

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

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

Dated this the 27 th May, 2010.

H.R.M.P.No.715 of 2009

Petitioner : S.S.Sunithakumari,
Special Village Officer,
Kalluvathukkal Village, Kolam Taluk.

Respondent :

ORDER

The complaint of the petitioner, who is a Special Village Officer of Kalluvathukkal Village, is that since she initiated action against the sand mafias she was assaulted and outraged at 6.00 p.m. on 29-1-2009 by Muraleedharakurup and four others on account of which she was admitted in a hospital. It is her further complaint that on the influence of the respondents, the Sub inspector of Police, Parippally, threatened her at the hospital and on her insistence recorded her statement and there was no woman police constable along with him. According to her, the Police manipulated her statement and the accused were released within one hour after they were taken into custody.

The Superintendent of Police, Kollam, forwarded the enquiry report prepared by the Circle Inspector of Police, Paravoor and in the report it is stated that the petitioner and the respondents are distant relatives and neighbours and that O.S.154/08 is pending before Munsif Court, Paravoor, between them in respect of a pathway dispute and hence they are not in cordial terms. In the report it is also stated that as regards the assault on the petitioner her statement was recorded by Sulekha, a Woman Police Constable at the hospital and crime 45/09, under various offences, was registered and that the accused were arrested and then released on bail.

It is further stated in the report that thereafter the investigation was taken up by the Circle Inspector of Police, Paravoor, as per the order No.D1-8451/09/Q of the Superintendent of Police, Kollam and that after completing the investigation final report was filed before the Judicial First Class Magistrate Court, Paravoor on 7-4-2009.

The above report shows that the matter had become subjudice after the final report was filed before the Court and hence this Commission cannot pass any further orders in the matter and the petitioner has to work out her remedies before the Court concerned in terms of the judgment of the Supreme Court in “Sakri Vasu vs State of U.P. and others (AIR 2008 Supreme Court 907)”

The petition is closed.

Justice N. Dhinakar,
Chairperson.