FROM BEHAVIOURAL ACCOUNTS TO LEGAL PROOF: SEPARATING BEHAVIOURAL INTERPRETATION FROM CRIMINAL RESPONSIBILITY

Hasti Panchmatiya, BBA LLB (Hons.) MIT WPU School of Law
Research Intern, Centre for Crime Sciences and Forensics Intelligence

ABSTRACT

Behavioural interpretation is increasingly relevant to criminal investigation, particularly in relation to deception, verbal behaviour, moral justification, interrogation and decision-making. The difficulty is not that behaviour has no investigative value, but that behavioural observations can acquire a significance greater than the underlying research permits. Hesitation, inconsistency, emotional expression, speech characteristics or apparent justification may provide reasons for further inquiry, but they do not, without more, establish that a person is lying or criminally responsible. This article examines the gap between behavioural interpretation and legal proof by synthesising research on criminal decision-making, account construction, neutralisation, moral disengagement, deception, interviewing and confession psychology with Indian constitutional and evidentiary law. It argues that behavioural science and criminal law answer different questions. Behavioural research can assist the formation and testing of investigative hypotheses; legal doctrine determines relevance, admissibility, evidentiary weight and the consequences that may legitimately follow. The article develops the Account-to-Proof Framework, comprising five stages: account-formation indicator, investigative test, corroboration, legal evaluation and alternative-hypothesis audit. The framework is intended to make inferential movement visible and reviewable rather than to provide a new method of lie detection. Its central proposition is that behavioural information should remain an input into investigation unless and until independently tested evidence satisfies the applicable legal requirements. The article therefore proposes an auditable separation between behavioural interpretation and legal responsibility.

Keywords: Behavioural Evidence, Criminal Investigation, Deception Detection, Account-to-Proof Framework, Legal Proof.

1. INTRODUCTION

Criminal investigation requires interpretation. Investigators must assess accounts, identify inconsistencies, formulate hypotheses and determine what information should be tested. Yet interpretation becomes problematic when an observation is treated as if it were an established fact. This problem is especially visible in assumptions that body language, hesitation or other observable behaviour can reliably reveal deception. Empirical research does not support such categorical certainty. Bond and DePaulo's (2006) meta-analysis of deception-judgement research found that people have limited accuracy when attempting to distinguish lies from truths without specialised aids. Their analysis covered 206 documents and 24,483 judges, illustrating the scale of the evidence base behind the conclusion. Sporer and Schwandt (2006), examining paraverbal indicators, similarly found that only some speech behaviours were associated with deception and that many observed relationships were heterogeneous.

The appropriate conclusion is not that behaviour is useless. Rather, the literature requires a distinction between an observation that generates an investigative question and an evidentiary proposition that establishes a fact. A change in narrative, for example, may warrant examination of why the account changed. It does not itself establish why it changed. Anxiety, memory difficulty, misunderstanding, strategic concealment and deception may all be possible explanations, depending on the circumstances. The investigator therefore has to move from observation to testing rather than from observation directly to conclusion.

Research on accounts and moral justification helps explain why such caution is necessary. Scott and Lyman (1968) describe accounts as statements through which individuals explain problematic conduct and distinguish between excuses and justifications. Sykes and Matza (1957) identify techniques of neutralisation through which individuals may reduce or deny responsibility for delinquent conduct, while Bandura et al. (1996) examine psychological mechanisms of moral disengagement. These theories demonstrate that explanations of conduct can have psychological and social functions. They do not establish that an explanation is false or that the underlying conduct occurred.

The legal question is different. Criminal responsibility depends upon legal elements and evidence capable of satisfying the applicable legal standard. Article 20(3) of the Constitution of India protects a person accused of an offence against being compelled to be a witness against themselves, while Article 21 protects life and personal liberty. The Supreme Court's decision in *Nandini Satpathy v P.L. Dani* (1978) is significant for the application of the self-incrimination guarantee in the context of questioning. *Selvi v State of Karnataka* (2010) further examined the constitutional implications of investigative techniques seeking5 testimonial responses. The constitutional framework therefore makes the method of obtaining information relevant to the legal analysis.

