



# National Human Rights Commission, New Delhi, India

## Case Details of File Number: 95/10/2004-2005-CD

Diary Number 163/FAX  
 Name of the Complainant THE SUPDT. OF POLICE  
 Address BANGALORE , KARNATAKA  
 Name of the Victim RANGAPPA @ GANGADHAR S/O ANJANAPPA  
 Address MARIPADAGU VILLAGE GOWRIBIDANUR TALUK, KOLAR DISTT.  
 KOLAR , KARNATAKA  
 Place of Incident BANGLORE  
 BANGALORE , KARNATAKA  
 Date of Incident 6/1/2004

### Direction issued by the Commission

This case pertains to an intimation received in the Commission from the Supdt of Police, Bangalore on 3.6.04 regarding death of Suspect Prisoner Rangappa aged about 40 years in police custody of P.S. Ijroor. He committed suicide on 2.6.04 in the Police Stn. Ijroor. He was summoned to the police station on 1.6.04 in connection with complaint of theft. According to the Post Mortem Report death was caused due to "Asphyxia as a result of hanging". The Magisterial Inquest u/s 176 Cr.P.C. conducted in this matter did not suspect any foul play and concluded that he committed suicide due to his shameful act of committing theft. The Commission has received two complaints one from Asian Centre for Human Rights and other from South Indian Cell for Human Rights Education and Monitoring requesting action against erring police officials and compensation to the next of kin of the deceased. The report dt. 28.9.06 received from DGP COD, Special Unit and Economic Offences indicates that being a custodial death the COD took over the further investigation of Ijroor P.S. Case No. 6/2004 u/s 174 Cr.PC and found that deceased Rangappu was illegally detained at PS Ijroor w.e.f. 1.6.04 noon to 2.6.04 at 400 hrs. As such a case No. 52/04 u/s 342 r/w 34 IPC was registered against PSI T.R. Rajashetty, HC Rayanna, PC Prasanna and HC Shivalingaiah at PS Ijroor on 8.10.04. After investigation charge sheet against PSI T.R. Rajashetty has been submitted on 17.12.05, after obtaining the prosecution sanction from the Govt and case is pending trial in the court of JMFC Ramanagara in CC No. 965/05. The offence against other police staff could not be established. On the basis of above stated facts, it is observed that deceased Rangappa was brought at P.S. Ijroor on 1.6.04 for questioning as a suspect on the oral complaint of theft and was detained at police station for further enquiry. On 2.6.04, the said Rangappa committed suicide in the toilet. The PMR opined the cause of death due to "Asphyxia as a result of hanging". The UD Case No. 6/04 u/s 174 Cr.PC registered at PS Ijroor was investigated by COD. The COD Investigation found illegal detention of the deceased at PS Ijroor w.e.f. 1.6.04 to 2.6.04. PSI T.R. Rajashetty was found solely responsible for his illegal detention. A charge sheet u/s 342 IPC has been submitted in the Court of JMFC, Ramanagara on 17.12.05 after obtaining the prosecution sanction from the Govt and case is pending trial. In view of the above, the Commission is of the view that this is a fit case to proceed u/s 18(3) of Protection of Human Rights Act, 1993. The Chief Secretary, Govt of Karnataka is directed to show cause why the Commission should not recommend payment of immediate interim relief u/s 18 (3) Protection of Human Rights Act, 1993 to the next of kin of the deceased. The DGP, Karnataka to report what disciplinary action, if any, has been taken against guilty police officials. Response in 6 weeks. Put up thereafter.

### Action Taken

**Additional Information Called for (Dated 3/22/2007 )**

Status on 12/31/2007

Response from concerned authority is awaited.

**Note:** For further details kindly contact **National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: [covdnhrc@hub.nic.in](mailto:covdnhrc@hub.nic.in)**

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 Place of Incident BANGLORE  
 BANGALORE , KARNATAKA  
 Date of Incident 6/1/2004

### Direction issued by the Commission

These proceedings shall be read in continuation of the earlier proceedings of Commission dated 26-6-2008. On 26-6-2008, the Commission observed and ordered thus:- "The Commission has perused report and satisfied with it. However, Chief Secretary, Karnataka is directed to submit proof of payment to the family of the deceased within four weeks. DGP, Karnataka, is directed to submit report, what disciplinary action, if any, taken against the negligent police personnel in four weeks failing which the Commission shall be constrained to invoke provisions of Section 13 of the Protection of Human Rights Act, 1993. Put up in the 1st week of August, 2008." Pursuant to the directions of the Commission, Director General & Inspector General of Police, Karnataka, Bangalore, vide communication dated 8-7-2008, submitted that disciplinary action was initiated against Sri T.R. Rajashetty, PSI Sr. Rayanna, HC-390 and Shivalingaiah HC-458 (SHO) of Ijoor Police Station for their lapses in their duties and Dy. SP, Bangalore Sub-Division was appointed as Inquiry Officer who concluded that charges leveled against police officers could not be proved. Inspector General of Police, Central Range, Bangalore; exonerated the accused police officers of the charges vide order dated 27-6-2008. It has been further submitted that criminal case registered against errant police officers at Crime No. 52/2004 u/s 342/34 IPC of Ramnagara Town Police Station ended in acquittal by Civil Judge (Junior Division) and Judicial Magistrate, Fast Track Court on 11-10-2007. It is pertinent to mention here that Under Secretary to Government of Karnataka, Home Department (Crime), Bangalore, vide communication dated 20-2-2008, informed the Commission that Assistant Commissioner, Ramanagar Sub-Division, Ramanagar, has sanctioned Rs. 1,00,000/- (Rupees one lakh) to the family of the deceased Rangappa on 11-2-2008. But till date proof of payment has not been communicated to the Commission. Chief Secretary, Govt. of Karnataka, be asked to submit the proof of payment to the Commission within six weeks.

### Action Taken

### Additional Information Called for (Dated 8/29/2008 )

Status on 1/31/2009

Commission is considering the reports recieved from concerned authority.

**Note:** For further details kindly contact **National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: covdnhrc@hub.nic.in**

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