“Scientific research consists in seeing what everyone else has seen, but thinking what no one else has thought”

- Unknown Source

Chapter Four

METHODOLOGY

4.0.0. INTRODUCTION

This chapter deals with the methodology adopted by the researcher for this study. It describes the operational definitions of the terms used, objectives and hypotheses, procedure of the study, the variables used in the study, tools used to carry out the study, population and sample of the study and the statistical procedure used for data collection and for data analysis.

4.1.0. STATEMENT OF THE PROBLEM

Part I of the study analyses the judgment copies of the examined acquitted murder cases, to cull out the reasons for acquittals of those cases in Tirunelveli, Tuticorin and Kanyakumari districts in Tamil Nadu is the scope of the thesis. Part II of the study was conducted personally by the researcher by scrutinizing the judgment copies in relation to the direct victims.

4.2.0. OPERATIONAL DEFINITIONS OF THE TERMS USED

EXAMINATION OF ACCESS TO JUSTICE

For the purpose of the study it was assumed that the indirect victims are denied access to justice as the examined murder cases ended in acquittals. Victims of criminal offences often face significant barriers while seeking access to justice. Victims may face long delays, prohibitive costs, and insufficient enforcement of laws and lack of affordable and trustworthy legal representation. The judgment copies of acquitted murder cases were examined to study this aspect. This study aims at the finding out the difficulties faced by the indirect victims who find it extremely difficult to access justice. When the case is acquitted, naturally and obviously, the indirect victims (kith and kin of the deceased) are denied justice especially when not adequately compensated.
VICTIMS

Victims means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within member states, including those laws proscribing criminal abuse of power.

A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim. The term "victim" also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.

The provisions contained herein shall be applicable to all, without distinction of any kind, such as race, colour, sex, age, language, religion, nationality, political or other opinion, cultural beliefs or practices, property, birth or family status, ethnic or social origin, and disability (U.N.Declaration, 1985).

DIRECT VICTIMS

Direct victims are those who have suffered the direct effects of violence and have been killed. However, for the purpose of this study, the family of the direct victims is taken as the base. In this study the investigator has analyzed the direct victims on demographic variables and met the indirect victims for case study.

INDIRECT VICTIMS

Indirect victims are those who are linked to direct victims in such a way that they too suffer because of that link. Indirect victims are the family members of a direct victim. Relatives often experience extreme hardship and pain because of the killing of a family member through serious socio-economic deprivation, bereavement, the loss of a breadwinner, missed educational opportunities, family breakdown, police intimidation or humiliation.

ACQUITTALS

Acquittal means the offence is not proved beyond reasonable doubt and the person alleged was let off. It is a setting free from the charge of an offence by
verdict, sentence, or other legal process. An acquittal is one of the two possible verdicts in a criminal court case.

For the purpose of the study the murder cases that took place in a given period of time, from 1995 to 2010 in the three districts of Tirunelveli, Tuticorin and Kanyakumari were examined.

**MURDER**

It is defined in section 300 Indian Penal Code that except in the cases hereinafter excepted, culpable homicide is murder, if the act by which the death is caused is done with the intention of causing death.

If it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused.

If it is done with the intention of causing bodily injury to any person and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death.

If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death, or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death or such injury as aforesaid. (Indian Penal Code, 1860).

In section 302 IPC, punishment for murder is stated: whoever commits murder shall be punished with death or imprisonment for life and shall also be liable to fine. (Indian Penal Code, 1860).

**Examined Murder Cases**

Murder cases that took place in a given period of time, from 1995 to 2010 in the three districts of Tirunelveli, Tuticorin and Kanyakumari, due to various reasons such as family disputes, caste and communal clashes, sudden provocation and taking revenge.

**TIRUNELVELI DISTRICT**

Tirunelveli District is a district of Tamil Nadu state in southern India. The city of Tirunelveli is the district headquarters. It is the second-largest district in Tamil Nadu.