The present article asks:

How can behavioural information concerning criminal accounts, deception, justification and interviewing be used during criminal investigation without allowing behavioural interpretation to substitute for legally sufficient proof?

The argument is that this requires an explicit analytical separation between behavioural observation, investigative testing, corroboration and legal evaluation. The proposed Account-to-Proof Framework provides that separation.

The framework is not presented as an established behavioural science model. It is an original analytical proposal developed from the literature and legal doctrine examined in this article. Its purpose is narrower than lie detection: to prevent an inferential shortcut in which a behavioural interpretation becomes a legal conclusion without an identifiable evidentiary bridge.

2. METHOD AND SCOPE

This article adopts an interdisciplinary doctrinal and literature-synthesis methodology. It does not conduct a new empirical experiment. Instead, it brings together peer-reviewed behavioural research and primary Indian legal authorities to examine the relationship between behavioural interpretation and legal proof.

The behavioural literature was selected around five connected areas: criminal decision-making and account construction; neutralisation and moral disengagement; deception research; interviewing and cognitive bias; and confession psychology. The principal behavioural sources include Cornish and Clarke (1987), Scott and Lyman (1968), Sykes and Matza (1957), Bandura et al. (1996), Bond and DePaulo (2006), Sporer and Schwandt (2006), Kassin, Goldstein and Savitsky (2003), and Kassin and Gudjonsson (2004). These sources differ in type: some are theoretical contributions, some are empirical studies and some are reviews or meta-analyses. They are therefore not treated as if they have identical evidentiary value.

The legal analysis focuses on the Constitution of India, the Bharatiya Sakshya Adhiniyam, 2023 (BSA) and the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), together with four Supreme Court authorities: *Nandini Satpathy v P.L. Dani*, *Selvi v State of Karnataka*, *State of Uttar Pradesh v Deoman Upadhyaya* and *Toofan Singh v State of Tamil Nadu*. The BSA was enacted on 25 December 2023 and came into force on 1 July 2024. India Code identifies it as Act No. 47 of 2023. The BNSS was also enacted on 25 December 2023 and came into force on 1 July 2024. India Code identifies it as Act No. 46 of 2023.

The scope is deliberately limited. The article does not claim that behavioural material is invariably inadmissible, nor does it attempt to establish a universal legal rule requiring corroboration of every behavioural observation. It instead examines how behavioural information should be qualified, tested and separated from legal conclusions.

3. CRIMINAL DECISION-MAKING AND ACCOUNT CONSTRUCTION

3.1 Criminal decision-making

Cornish and Clarke (1987) developed a rational-choice perspective in which criminal behaviour can be analysed in terms of decisions shaped by perceived opportunities, costs and benefits. Their work does not portray offenders as perfectly rational actors. Rather, it provides a framework for examining how particular circumstance's structure choices. This is useful to the present analysis because it establishes that conduct and the reasons offered for conduct are analytically distinct.

The distinction becomes clearer when rational-choice analysis is read alongside Scott and Lyman's (1968) theory of accounts. Scott and Lyman describe accounts as explanations offered to bridge the gap between conduct and social expectations, particularly through excuses and justifications. A decision concerning conduct is therefore not identical to the explanation later offered for that conduct. The former concerns action; the latter concerns narrative reconstruction or explanation.

This distinction has practical consequences. Suppose an accused states that they were present at a location but acted only because they believed another person had threatened them. The statement contains several propositions: presence, conduct, causation, perception of threat and justification. Treating the entire account as either "truthful" or "deceptive" collapses these separate propositions. A more rigorous investigation would identify which proposition can be independently tested.

The limitation is that neither rational-choice theory nor account theory provides a method for determining whether an individual account is factually true. They provide conceptual tools for understanding decisions and explanations. The investigator must therefore resist moving from theoretical classification to factual conclusion.

This supports the first proposition of the framework: an account is a source of propositions, not a substitute for proof of those propositions.

