

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 12th October, 2010.

H.R.M.P.No. 722 of 2010

Petitioner : Karthik.M.,
T.C. 27/2079, St. Antony Church Lane,
Statue Road, Thiruvananthapuram.

Respondent :

ORDER

The complaint of the petitioner is that he was caught at South Railway Station, Ernakulam, on 19..2..10 by the Sub Inspector of Police (S.I. of Police), Central Police Station, Ernakulam, who took Rs.250/- from his pocket and assaulted him and he was released only at 5 P.M. on 20..2..2010. According to him he went to the General Hospital Ernakulam and took treatment for the injuries suffered at the hands of the S.I. of Police.

In the report filed by the City Police Commissioner, Ernakulam, the allegation of assault is denied. It is stated that the petitioner was causing nuisance to the public at South Railway Station, Ernakulam, on 19..2..2010 and that he was warned at the Police Station and he was released after a crime was registered against him under Section 290 IPC.

It is also reported that the petitioner is involved in Crimes 595/04 & 57/10 of Central Police Station and Kadavanthra Police Station. According to the report though the petitioner was contacted over phone and was asked to appear for an enquiry in the above HRMP he did not appear in spite of several opportunities given to him

The petitioner is present before me and he admits that he was summoned over phone by the Police and that he did not appear before the enquiry officer.

In view of the above fact I feel that an enquiry is to be conducted in the matter. It is to be remembered that the petitioner has annexed the medical certificates issued by the General Hospital, Ernakulam and at the casualty department he has informed the doctor that he was assaulted at the Central Police Station, Ernakulam, at 8 A.M. on 20..2..2010 though the doctor did not find any external injury. In 'USS/CT Request' form of the General Hospital, Ernakulam, as against the column: 'Clinical Details' it is noted: "H/o Assault, Blunt injury abdomen"

In view of the above medical certificate and in view of the complaint of the petitioner and also in view of the statement of the petitioner that he could not appear before the enquiry officer for enquiry in the above HRMP a fresh enquiry will be conducted by an officer nominated by the City Police Commissioner, Ernakulam. The said officer so nominated will summon the petitioner by giving him notice in writing sufficiently in advance so that he can make arrangements to appear for the enquiry. The Officer/officers alleged to have been involved in the incident will also be given an opportunity in the said enquiry to submit their side of the version and after the enquiry an appropriate order will be passed.

The petition is closed with the above recommendation.

Justice N.Dhinakar,
Chairperson.