**TUTICORIN DISTRICT**

Tuticorin District, also known as Thoothukudi District, is a district of Tamil Nadu state in southern India. Tuticorin is the district headquarters. It is also
known for pearl cultivation with abundance of pearls found in the seas of Tuticorin. It is known as the gateway of Tamil Nadu.

**KANYAKUMARI DISTRICT**

Kanyakumari District (also spelled Kanniyakumari or Kanniakumari District) is a district of Tamil Nadu state, India, and is the southernmost land area of mainland India. The district is the second most urbanized district in Tamil Nadu — next only to Chennai and ahead of Coimbatore — and is the second smallest of the 32 districts of Tamil Nadu. Kanyakumari shares its name with the town of Kanyakumari, which is at the tip of the Indian Peninsula and faces the Indian Ocean, but the administrative capital is Nagercoil. The district is also known as "The District of Ponds" or "The Lands End", where the Triveni Sangamam, is very famous.

**4.3.0. OBJECTIVES**

1. To study the demographic variables of the accused and the direct victims of the examined murder cases of Tirunelveli district.
2. To study the demographic variables of the accused and the direct victims of the examined murder cases of Tuticorin district.
3. To study the demographic variables of the accused and the direct victims of the examined murder cases of Kanyakumari district.
4. To study in depth the content of the judgment copies of the examined murder cases in Tirunelveli, Tuticorin and Kanyakumari districts with respect to the credence given to Mens-rea (Intention-Motive) preparation, attempt and commission of the crime while pronouncing the judgment.
5. To formulate the major reasons that led to acquittals in the examined murder cases in Tirunelveli, Tuticorin and Kanyakumari districts.
6. To find out the correlation between the different reasons for acquittal in Tirunelveli, Tuticorin and Kanyakumari districts.
7. To find out the association between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Tirunelveli district.
8. To find out the association between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Tuticorin District.
9. To find out the association between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Kanyakumari District.

10. To find out the difference between the mean ranks of the reasons for acquittal of accused and the direct victims of examined murder cases in Tirunelveli, Tuticorin and Kanyakumari Districts.

11. To find out the difference between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Tirunelveli District.

12. To find out the difference between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Tuticorin District.

13. To find out the difference between the demographic variables with regard to the reasons for acquittal of the accused and the direct victims of examined murder cases of Kanyakumari District.

4.4.0. HYPOTHESES

1. There is a significant association between the demographic variables with regard to the reasons for acquittal of the accused of the examined murder cases of Tirunelveli district.

2. There is a significant association between the demographic variables with regard to the reasons for acquittal related to the direct victims of the examined murder cases of Tirunelveli district.

3. There is a significant association between the demographic variables with regard to the reasons for acquittal of the accused of the examined murder cases of Tuticorin district.

4. There is a significant association between the demographic variables with regard to the reasons for acquittal related to the direct victims of Tuticorin district.

5. There is a significant association between the demographic variables with regard to the reasons for acquittal of the accused of the examined murder cases of Kanyakumari district.
6. There is a significant association between the demographic variables with regard to the reasons for acquittal related to the direct victims of Kanyakumari district.

7. There is a significant difference between the mean ranks of the reasons for acquittal of the examined murder cases of Tirunelveli, Tuticorin and Kanyakumari districts.

8. There is a significant difference between the demographic variables with regard to the reasons for acquittal of the accused of examined murder cases of Tirunelveli district.

9. There is a significant difference between the demographic variables with regard to the reasons for acquittal related to the direct victims of Tirunelveli district.

10. There is a significant difference between the demographic variables with regard to the reasons for acquittal of the accused of examined murder cases of Tuticorin district.

11. There is a significant difference between the demographic variables with regard to the reasons for acquittal related to the direct victims of Tuticorin district.

12. There is a significant difference between the demographic variables with regard to the reasons for acquittal of the accused of examined murder cases of Kanyakumari district.

13. There is a significant difference between the demographic variables with regard to the reasons for acquittal related to the direct victims of Kanyakumari district.