3.2 Account construction as an investigative problem

Accounts can contain excuses, justifications, factual assertions and interpretations simultaneously. A person may genuinely believe an explanation that is legally incorrect. Equally, a person may provide an inaccurate explanation because of memory problems, fear or deliberate concealment. Behavioural classification cannot by itself resolve these possibilities.

The appropriate investigative response is therefore decomposition. Each significant assertion should be translated into a proposition capable of independent testing. This is more defensible than assigning a global label such as “deceptive account”.

The analytical transition is important: account construction identifies what requires investigation; it does not determine the result of that investigation**.**

4. NEUTRALISATION AND MORAL JUSTIFICATION

Sykes and Matza's (1957) theory of neutralisation identifies techniques such as denial of responsibility, denial of injury, denial of the victim, condemnation of condemners and appeal to higher loyalties. Their argument concerns the ways in which individuals can neutralise moral restraints associated with delinquent behaviour. Bandura et al. (1996) approach a related issue through moral disengagement, examining mechanisms through which individuals may cognitively reconstruct harmful conduct, displace responsibility, minimise consequences or blame victims. The theories therefore converge on the possibility that people may construct explanations that reduce moral conflict, although their analytical approaches differ.

For criminal investigation, this literature can be useful because certain accounts may contain forms of justification or responsibility displacement that warrant further inquiry. An assertion such as "I had no choice" may prompt questions about what circumstances the speaker claims removed their choice. An assertion that "nobody was harmed" may prompt examination of what the speaker understood about the consequences. Such questions can improve investigation without requiring the investigator to conclude that the account is deceptive.

The limitation is fundamental. Neutralisation is not equivalent to guilt. A person may justify conduct that they did commit, justify conduct that they did not commit, or express a sincere but legally unsuccessful belief about what occurred. Similarly, the presence of moral disengagement mechanisms in a statement does not establish that those mechanisms caused the conduct under investigation.

Bandura et al.'s work also requires careful interpretation because its findings concern relationships between moral disengagement mechanisms and detrimental conduct within the research design. It should not be converted into an individual diagnostic rule. The fact that a statement resembles a neutralisation mechanism does not establish that the individual possesses a stable tendency towards moral disengagement.

Accordingly, the correct use of this literature is hypothesis generation. It can identify an account feature that deserves investigation, but the factual proposition must be tested separately.

The second stage of the proposed framework therefore requires an investigative test after the identification of an account-formation indicator.

5. BEHAVIOURAL AND VERBAL DECEPTION RESEARCH

The empirical literature on deception is especially important because it directly challenges the assumption that observable behaviour can provide a simple route to truth. Bond and DePaulo (2006) synthesised research from 206 documents involving 24,483 judges. In the circumstances examined, average lie-truth judgement accuracy was only modestly above chance. Their findings therefore support caution about the ability of ordinary observers to identify deception through behavioural observation.

Sporer and Schwandt (2006) examined paraverbal indicators, including speech characteristics associated with deception. Their meta-analysis found that only a limited number of behaviours were reliably associated with deception in the weighted analysis and that many effects were heterogeneous. They specifically identified moderators including content, preparation, motivation, sanctioning and experimental design.

The two sources therefore support a related but important conclusion: replacing "body language" with a list of verbals or paraverbal cues does not eliminate the problem of uncertainty. Deception indicators are context-dependent, and an observed association at group level cannot automatically be applied as a diagnostic rule to a particular individual.

This distinction matters for the wording used by investigators and researchers. It is inappropriate to write that a person "indicates deception" merely because they hesitate, change pitch or display another behaviour associated with deception in some studies. A more defensible statement would be that the behaviour is potentially relevant to an investigative hypothesis, subject to contextual and evidentiary testing.

At the same time, rejecting behavioural certainty does not require rejecting all behavioural information. A change in an account may be worth investigating; a contradiction may be capable of independent verification; and interview behaviour may affect the way questions are formulated. The appropriate boundary is therefore between investigative utility and evidentiary sufficiency.

