

## **Child's testimony can be the sole basis for conviction : SC**

Recently, a Division Bench of Supreme Court comprising Justice K.T.Thomas and Justice R.P.Sethi held that the evidence of a child witness cannot be rejected per se, but, the court, as a rule of prudence, is required to consider such evidence with close scrutiny. A child's testimony can be the sole basis for convicting an accused in the absence of any other evidence. The learned Judges, however, cautioned the courts against tutored statements of such witnesses.

The Court's ruling followed an appeal against the Karnataka High Court judgment upholding conviction of a person in the murder case wherein Suryanarayna stabbed Saroja, and the latter succumbed to injuries. The trial court sentenced the accused to life imprisonment on the statement of a four years old girl, the victim's niece, who was present at the scene of crime.

The Supreme Court held that if the child is shown to have stood the test of cross-examination and there is no infirmity in her evidence, the prosecution can rightly claim a conviction based upon her testimony alone.