4.5.0. **DESIGN OF THE STUDY**

The research design is a comprehensive master plan of the research study to be undertaken, giving a general statement of the methods to be used. The function of a research design is to ensure that requisite data in accordance with the problem in hand is collected accurately and economically. Simply stated, it is the framework, a blueprint for the research study which guides the collection and analysis of data. The research design, depending upon the needs of the researcher may be a very detailed statement or only furnish the minimum information
required for planning the research project. To be effective, a research design should furnish at least the following details.

a) A statement of objectives of the study or the research output.

b) A statement of the data inputs required on the basis of which the research problem is to be solved.

c) The methods of analysis which shall be used to treat and analyze the data inputs.

This study undertakes non experimental hypothesis testing. The researcher used a **Qualitative Research Design** by using the Secondary data, to examine all the acquitted murder cases from Tirunelveli, Tuticorin and Kanyakumari Districts of Tamil Nadu between the years 1995 – 2010 and interviewing the available indirect victims of the murder cases examined.

The researcher has used the case study method while reporting the statement of the indirect victims. **Convenience Sampling Method** was used for the selection of sample of the available indirect victims for case study method from each district.

Content analysis method was used to examine the acquitted murder cases. The researcher has adopted **Purposive Proportionate Random Sampling Technique** to collect the secondary data from the judgment copies of the acquitted murder cases of Tirunelveli, Tuticorin and Kanyakumari Districts of Tamil Nadu between the years 1995 – 2010. The diagrammatic representation of the research design is given in table 4.1.

<table>
<thead>
<tr>
<th>Phase One</th>
<th>Survey of Existing Literature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase Two</td>
<td>Survey of Experiences of Individuals</td>
</tr>
<tr>
<td>Phase Three</td>
<td>Analysis of Selected Case Situations</td>
</tr>
</tbody>
</table>

### 4.6.0. QUALITATIVE RESEARCH

In this study the case study and content analysis method was found suitable, which is a qualitative research. Qualitative research is concerned with the qualitative phenomenon, related to or involving quality or kind. This type of research aims at discovering the underlying motives and desires by using in-depth
Methodology

Interviews for the purpose. Qualitative methods generally aim to understand the experiences and attitudes of victims, the community or criminal justice systems. These methods aim to answer questions about the ‘what’, ‘how’ or ‘why’ of a phenomenon rather than ‘how many’ or ‘how much’, which are answered by quantitative methods. Qualitative researchers are interested in life as it is lived in real situations. (Kothari, 2004).

4.7.0. CONTENT ANALYSIS

The method of content analysis enables the researcher to include a large amount of textual information and systematically identify its properties, e.g. the frequencies of most used keywords, by locating the more important structures of its communication content.

- Content analysis has become an increasingly important tool in the measurement of success in public relations programme.
- It is mainly used for assessment of media profiles and an element of media evaluation or media analysis.
- In analyses of this type, data from content analysis is usually combined with media data (circulation, readership, number of viewers and listeners, frequency of publication).
- It has also been used by futurists to identify trends.
- Every content analysis should be devoid of hypothesis.

As an evaluation approach, content analysis is considered by some to be quasi-evaluation, because content analysis judgments need not be based on value statements, if the research objective is aimed at presenting subjective experiences. Thus, they can be based on knowledge of everyday, lived experience.

The researcher collected the data and personally studied the history of the acquittals and both direct and indirect victims related to each case file and found out the forty-four different reasons that led to the acquittals of homicide cases. They were divided into six groups: 1) Imperfect investigation 2) Failure to produce expert opinion 3) Inordinate delay in launching prosecution 4) Entire burden lies on the prosecution 5) Lack of knowledge of trend 6) Violation of natural justice. This was further categorized into three major heads such as
1) Investigation 2) Prosecution 3) Criminal Justice System. These reasons will be elaborately explained in the next chapter.

4.7.1. PROCESS OF CONTENT ANALYSIS

According to Krippendorff (1980 and 2004), six categories must be addressed in every content analysis: Data to be analyzed; Defining of Data; Population to be drawn; Context to be analyzed; Boundaries of analysis; Target of inference.