The framework converts this boundary into a procedural requirement: a behavioural observation must lead to a testable proposition before it can have any potential significance beyond the observation itself.

6. INTERVIEWING AND COGNITIVE BIAS

Behavioural information is produced within an interaction. It is therefore necessary to consider not only the suspect's behaviour but also the investigator's behaviour and expectations.

Kassin, Goldstein and Savitsky (2003) experimentally examined behavioural confirmation in interrogation. Interrogators who were led to believe that suspects were guilty selected more guilt-presumptive questions, used more interrogation techniques, judged suspects as more guilty and exerted greater pressure for confession. The study therefore illustrates a mechanism through which an investigator's initial expectation can influence the interaction and subsequent interpretation.

Kassin and Gudjonsson's (2004) review of confession psychology complements this finding by examining the circumstances under which confessions are obtained and the psychological consequences of interrogation. The review draws on case studies, archival material, correlational research and experimental research. It demonstrates why a confession cannot be evaluated solely by its existence; the circumstances in which the statement was obtained are relevant to its assessment.

Together, these sources create an important qualification for behavioural interpretation. If an investigator begins with a strong belief that a suspect is deceptive, the resulting questioning may itself influence the suspect's behaviour. That behaviour may subsequently be treated as confirmation of the original belief. This creates the possibility of a circular inferential process.

The response should not be to demand that investigators have no hypotheses. Investigation necessarily involves hypothesis formation. Instead, hypotheses should be made explicit and subjected to disconfirming as well as confirming tests.

This is where the proposed framework introduces its fifth-stage safeguard. The investigator must ask whether another plausible explanation could account for the observed behaviour and whether available evidence distinguishes between those explanations.

Indian constitutional law reinforces the importance of this distinction. Article 20(3) protects against compelled self-incrimination, while Article 21 protects life and personal liberty. In *Nandini Satpathy v P.L. Dani* (1978), the Supreme Court considered the protection against self-incrimination in relation to questioning. In *Selvi v State of Karnataka* (2010), the Court considered the constitutional implications of involuntary techniques such as narcoanalysis, polygraph examination and BEAP. The relevance to this article is not that all interviewing techniques are constitutionally suspect, but that the method by which testimonial information is obtained can itself become legally significant.

7. INDIAN CONFESSION LAW AND CORROBORATION

7.1 Constitutional protection

Article 20(3) of the Constitution states that no person accused of an offence shall be compelled to be a witness against themselves. Article 21 provides the constitutional protection of life and personal liberty.

Nandini Satpathy v P.L. Dani (1978) is relevant because the Supreme Court considered the operation of the self-incrimination protection during questioning. The case supports the proposition that constitutional safeguards cannot simply be separated from the investigative process.

Selvi v State of Karnataka (2010) provides a further distinction between information voluntarily provided and testimonial responses extracted through involuntary techniques. The Court's reasoning concerning narcoanalysis, polygraph examination and BEAP demonstrates that the scientific character of a technique does not by itself determine its constitutional permissibility.

The doctrinal lesson for the present framework is therefore narrow: behavioural or psychological relevance cannot override constitutional restrictions on how information is obtained.

7.2 The BSA and confessions

The BSA is now the principal statutory evidence framework. India Code identifies sections 22, 23 and 24 respectively as dealing with confessions caused by inducement, threat, coercion or promise; confessions to police officers; and consideration of a proved confession affecting its maker and persons jointly tried for the same offence.

Section 22 is important because it expressly addresses the circumstances in which a confession becomes irrelevant in a criminal proceeding. Section 23 addresses confessions to police officers and contains the statutory framework concerning statements made in police custody and the limited discovery-related exception. These provisions demonstrate that the legal system does not treat every statement made during investigation as equivalent.

This differs from behavioural analysis. Behavioural research may ask why an individual changed a statement or displayed a particular response. Evidence law asks a different set of questions: whether the material falls within an applicable evidentiary rule, whether the relevant conditions are satisfied and what legal effect the material can have.

The distinction prevents an investigator from using a behavioural assessment to bypass evidentiary safeguards.

