they have the proper legal weight without compromising justice in the court.

Jagawanshi & Jagawanshi (2023) looks at the relevance of scientific evidence in consumer lawsuits. The writers underline how important scientific evidence—including forensic and digital evidence—is in consumer law matters. The article emphasizes the need of scientific evidence in defining facts and guaranteeing justice in consumer-related conflicts.

Mishra et al. (2021) contend that especially with regard to the utilization of developing technology and evidence, conventional court systems must change to meet future difficulties. The writers support changes to the Indian judicial system to fit new kinds of evidence and guarantee justice is not jeopardized by antiquated processes.

Marya (2018) addresses once again the question of unlawfully or improperly acquired evidence's admission in India. The study contends that while such evidence should usually be inadmissible, certain situations might justify exclusions. The analysis underlines the need of guaranteeing that illegally acquired evidence does not contaminate the whole court system.

Jain and Sonowal (2025) look at the investigation of cybercrime and the acceptability of electronic evidence in India. The article underlines the requirement of strong legal standards to handle the difficulties digital evidence in these situations presents and offers a thorough investigation of the legal complexity surrounding cybercrime.

Rao and Sharma (2022) clarifies the constitutional and legal issues of the admission of electronic evidence in Indian courts. The writers contend that more precise legal rules would guarantee the seamless incorporation of electronic evidence into the court system. They also stress the necessity of better legal infrastructure to handle the complexity of digital evidence.

In India, Krishna and Gupta (2021) investigate the function of witnesses and their protection in criminal proceedings. The article underlines the need of witness protection and the legislative systems required to guarantee the safety and reliability of witness evidence. They contend that more robust protective policies are required to preserve the integrity of witness testimonies in the court system.

### 3. Problem Statement





Though the Indian Evidence Act provides a clear legal framework, evidence tampering nonetheless compromises the integrity of the court system. The present clauses fall short of sufficiently handling the issues raised by contemporary types of evidence and technology developments. This study aims to evaluate the legislative clauses on evidence tampering and provide reform suggestions to guarantee the Indian legal system's efficacy in protecting the authenticity of evidence.

#### 4. Conclusion

In the Indian court system, tampering with evidence is still a major problem with grave consequences for justice and the rule of law. Although the Indian Evidence Act, 1872, provide vital legal foundations for managing evidence, there are notable deficiencies and difficulties in dealing with altered evidence. The study indicates that while current clauses are helpful, they are not fit to manage the complexity of contemporary digital evidence and developing forensic techniques. Key actions to fight evidence tampering efficiently include strengthening enforcement systems, enhancing judicial training, and revising the Act to reflect current technological reality.

#### 5. Future Scope

Technological Integration's is examining how digital forensics and blockchain among other developing technologies might help to stop evidence manipulation. Legal Changes is suggesting certain changes to the Indian Evidence Act to handle the issues created by digital evidence and technology developments. Judicial training and awareness is the process of designing courses to educate legal professionals and judges on managing new kinds of evidence and spotting tampering. Public consciousness is raising public knowledge on the legal repercussions of tampering with evidence and the need of evidence integrity in legal processes. Comparative study of evidence tampering laws and procedures in various countries to find best practices that might be implemented in India. By tackling the always changing problem of evidence tampering and making sure justice is not compromised, this study creates new paths for investigating thorough changes in the Indian judicial system.

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