The assumption is that words and phrases mentioned most often are those reflecting important concerns in every communication. Therefore, quantitative content analysis starts with word frequencies, space measurements (column centimeters / inches in the case of newspapers), time counts (for radio and television time) and keyword frequencies. Synonyms and homonyms can be isolated in accordance with linguistic properties of a language. Qualitatively, content analysis can involve any kind of analysis where communication content (speech, written text, interviews and images) is categorized and classified. (https://www.digitalmethods.net/MoM/QuantContent Analysis) Accessed on Sep. 23, 2013

The researcher has examined each file exhaustively using content analysis and information pertaining to each case were extracted and categorized. A comprehensive list of forty four reasons for acquittal was compiled which will be detailed in the next chapter. The diagrammatic representation and flow chart of these reasons are given below.

4.7.2. PROCESS OF CASE STUDY

To select sample of the indirect victims from each district, convenience sampling method was applied. One percent of the indirect victims in each district were interviewed regarding his/her experiences with the criminal justice systems. The number of the indirect victims interviewed were, seven in Tirunelveli District, six in Tuticorin District and three in Kanyakumari District. The researcher had personally met the indirect victims to analyses the volume of access to justice rendered to the indirect victims.
Figure: 4.1. Flow Chart with regard to Type of Witnesses

FLOW CHART

- Official Witness
  - Investigating Officers
  - Expert Witness
- WITNESSES
  - Eye Witness
  - Private Witness
    - Neighbourhood Witness
    - Interested Witness
    - Disinterested Witness
    - Child Witness
  - Circumstantial
    - Hostile
    - Lying Witness
    - Unwilling Witness
    - Contradictory
- Victim Witness
  - Injured / affected
  - Dying Declarations
Figure: 4.2. Flow Chart with regard to Reasons for Delayed Justice

FLOW CHART

DELAyED JUSTICE

POLICE

- Delayed registration of case
- Delayed investigation
- Delayed collection of material evidence
- Delay in sending it to the court
- Delay in sending it for analysis (Lab)
- Delay in laying of charge sheet

JUDICIARY

- Frequent adjournments
- Absence of special courts
- Lack of filling up of judge vacancies
- Heavy court pendency
- Lack of filling up of government advocate post
- Delay in commencement court proceedings / trial
4.8.0. CASE STUDY METHOD

Case study method excels at bringing us to an understanding of a complex issue or object, and can extend experience or add strength to what is already known through previous research. Case studies emphasize detailed contextual analysis of a limited number of events or conditions and their relationships. Robert K. Yin defines the case study research method as an empirical inquiry that investigates a contemporary phenomenon within its real-life context when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used (Yin, 1984).

A case study (also known as a case report) is an intensive analysis of an individual unit (e.g., a person, group, or event) stressing developmental factors in relation to context. Case studies may be descriptive or explanatory. The latter type is used to explore causation in order to find underlying principles (Yin, 1984). They may be prospective (in which criteria are established and cases fitting the criteria are included as they become available) or retrospective (in which criteria are established for selecting cases from historical records for inclusion in the study).

"Case studies are analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or more methods. The case that is the subject of the inquiry will be an instance of a class of phenomena that provides an analytical frame — an object — within which the study is conducted and which the case illuminates and explicates."

Case study should be defined as a research strategy, an empirical inquiry that investigates a phenomenon within its real-life context. Case study research can include single and multiple case studies and quantitative evidence:

4.9.0. VARIABLES OF THE STUDY

The researcher has developed the following independent and dependent variables for the study.

**Independent Variable**

**ACCESS TO JUSTICE**

The study is based on the premise that once the case is acquitted the indirect victim is denied access to justice. In this study access to justice is the
independent variable, denied to all the other variables taken for the study. "Victims" means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within member states, including those laws proscribing criminal abuse of power. The term "victim" also includes, where appropriate, the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization. (UN Declaration, 1985)

**Dependent Variable**

**REASONS FOR ACQUITTALS**

An acquittal is one possible verdict in a criminal court case. It means that a person is not guilty of whatever crimes which he has been accused of. It is setting free of someone from the charge of an offence by verdict or other legal process even though he has committed the crime when the evidences are not proved against him. The acquittals are of two types, honorable acquittal or acquittal on the benefit of the doubt.