7.3 Discovery and corroborative significance

State of Uttar Pradesh v Deoman Upadhyaya (1960) is relevant to the discovery principle under the former Evidence Act. The Supreme Court considered the scope of the provision corresponding to the present discovery rule and recognised the limited relevance of information that distinctly relates to a fact discovered. Later Supreme Court decisions have continued to discuss *Deoman Upadhyaya* in this context.

The significance for the framework is that evidentiary value may arise from the relationship between a statement and independently discovered facts, rather than from the perceived psychological credibility of the statement alone.

Toofan Singh v State of Tamil Nadu (2021) provides a different but related doctrinal illustration. The Supreme Court held that an officer invested with the relevant powers under the NDPS Act was a "police officer" for the purposes of the statutory confessional prohibition, limiting the evidentiary use of confessional statements made to such officers. The case therefore demonstrates that the legal character of the person receiving a statement and the statutory setting can determine its evidentiary treatment. The judgment is reported as (2021) 4 SCC 1.

The lesson is not that every statement must be corroborated as a matter of universal law. That proposition would be too broad. Rather, the lesson is that legal weight depends upon the applicable evidentiary rule and the relationship between the statement and other evidence.

7.4 Current procedural safeguards under the BNSS

The BNSS provides the current procedural framework for criminal investigation. India Code lists section 181 as "Statements to police and use thereof", section 182 as "No inducement to be offered" and section 183 as "Recording of confessions and statements".

Section 182 is particularly relevant to the present argument because it prohibits inducement. Section 183 provides for the recording of confessions and statements before a Magistrate and contains procedural safeguards concerning voluntariness. These provisions demonstrate that the circumstances under which an account is generated are legally relevant.

This aligns with the behavioural literature on interrogation. If questioning conditions can influence the production of statements, then an account cannot sensibly be assessed without attention to the circumstances in which it was obtained. The behavioural and legal analyses therefore converge at one limited point: the production context matters.

8. THE ACCOUNT-TO-PROOF FRAMEWORK

The central contribution of this article is a five-stage analytical framework designed to prevent behavioural interpretation from becoming legal proof without an identifiable evidentiary pathway.

8.1 Stage One - Account-Formation Indicator

The first stage records the behavioural or narrative feature that attracts attention.

Examples may include:

- a change in an account;
- an apparent contradiction;
- a justification;
- an excuse;
- an omission;
- a shift in emphasis;
- a verbal or paraverbal feature identified in relevant research; or
- another observable feature requiring contextual interpretation.

The framework requires the investigator to describe the observation before assigning meaning to it.

Thus:

“The suspect changed the account concerning the time of departure.” is methodologically preferable to:

"The suspect changed the account because they were lying."

The first is an observation. The second contains an untested causal conclusion.

8.2 Stage Two - Investigative Test

The second stage asks:

What factual proposition does this observation justify testing?

If a suspect changes their account of where they were, the investigation can test location through independent evidence where available. If a suspect says they acted because of a threat, the investigation can examine the alleged threat, communications, witnesses or surrounding circumstances.

The key point is that the behavioural indicator becomes useful by directing investigation rather than by deciding the outcome.

8.3 Stage Three - Corroboration

The third stage asks what independent evidence supports, contradicts or complicates the proposition.

The word "independent" is important. Repeating the same behavioural inference does not necessarily strengthen it. If two investigators both conclude that a suspect's hesitation indicates deception, the second conclusion does not become independent corroboration merely because it comes from a different person.

Corroboration within this framework therefore means independent evidentiary testing. This is a methodological concept and must not be confused with every specific statutory or judicial rule concerning corroboration.

The BSA's sections 159–161 demonstrate that corroborative and former-statement rules have defined legal functions. Section 159 concerns questions tending to corroborate evidence of a relevant fact; section 160 addresses former statements that may corroborate later testimony as to the same fact; and section 161 concerns matters connected with proved statements.

8.4 Stage Four - Legal Evaluation

The fourth stage asks what the evidence means under law.

