

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

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

Dated this the 29<sup>th</sup> April, 2010.

H.R.M.P.No.455 of 2009

Petitioners : Naseem, Nazeer Manzil,  
Kuriyode, Pallimukku,  
Chadamangalam,  
Kollam Dist.

Respondent :

**ORDER**

The complaint of the petitioners is that he was assaulted and his car was damaged on 23..01..09 by some anti-social elements and the Circle Inspector of Police, Kadakkal Police Station, who reached the spot took the petitioner into custody and took him to Chadayamangalam Police station and he was assaulted. It is also requested for an enquiry against the Police Officials who assaulted him and also against the four persons who assaulted him and damaged his car.

In the report submitted by the Superintendent of Police, Kollam, it is stated that on 22..01..09 the persons who travelled in the petitioner's car pick up a quarrel and manhandled by some people at Jadayu Junction where a 'Ganamela' was being conducted. On the next day i.e., on 23..01..09 when the same car was passing through the place, people gathered and damaged the car and the petitioner was also assaulted. On getting information about the incident the police party reached the place, took the petitioner to the Police station and the petitioner was sent to a private hospital for treatment for the injuries suffered by him at the hands of the public. Thereafter, according to the report, on the statement of the petitioner, Crime No.53/09 u/s 506 (II),

324, 427, 34 IPC was registered and that the accused in the crime were also arrested on 29.01.09. In the report it is also stated that after investigation the final report was filed before the Judicial First Class Magistrate Court – III, Kottarakkara and the allegation against the Circle Inspector and other police officials are denied.

The petitioner is present and submits that he was assaulted by Police officials and that admits that he did not go to any hospital for any treatment for injuries suffered at the hands of police officials. It is also admitted that when he was taken to the hospital by the police, he did complain to the doctor that he was assaulted by police.. According to him he was taken to a private hospital by the police for the injuries suffered by him at the hands of the public and I have also perused the Xerox copy of the certificate.

The statement of the petitioner now made before me is in tune with the averments made in the petition and the petitioner has no other records to probabalise his statement. It is, of course, left to the petitioner to make a complaint, if any, before the appropriate judicial forum where the trial Court.

The petition is therefore closed.

Justice N. Dhinakar,  
Chairperson.