Reasons for acquittals are studied in depth by the researcher, resulting in development of forty four possible reasons, which will be explained in the next chapter.

**4.9.1. BACKGROUND VARIABLES**

The background variables used in the study of the Accused are Accused Age, Accused Caste, Accused Occupation and Accused Religion.

**Figure: 4.3 Diagrammatic Representation of the Background variables of the Study Based on Accused**
The background variables used in the study of the Victims are Victims Age, Victims Caste, Victims Occupation and Victims Religion.

**Figure: 4.4 Diagrammatic Representation of the Background variables of the Study Based on Direct Victims of the Examined Murder Cases**

4.10.0. PRIMARY DATA

The investigator had collected the primary data from the available indirect victims of the examined murder cases by interviewing them personally.

**RATIONALE FOR THE COLLECTION OF THE PRIMARY DATA**

Available indirect victims of the examined murder cases were identified and interviewed to find out the gravity of the trauma they underwent during trial and after the judgement. Those murder cases which were examined between 1995 and 2010 were due to various reasons like caste and communal dispute, brewing enmity with the offenders’ family, post traumatic stress disorder, social stigma, wreaking vengeance, etc,. Most of the indirect victims have shifted their residences on account of change of vocation, occupation, matrimony.

4.10.1. SECONDARY DATA

Secondary data analysis involves the analysis of an existing dataset, which had previously been collected by another researcher, usually for a different research question. The collection of original data by a researcher is called primary data collection. Secondary data analysis is widely used by researchers undertaking analysis of quantitative data, and has begun to be applied to qualitative data. There are many advantages in undertaking secondary, rather than primary, analysis such
as savings in relation to resources, time, money and personnel. To begin with, using data collected by someone else means that the data is available relatively quickly. The researcher does not have to go through the long and costly processes of obtaining, funding, designing and implementing their own survey, or paying for a sampling frame, conducting fieldwork, data preparation and data cleaning.

The researcher has selected Secondary Data of all the Judgment Copies of the examined acquitted murder cases from Tirunelveli, Tuticorin and Kanyakumari Districts of Tamil Nadu between the years 1995 – 2010 and had done a case study and content analysis on each case and found out the possible Reasons for Acquittals.

4.10.2. RATIONALE FOR THE COLLECTION OF THE SECONDARY DATA

For the collection of the Judgment copies of the examined acquitted murder cases, necessary permissions were sought and received from the higher authorities and copies of the files of acquitted murder cases between the years 1995 – 2010 were procured from Tirunelveli, Tuticorin and Kanyakumari districts of Tamil Nadu.

The researcher had gone through the following three stages for the collection of Secondary Data.

4.10.2.0. Survey of Existing Literature

The researcher had gone through a number of published literatures available for the purpose of hypothesis generation and problem definition. The researcher had gone through a large variety of published and unpublished data, through books and journals, newspapers and periodicals, government publications and individual research projects as well as data collected by similar studies. Though the researcher did not get solutions for the research problem while doing survey of existing literature, it certainly provided direction to the research process.

4.10.2.1. Survey of Individuals with expertise

The researcher had met individuals who have expertise and ideas about the research subject. These individuals were judges, police personnel, NGOs, academicians and Supervisors (Guides), superior officers, who handle related cases. The information collection exercise does not involve a scientifically designed survey; it is merely an attempt to gather all possible information about
the subject of research from people, who have specific knowledge about it. The success of this type of experience survey depends upon the freedom of response given to the respondent as well as upon the expertise and communication ability of the people questioned.

4.10.2.2. Analysis of Selected Case Situations

The researcher selected the cases reflecting the problem situation and conducted a thorough analysis of the same by doing the case study. The selected acquitted homicide cases of study will help in identifying the possible relationships that exist between the variables of the problem situation. The researcher has studied the research subject as a whole using Case Study and Content Analysis of each case. These analyses helped in identifying possible relationships between demographic and/or personality variables.

