

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

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

Dated this the 2<sup>nd</sup> September, 2010.

**H.R.M.P.No.524 of 2010**

Petitioner : Mary, W/o Mathew,  
Kadaplakkal (Naduvilemuriyil),  
Velikulam kara, Teekoy village,  
Meenachil Taluk, Kottayam District.

Respondent :

**ORDER**

The complaint of the petitioner is that her son Santhosh was missing from 29-1-2010 and her neighbours informed her that the body of Santhosh was found hanging in a tree at Vellikulam, with injuries and Earattupetta Police conducted inquest on the body without her knowledge and released it to her after postmortem. According to her, it was a murder and Earattupetta Police is trying to save the accused.

The Superintendent of Police, Kottayam, forwarded the enquiry report prepared by the Circle Inspector of Police, Earattupetta to this Commission. In the said report the C I of Police has stated that in respect of the death of the petitioner's son Santhosh crime 77/10 was registered at Earattupetta Police Station under "unnatural death" and the investigation was taken up by him. According to the report, during the investigation it was revealed that Santhosh quarreled with Josekutty, Reji, Somasekharan and Sivaprasad at the spot and Santhosh and Josekutty suffered injuries and on account of the mental pain and disappointment in life Santhosh committed suicide by hanging. Therefore section 306 r/w 34 IPC was added

to the crime and the accused were arrested on 7-2-2010 and they were produced before the Court on 8-2-2010 and they obtained bail from the Sessions Court, Kottayam' on 16-2-2010.

It is further stated in the report that the Jeep No.KL-5-M/8641,the material object in the crime, was seized and produced before the Court and the vehicle was released to the owner as per the orders of the Court and that the investigation is progressing.

The above report shows that the Police have registered a crime and the accused were arrested and later they obtained bail from the Court and that the investigation is pending. Hence no further orders are required on this petition except to state that the investigation officer in the crime is to complete the investigation and file the final report before the Court and thereafter intimate the said fact to the petitioner. If the petitioner has any grievance she has to approach the Court concerned in view of the judgment of the Supreme Court in 'Sakri Vasu Vs State of U.P and Others (AIR 2008 SC 907)'.  
The petition is accordingly closed.

Justice N. Dhinakar,  
Chairperson.