

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

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

Dated this the 19th January, 2010.

.H.R.M.P.No.454 of 2009

- Petitioners : 1) Chellappan, Chaithram,
Peringammala, Kalliyoor.P.O,
Thiruvananthapuram.
2) V.Sarassamma, Railway Quarters,
Pettah, Thruvananthapuram.
- Respondents : 1) M.S.Sudha, VRM.9, Lakshmi Vilasam,
Vazhottukonam, Vattiyookavu.P.O,
Thiruvananthapuram.
2) Krishnakumar, do.

ORDER

The complaint in the above HRMP is regarding the suspicion on the cause of death of petitioners brother Sunny who died on 1-1-2009. According to the petitioners, Sunny was residing with his daughter after divorcing his wife and at the time of his retirement he received about Rs.20/- lakhs as retirement benefits and was also receiving a monthly pension of about Rs.10,000/-. According to them, the postmortem doctor gave an opinion that the death of Sunny was on account of head injury and therefore there is suspicious circumstances surrounding regarding on his death.

In the report submitted by the Circle Inspector of Police, Peroorkada, it is stated that in respect of the death of Sunny crime 4/09 was registered and the investigation was taken up. It is also stated in the report that on getting information at Vattiyorkavu Police Station at 9.30 p.m. on 1-1-2009 that a person

is lying in a room in an unconscious condition the Police Officials of Vattiyoorkavu Police Station reached there, forcibly opened the room after breaking the lock and the unconscious Sunny was taken to the hospital where he was declared dead and that after inquest and postmortem the body was handed over to the relatives. It is further stated in the report that since the doctor had given an opinion that the death was on account of head injury a detailed investigation is being conducted in the crime. According to the report, the opinion of the chemical examiner is yet to be received and the reason or the cause of the death can be ascertained only after getting the chemical examination report and that the Sub Inspector of Police was directed to conduct proper investigation in the crime.

In view of the above report no further orders are required as the matter is being investigated by the Police. I only wish to impress upon the investigating agency to conduct a proper and efficient investigation in the crime especially when the doctor opined that the death was on account of head injury and then to file the report before the Court and to inform the petitioners as to the result of investigation. If the petitioner has any grievance against the investigation in the crime he has to approach only the Court as per the direction of the Supreme Court in Sakri Vasu Vs. State of U.P & Others (AIR 2008 Supreme Court 907) as this Commission has no jurisdiction to interfere in the investigation.

The petition is closed with the above direction and observation.

Justice N.Dhinakar,

Chairperson.