4.11.0. VALIDITY AND RELIABILITY

The researcher needs to be able to establish the validity of the research, both in terms of design and instrumentation. In addition, the reliability of instrumentation must also be established. Validity of the research design can be discussed in terms of internal validity and external validity. Internal validity may be defined as the extent to which the research design rules out extraneous variables as possible sources of changes in, or the value of, the dependent variable (Singleton & Strauss, 1999). The internal validity of a cross-sectional survey design is critically determined by, (1) the researcher’s understanding and inclusion of relevant independent variables, (2) the validity of the measurement, and (3) sampling. The review of literature is an important step in identifying the relevant variables of inquiry, and as identified, this research study takes into account several important variables; however, even with a substantial review of literature, there may be extraneous variables of importance that are unidentified or inadequately understood. Instrument and measurement validity will be discussed briefly, and sampling issues are addressed in the next chapter. It is this difficulty in controlling or accounting for extraneous variables, that limits the utility of this design to description. External validity is defined as the generalizing of the study results; that is, the extent to which study results have meaning outside the context of the specific research study (Singleton & Strauss, 1999). External validity is
usually limited with regard to generalizing from sample to population, but it can be enhanced through sampling strategies.

 Measurement validity is defined as the extent of similarity between an operational definition and the concept it is reported to measure (Singleton & Straits, 1999). The true “value” of a concept can never be known, and thus validity cannot be examined directly. Therefore, measurement validity must be assessed indirectly, either through the subjective evaluation of whether or not an operational definition measures what it is intended to, or, through the comparison of the results of the operational definition with the results of other measures with which it should and should not be related.

 There are two subjective methods of validity assessment: face validity and content validity. Face validity simply refers to a judgment that the operational definition, “on the face of it,” measures the concept it is intended to measure (Singleton & Straits, 1999). Face validity is easy to establish and is generally regarded as an insufficient assessment of validity. Content validity is the extent to which a measure adequately represents all facets of a concept (Singleton & Straits, 1999). In order to establish content validity, the researcher must be able to identify the relevant components of the concept to be measured and show that the test items adequately reflect those components. Measurement validity can also be indirectly assessed through construct validation. Construct validity can be defined as the ability of the measure to differentiate between the concept of interest and related and unrelated concepts and construct validity is based on research, not appearances. Social validity, defined as the extent to which the importance of a measure outweighs any potentially discriminatory effects of its use, although not widely discussed, remains an important issue of consideration. This is a concern of the proposed research, as the target population under study remains socially and culturally marginalized.

**4.12.0. POPULATION AND SAMPLE**

 Any set of people or events from which the sample is selected and to which the study results will generalize is called as population. A sample is a group of people or events drawn from a population. A research study is carried out on a sample from a population. The goal is to be able to find out facts about the sample that will also be true of the population. In order for the sample to truly reflect the
population, one needs to have a sample that is representative of the population. The best method to use, to obtain a representative sample is to randomly select the sample from the population. A study that has a large, randomly selected sample or a carefully matched sample is said to have external validity.

4.12.1. POPULATION OF THE STUDY

In the present study, the population consisted of all the acquitted murder cases in Tirunelveli, Tuticorin and Kanyakumari districts between the years 1995-2010. Available indirect victims were met, to measure the effects of the acquittal. The total of examined cases for this time period was as given below in table 4.2 for each of the three districts. This was the population, to which the researcher wanted to generalize the result of the present study.

Table 4.2: Population of Acquitted homicide Cases

<table>
<thead>
<tr>
<th>District</th>
<th>Population of Examined Acquitted Murder Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tirunelveli</td>
<td>1393</td>
</tr>
<tr>
<td>Tuticorin</td>
<td>1229</td>
</tr>
<tr>
<td>Kanyakumari</td>
<td>599</td>
</tr>
</tbody>
</table>

4.12.2. SAMPLING

Sampling is a process used in statistical analysis in which a predetermined number of observations will be taken from a larger population. The researcher employed purposive proportionate sampling technique to collect the secondary data of all the judgment copies of the examined acquitted murder cases from Tirunelveli, Tuticorin and Kanyakumari Districts of Tamil Nadu between the years 1995 – 2010.

