

**NATIONAL HUMAN RIGHTS COMMISSION**  
**(LAW DIVISION)**  
MANAV ADHIKAR BHAWAN, BLOCK-C, G.P.O. COMPLEX,  
INA, NEW DELHI- 110023

Dated 08/06/2015

Case No. 220/11/12/2010-AD/DB-I

10 JUN 2015

✓ SHRI SUHAS CHAKMA, DIRECTOR  
NATIONAL CAMPAIGN FOR PREVENTION OF TORTURE,  
C-3/441-C, JANAKPURI,  
DELHI.

Sir/Madam,

With reference to your complaint dated 12/07/2010, I am directed to say that the matter was considered by the Commission on 09/04/2015. The Commission has made the following directions.

*This case relates to the death of Satish Kumar @ Chandran due to alleged torture at Karamana Police Station in Thiruvananthapuram District of Kerala on 11.07.2010. An inquiry into the circumstances of the death was conducted by SDM, Thiruvananthapuram. It is evident from his report dated 06.12.2010 that Satish Kumar was brought to the police station on 09.07.2010 but the arrest was recorded at 11.50 p.m. on 10.07.2010. Thus, he was kept in illegal detention prior to the formal arrest. The injuries noticed in the post-mortem report indicate that the deceased was subjected to torture in police custody, though the injuries may not have been sufficient to cause death. It is also a mystery as to how and where from the deceased got the poison which he consumed. The only presumption that could be drawn is that the person of the deceased was not thoroughly searched when he was taken in custody. The policemen who arrested him were obviously negligent.*

*It is seen that the preliminary inquiry conducted by the Assistant Commissioner of Police, Fort Sub-Division, had revealed negligence on the part of the Sub-Inspector of Police, Shri K.R. Vijayakumar, ASI Shri Radhakrishnan and Head Constable Shri Balakrishnan in not ensuring the safety of the detainee while in police custody. Based on the said inquiry report, the three police personnel had been placed under suspension also.*

*Considering all these circumstances, the Commission issued a show cause notice under Section 18 of the Protection of Human Rights Act, 1993 to the Govt. of Kerala to show cause why monetary relief should not be granted to the next of kin of the deceased Satish Kumar. No reply to the show cause notice was received in the Commission. However, during the camp sitting at Thiruvananthapuram, Shri H. Venkatesh, Commissioner of Police, Thiruvananthapuram appeared and submitted that District Police Chief, Thiruvananthapuram was informed by the Additional Tehsildar, Thiruvananthapuram through his letter dated 9.4.2015 that on the basis of a Govt. Order No. 288/10, an amount of Rs. 3,00,000/- was given to Smt. Kusala Kumari, wife of the deceased and that out of Rs. 3,00,000/-, an amount of Rs. 1,50,000/- was given*

*through a demand draft in the name of Sajitha, daughter of the deceased. Acquittance Register also is submitted by the Commissioner of Police. The letter dated 9.4.2015 of the Additional Tehsildar and the extract of the CMDRF Acquittance Register are taken on record.*

*In view of the report that an amount of Rs. 3,00,000/- has already been paid to the next of kin of the deceased Satish Kumar, the case is closed.*

This is for your information.

Yours faithfully,

  
DEPUTY REGISTRAR(LAW)