Questions include:

1. Is the evidence relevant?
2. Is it admissible?
3. Was it obtained in accordance with applicable safeguards?
4. Does a statutory exclusion apply?
5. What fact does the evidence actually establish?
6. Which element of the alleged offence does that fact address?
7. What weight can legitimately be assigned to the evidence?

This stage prevents "deceptive behaviour" from functioning as a legal conclusion.

The BSA also recognises expert opinion as a category of evidence under section 39, with related provisions concerning the grounds of expert opinion. This is relevant because the existence of expert evidence does not eliminate the need for legal evaluation. Expert evidence may assist the court on matters within the relevant field; it does not transfer the legal decision from the court to the expert.

8.5 Stage Five - Alternative-Hypothesis Audit

The fifth stage requires the investigator or evaluator to identify plausible alternative explanations.

For example, an inconsistent account may arise from:

- deception;
- poor memory;

- stress;
- misunderstanding;
- ambiguity in the original question;
- translation or communication difficulty;
- passage of time; or
- deliberate concealment.

The purpose is not to make every explanation equally probable. It is to prevent an initial hypothesis from becoming self-confirming.

The investigator should therefore record:

Observed behaviour → preferred explanation → alternative explanation → evidence distinguishing the explanations.

This makes the reasoning auditable.

9. WHY THE FRAMEWORK MATTERS

The framework's originality lies in its position between two established bodies of knowledge.

Behavioural research studies deception, decision-making, accounts, neutralisation, interrogation and cognitive processes. Legal doctrine determines how evidence may be obtained, admitted and evaluated. Neither body of literature, taken alone, provides a complete procedural bridge between an observed behavioural feature and a legal conclusion.

The framework therefore does not claim to have discovered a new behavioural cue. It does not propose that investigators can become reliable “human lie detectors”. Instead, it proposes an **inferential architecture**.

Its central safeguard is that each transition must be visible:

Account → Indicator → Test → Independent evidence → Legal evaluation → Alternative

hypothesis → Conclusion.

The practical value of this structure is that it enables an investigator, advocate, judge or researcher to identify where an inference entered the reasoning process.

If a conclusion rests entirely upon the first stage, the weakness is visible.

If an investigative test was conducted but no independent evidence supports the result, that limitation is visible.

If evidence exists but is legally inadmissible, that problem is visible.

If the evidence supports one explanation but reasonable alternatives were not considered, that weakness is visible.

The framework therefore seeks **auditability rather than certainty**.

10. LIMITATIONS

The framework is conceptual and has not yet been empirically validated. Its effectiveness in reducing confirmation bias or improving investigative accuracy therefore remains an empirical question. Behavioural research itself contains contextual and methodological variation, so the framework cannot eliminate uncertainty from behavioural interpretation. Further, "corroboration" is used here as a methodological concept and must not be represented as a universal statutory requirement. Finally, the framework does not establish that behavioural evidence is inadmissible or irrelevant; its purpose is to prevent behavioural interpretation from receiving greater legal significance than the applicable evidence and law permit.

11. CONCLUSION

This article began with a specific question: how can behavioural information concerning criminal accounts, deception, justification and interviewing be used without allowing behavioural interpretation to substitute for legal proof?

The answer is that the two forms of reasoning must remain connected but distinct.

Behavioural research can help explain how people make decisions, construct accounts, justify conduct, engage in moral disengagement and respond during interviews. It can also identify the limitations of human deception detection and demonstrate the influence that investigator expectations can exert upon interrogation. Cornish and Clarke (1987), Scott and Lyman (1968), Sykes and Matza (1957), Bandura et al. (1996), Bond and DePaulo (2006), Sporer and Schwandt (2006), Kassin, Goldstein and Savitsky (2003), and Kassin and Gudjonsson (2004) collectively demonstrate the complexity of the behavioural stage.

Indian law asks a different question. The Constitution imposes protections concerning self-incrimination and personal liberty. The BSA establishes rules concerning confessions, evidence and corroborative material, while the BNSS establishes the current procedural framework concerning police statements, inducement and recording of confessions and statements. *Nandini Satpathy*, *Selvi*, *Deoman Upadhyaya* and *Toofan Singh* demonstrate different aspects of the legal limits surrounding investigative statements and their evidentiary treatment.

