

## Who is Balveer Singh, the IPS officer accused of custodial torture in TN?

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The custodial torture case Singh is embroiled in may well become a case study for IPS probationers on how to handle their first independent posting.

The April 4 statement of the Tamil Nadu IPS Officers Association, in support of one of their new colleagues Balveer Singh being subjected to a media trial, has laid bare horrifying dimensions of custodial violence and tainted the image of the police in the state.

Singh, an assistant superintendent of police (ASP) on probation and on his first independent posting since October last year, has allegedly caused multiple injuries to several accused persons and stirred an unseemly controversy.

The police officer was born in Rajasthan's Tonk and did his mechanical engineering from the Indian Institute of Technology, Mumbai. Singh, who turns 39 on May 17, was inducted into the IPS in 2020. He had earlier completed a six-year stint with the Indian Oil Corporation.

What makes civil rights activists cry hoarse is that in a shocking act, he allegedly broke the teeth and crushed the testicles of some accused persons in custody in connection with a violent clash on March 10 between two groups in the caste-sensitive Ambasamudram town of Tirunelveli district in southern Tamil Nadu. The police team he led picked up nine persons, including two teenagers, and charged them with attempt to murder.

In the alleged high-handed dealing with the accused in custody, Singh allegedly knocked out the teeth of five accused and crushed the testicles of a newlywed and also forcefully stuffed pebbles in the mouths of others and slapped them, causing multiple injuries. That night and the next morning, they were kept at the Ambasamudram and nearby Vikramasingapuram police stations, where the ASP and a team of policemen, including Singh's gunman, allegedly subjected them to inhuman treatment.

Much of what happened came into the public domain two weeks later when three of the accused who got bail released a video clip on Twitter to "expose the weird and brutal custodial violence they underwent at the hands of the ASP and other

policemen". The victims' narrative is that Singh came at night to the police station in shorts, wearing gloves and armed with cutting pliers to remove their teeth. V. Maharajan, a lawyer, lodged a complaint against the gross violation of human rights.

Local sources point out that it was not an isolated incident. Singh has been accused of routinely torturing suspects at police stations in his sub-division, such as Kallidaikurichi, Ambasamudram and Vikramsinghapuram. Irony is his reliance on terror techniques were endorsed earlier, with some admirers putting up flex boards appreciating his work. This was after he allegedly picked up an autorickshaw driver, on his wife's domestic complaint, and broke his teeth to teach him to 'remain disciplined'.

However, when the alleged acts of misdemeanour of March 10 became widely known, the Tamil Nadu police recalled Singh to Chennai and put him on 'Vacancy Reserve'. It is only when the issue was raised in the legislative assembly that chief minister M.K. Stalin ordered that Singh be placed under suspension from March 29. He announced in the legislative assembly that the government would not make any compromise when it came to the violation of human rights at police stations. Apart from Tirunelveli district superintendent of police P. Saravanan (Singh's supervising officer), eight junior police personnel allegedly involved in the custodial torture case were moved out to facilitate the investigation.

Serving and retired IPS officials in Tamil Nadu, speaking to INDIA TODAY in anonymity, admitted that it is not uncommon among fresh IPS officers on probation—on their first posting to a region—to indulge in some excesses. "Balveer Singh appears to have gone overboard and was not checked by his immediate superior," said one. Another reasoned that "perceptual issues depending on the states the officer has lived in before joining the IPS, and perhaps some experience of policing there, determine their approach to handling issues rather than existing local conditions". He explained that officers fail to appreciate that the ecosystem and the degree of respect by people for the law varies from state to state and even from one region to another within a state. So, handling of issues has to be based on respecting local sensibilities. Yet others suspect that Singh banked on what he knew or heard about policing before becoming an officer.

Rights activists lament that the Tamil Nadu government is proceeding rather slowly in the custodial torture case. "Media and public pressure alone have led to the few follow-ups," claimed Henri Tiphagne, executive director, People's Watch, a Madurai-based human rights organisation. "The justice delivery system is taking its own sweet time against an IPS officer accused of several instances of brutal custodial torture, despite multiple Supreme Court judgments," said V. Suresh, lawyer in the Madras High Court and national general secretary, People's Union for Civil Liberties (PUCL), pointing to the inordinate delay in the filing of a FIR against Singh and the other police personnel.

There are apex court orders which are explicit about what is to be done in such situations. The Supreme Court constitution bench in the 'Lalita Kumari' case (2014) had categorically and unanimously held that if the complaint clearly discloses commission of a cognisable offence (serious offence warranting the arrest of the accused), it is mandatory for the police to register a First Information Report (FIR) instead of obfuscating issues by ordering a preliminary inquiry.

In the PUCL vs State of Maharashtra “encounters” case (2014), the Supreme Court ruling has spelt out that separate and independent FIRs should be registered in complaints of custodial violence, including ‘encounter’ cases, and should be investigated by an independent team of the police, which is from another division and district. Only then will the investigation be seen to be done fairly, impartially and independently.

The Tamil Nadu State Human Rights Commission has taken up the issue suo moto. On April 7, nearly a month after the gruesome incidents, the state government ordered a high-level inquiry by senior IAS officer P. Amudha, principal secretary, rural development and panchayat raj department, with the mandate of presenting her report in a month. This is on the recommendation of Tirunelveli district collector K.P. Karthikeyan, which is based on the April 3 preliminary report in the inquiry he had ordered earlier by Cheranmahadevi sub-divisional magistrate M.D. Shabbir Alam. Rights activists claim it is a dilatory tactic to order inquiry after inquiry.

“There is no need for a detailed inquiry before filing the FIR as the facts revealed by the victims themselves constitutes a cognisable offence,” said Jayaram Venkatesan, convenor, Arappor lyakkam, an organisation working towards transparency and accountability in governance. “When protectors of the law turn perpetrators, the only resort for the victims is the hope of rule of law and the justice system,” he said.

Tiphagne has appealed to the Madras High Court to take cognisance of the case suo moto as it did in the Sathankulam custodial death case in 2020. Whether the court does so or not, the Balveer Singh saga will roll on and be watched closely for what the law and justice system will finally deliver. It may already be serving as a readymade script for the enterprising in the Tamil film industry and will surely be a case study for IPS probationers on how to handle their first independent postings.

[https://www.indiatoday.in/india-today-insight/story/who-is-balveer-singh-the-ips-officer-accused-of-custodial-torture-in-tn-2358217-2023-04-10?utm\\_source=washare&utm\\_medium=socialicons&utm\\_campaign=shareurltracking](https://www.indiatoday.in/india-today-insight/story/who-is-balveer-singh-the-ips-officer-accused-of-custodial-torture-in-tn-2358217-2023-04-10?utm_source=washare&utm_medium=socialicons&utm_campaign=shareurltracking)