4.12.2.0. Purposive Proportionate Random Sampling

Purposive Sampling, also known as judgmental selective or subjective sampling, reflects a group of sampling techniques that rely on the judgment of the researcher when it comes to selecting the units (people, cases/organizations, events, pieces of data) that are to be studied. These purposive sampling techniques include maximum variation sampling, homogeneous sampling, and typical case sampling; extreme (or deviant) case sampling, total population sampling and
expert sampling. Each of these purposive sampling techniques has a specific goal, focusing on certain types of units, all for different reasons. The different purposive sampling techniques can either be used on their own, or in combination with other purposive sampling techniques.  

(http://dissertation.laerd.com/purposive-sampling.php)

i) Uses of Purposive Sampling

There are a wide range of qualitative research designs that researchers can draw on. Achieving the goals of such qualitative research designs requires different types of sampling strategy and sampling technique. One of the major benefits of purposive sampling is the wide range of sampling techniques that can be used across such qualitative research designs; purposive sampling techniques that range from homogeneous sampling through critical case sampling, expert sampling, and more.

While various purposive sampling techniques have different goals, they can provide researchers with the justification to make generalizations from the sample that is being studied, whether such generalizations are theoretical, analytic and/or logical in nature. However, since each of these types of purposive sampling differs in terms of the nature and ability to make generalizations, one should read the articles on each of these purposive sampling techniques to understand their relative advantages. Purposive sampling is useful in these instances because it provides a wide range of non-probability sampling techniques for the researcher to draw on.

The researcher employed proportionate random sampling technique to collect the secondary data of all the judgment copies of the examined acquitted murder cases from Tirunelveli, Tuticorin and Kanyakumari Districts of Tamil Nadu between the years 1995 and 2010.

ii) Proportionate Random sampling

Proportionate random sampling is a sampling procedure in which the number of elements sampled from each stratum is proportional to their representation in the total population. Population elements are not given an equal chance to be included in the sample. The same sampling fraction is applied to each stratum.
4.12.3. SAMPLE OF THE STUDY

The part I is the secondary data, which is the judgment copies of acquitted murder cases. The sampling was done by using purposive proportionate random sampling method. Utilizing the case file numbers, the Lottery method was used to draw lots and select samples randomly to the populations of the three districts. The final random samples developed by the purposive sampling were given below in the table 4.3.

**Table 4.3: Number of Selected Examined Acquitted Homicide Cases of Three Districts**

<table>
<thead>
<tr>
<th>District</th>
<th>Population of Examined Acquitted Murder Cases</th>
<th>No. of Samples for the study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tirunelveli</td>
<td>1393</td>
<td>70</td>
</tr>
<tr>
<td>Tuticorin</td>
<td>1229</td>
<td>62</td>
</tr>
<tr>
<td>Kanyakumari</td>
<td>599</td>
<td>30</td>
</tr>
</tbody>
</table>

**Figure 4.5: Distribution of the Examined Acquitted Murder Cases of the Three Districts**
4.12.4. Convenience Sampling Method

The part II is the primary data and it constitutes the indirect victims. Convenience sampling method was used for selection of sample of available indirect victims for case study method from each district. One percent of the available indirect victims in each district were interviewed regarding his/her experiences with the criminal justice systems. The numbers of available indirect victims interviewed were seven in Tirunelveli District, six in Tuticorin District and three in Kanyakumari District. The samples are given in the table 4.4.

