

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

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

Dated this the 18th March, 2010.

H.R.M.P.No.485 of 2009

Petitioner : Nasar, S/o Muhammed Shafi,
Thekkevila veetil, Ayilam,
Mudakkal Village.

Respondent :

ORDER

The complaint of the petitioner is that he is being implicated in false cases by Attingal Police on account of the influence of Shajahan, ASI of Police, due to political enmity. According to him, he was taken into custody on 15-12-2008 while he was in his brother Shajahan's house by Anilkumar and Sudheer, the Sub Inspectors of Police, Attingal, and police party, took him to the Police Station where crime 749/08 was registered against him as if he was in possession of explosive materials and was produced before the Court. According to him, the ASI is continuously harassing him.

In the report submitted by the Deputy Superintendent of Police, Attingal, it is stated that the petitioner is involved in several crimes and the details are given in the report. It is also stated in the report that on account of his illegal activities an order of detention was passed by the detaining authority and he was arrested and lodged in the central prison, Thiruvananthapuram,. According to the report,

the allegations are false and the complaint is filed only to harass the ASI since many cases were registered against the petitioner.

In view of the report no further orders can be passed by the Commission as this Commission has no jurisdiction to interfere in the order of detention passed by a detaining authority and also has no jurisdiction to give any finding as regards the truth or otherwise of the allegation in crime No.749/08 as such findings can be given only by a court and also in view of the judgment of the Supreme Court in 'Sakri Vasu Vs. State of U.P and Others in AIR 2008 Supreme Court 907'.

The petition is accordingly closed.

Justice N. Dhinakar,
Chairperson.

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