The gap between the two disciplines is therefore not that one is scientific and the other legal. It is that they operate at different stages of inference.

The **Account-to-Proof Framework** addresses this gap through five stages:

1. Account-formation indicator

2. Investigative test

3. Corroboration

4. Legal evaluation

5. Alternative-hypothesis audit

The framework does not treat behavioural evidence as worthless. Nor does it treat behavioural indicators as proof. Its purpose is to establish a disciplined pathway between the two.

The most important proposition is therefore simple: **a behavioural indicator may tell an investigator what to examine, but it should not decide what the law has proved.**

The framework's ultimate contribution is consequently one of methodological discipline. It asks investigators and evaluators to disclose the inferential steps connecting behaviour to evidence and evidence to legal responsibility. Where an inference is weak, the framework makes that weakness visible. Where evidence is independent and legally relevant, the framework permits it to be evaluated. Where an alternative explanation remains plausible, the framework requires that possibility to remain in the analysis.

The appropriate objective of behavioural evidence in criminal investigation is therefore not certainty about a person's inner state. It is **better questions, better testing, better corroboration and more transparent legal evaluation**.

REFERENCES

Bandura, A., Barbaranelli, C., Caprara, G.V. and Pastorelli, C. (1996) 'Mechanisms of moral disengagement in the exercise of moral agency', *Journal of Personality and Social Psychology*, 71(2), pp. 364–374. doi:10.1037/0022-3514.71.2.364.

Bond, C.F. and DePaulo, B.M. (2006) 'Accuracy of deception judgments', *Personality and Social Psychology Review*, 10(3), pp. 214–234. doi:10.1207/S15327957PSPR1003_2.

Cornish, D.B. and Clarke, R.V. (1987) 'Understanding crime displacement: An application of rational choice theory', *Criminology*, 25(4), pp. 933–948. doi:10.1111/j.1745-9125.1987.tb00826.x.

Kassin, S.M., Goldstein, C.C. and Savitsky, K. (2003) 'Behavioral confirmation in the interrogation room: On the dangers of presuming guilt', *Law and Human Behavior*, 27(2), pp. 187–203. doi:10.1023/A:1022599230598.

Kassin, S.M. and Gudjonsson, G.H. (2004) 'The psychology of confessions: A review of the literature and issues', *Psychological Science in the Public Interest*, 5(2), pp. 33–67. doi:10.1111/j.1529-1006.2004.00016.x.

Scott, M.B. and Lyman, S.M. (1968) 'Accounts', *American Sociological Review*, 33(1), pp. 46–62. doi:10.2307/2092239.

Sporer, S.L. and Schwandt, B. (2006) 'Paraverbal indicators of deception: A meta-analytic synthesis', *Applied Cognitive Psychology*, 20(4), pp. 421–446. doi:10.1002/acp.1190.

Sykes, G.M. and Matza, D. (1957) 'Techniques of neutralization: A theory of delinquency', *American Sociological Review*, 22(6), pp. 664–670. Stable URL: https://www.jstor.org/stable/2089195.

Legal authorities

Constitution of India, arts 20(3) and 21.

Bharatiya Sakshya Adhiniyam, 2023, Act No. 47 of 2023, ss 22–24, 39, 104–109, 138–141, 159–161. Government of India, India Code. The Act came into force on 1 July 2024.

Bharatiya Nagarik Suraksha Sanhita, 2023, Act No. 46 of 2023, ss 181–183. Government of India, India Code. The Act came into force on 1 July 2024.

Cases

Nandini Satpathy v P.L. Dani (1978) 2 SCC 424.

Selvi v State of Karnataka (2010) 7 SCC 263.

State of Uttar Pradesh v Deoman Upadhyaya AIR 1960 SC 1125.

Toofan Singh v State of Tamil Nadu (2021) 4 SCC 1.