Table 4.4: Number of Available Indirect Victims of the examined Murder Cases from Three Districts

<table>
<thead>
<tr>
<th>District</th>
<th>No. of available Indirect Victim for the study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tirunelveli</td>
<td>7</td>
</tr>
<tr>
<td>Tuticorin</td>
<td>6</td>
</tr>
<tr>
<td>Kanyakumari</td>
<td>3</td>
</tr>
</tbody>
</table>

Limited number of indirect victims was taken as samples due to various impediments like caste and communal dispute, brewing enmity with the offenders family, post traumatic stress disorder, social stigma, wreaking vengeance, fear of retaliation etc., also most of the indirect victims have shifted their residences on account of change of vocation, occupation, matrimonial / and maternal houses.

Figure 4.6: Distribution of the Available Indirect Victims from Three Districts
4.13.0. PROCEDURE FOR DATA COLLECTION

For the purpose of collecting data the researcher personally visited the government authorities for taking permissions in collecting part I, secondary data, the judgment copies of the examined acquitted murder cases between the years 1995 and 2010. The Investigator got the written permission from the superior officer who in turn instructed the three districts to provide the data. The researcher then went to all the three districts of Tirunelveli, Tuticorin and Kanyakumari, explained the purpose of collecting these judgment copies and how it will be useful to the department for the future and promised to maintain confidentiality. The explanations of the researcher were convincing and hence obtained the necessary permission from the higher authorities and thus the judgment copies of files of acquitted homicide, 1393 from Tirunelveli, 1229 from Tuticorin and 599 from Kanyakumari Districts of Tamil Nadu were procured.

Available indirect victims of the examined murder cases, part II, the primary data, were identified and interviewed, to find out the gravity of the trauma they underwent, during trial and after the judgement. Those murder cases between 1995 and 2010 and which were examined were due to various reasons like caste and communal dispute, brewing enmity with the offender’s family, post traumatic stress disorder, social stigma, wreaking vengeance, etc., Most of the victims have shifted their residences on account of change of vocation, occupation, matrimony.

4.14.0. STATISTICAL TECHNIQUES USED

To study the degree of justice done to available indirect victims in the examined murder cases of acquittals in the three districts of Tirunelveli, Tuticorin and Kanyakumari, during the period, from 1995 to 2010, the following statistical techniques were used.

1. Descriptive Statistics

A set of brief descriptive coefficients summarizes a given data set, which can either be a representation of the entire population or a sample. Data analysis draws its main conclusions using inferential statistics and descriptive statistics. Descriptive statistics namely, mean median, standard deviation and bar diagram were computed for the variables in the study.
2. Reliability analysis in statistics

Reliability is the consistency of a set of measurement or of a measuring instrument, often used to describe a test. Reliability is inversely related to random error. Reliability may be estimated through a variety of methods that fall into two types: single administration and multiple administrations. Multiple administration methods require two assessments administered. In the test retest method, reliability is estimated as the Pearson product moment correlation coefficient between two administrations of the same measure.

3. Correlation

Correlation refers to any broad class of statistical relationships between two variables involving dependence. Correlations are useful because they can indicate a predictive relationship that can be exploited in practice. In loose usage, correlation can refer to any departure of two or more random variables from independence, but technically it refers to any of several more specialized types of relationship between mean values.

4. Chi Square test

Chi-square is a statistical test commonly used to compare observed data with data we would expect to obtain according to a specific hypothesis. Chi-square is the sum of the squared difference between observed (o) and the expected (e) data (or the deviation, d), divided by the expected data in all possible categories.

The researcher used Chi Square tests to study the association between variables such as the victim and accused demographics and the reason for acquittal.

5. Kruskal Wallis Test

Kruskal Wallis test is used to find the difference in the mean ranks of the groups. This test is appropriate to compare three or more conditions and when each condition is performed by different groups of participants and also when the data does not meet the requirements for a parametric test.

6. ANOVA (Analysis of Variance)

Analysis of Variance is an extremely useful technique, for testing difference between the means of multiple independent samples. The basic principle for ANOVA is to test the differences among the means of the samples by
examining the amount of variation between the samples relative to the amount of variation between the samples.

The analysis and interpretation of the tabulated data as per objective is presented in chapter five.