

BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION, THIRUVANANTHAPURAM

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

Dated this the 5th June, 2009.

H.R.M.P.No.3332/08

Petitioner : N. Kumaresan,
Puthuparambil Veedu
Kuppakkayam.P.O.,
Erumeli North Village.
Kanjirappally Taluk, Kottayam.

Respondent :

ORDER

The complaint of the petitioner is that while he was in District Jail, Kollam, the officials assaulted him on 21..05..2008.

A report was called for from the Director General of Police (Prisons), Thiruvananthapuram, and in the report the allegations are denied and it is stated that since the petitioner was transferred from Kitchen duty to 'C' Cell he has filed the above complaint and that he did not make any complaint to any officer either judicial or non-judicial about the alleged assault.

The petitioner and Mr. Vinod Kumar, Superintendent, District Jail, Kollam, are present. The petitioner submits that during his detention in the prison no judicial officer visited and therefore he could not give any complaint to any authority. According to him

he would not even furnished with writing materials for him to write a complaint to drop in the complaint box, which has normally maintained at the prison.

In view of the conflicted stands taken by the parties it becomes necessary to order a thorough enquiry into the matter and I therefore direct the Deputy Inspector General of Police (Prisons), Thiruvananthapuram, to nominate a competent officer to conduct an enquiry in the matter who will give opportunity to the petitioner by giving notice sufficiently in advance about the date of enquiry. The petitioner during such enquiry will appear and produce his side of the case and examine or mark any document on his behalf. The officials who are accused by the petitioner will also be given sufficient opportunity for them to deny the allegations made against them. After the enquiry the officer will pass appropriate orders according to law.

With the above direction the petition is closed.

Justice N.Dhinakar,
Chairperson.