



## A force with teeth flexes muscles

**As the allegation that a young IPS officer pulled out the teeth of suspects in custody with a pair of pliers is being investigated, the news sent a chill down the spine of the people of Tamil Nadu. It marks a new low in the long narrative of incidents of custodial torture in the State**

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It was an advocate who first exposed the torture suffered by suspects reportedly at the hands of Ambasamudram Assistant Superintendent of Police Balveer Singh. An officer of the Indian Police Service belonging to the 2020 batch, Mr. Singh took charge as the ASP of the Ambasamudram Sub-Division six months ago. The issue that the advocate brought up went viral the next day after a journalist tweeted videos of victims explaining their horrifying experience in police custody.

After the allegations prompted sharp criticism from civil society, especially on social media, the young officer was shifted out without posting. However, amid growing demands for more stringent action and MLAs of different political parties flagging the issue in the Assembly, Tamil Nadu Chief Minister M.K. Stalin announced that he had ordered the suspension of Mr. Singh and further action would be taken on the basis of the inquiry report. The truth, or otherwise, of the allegations will come out from this investigation.

***“It is puzzling how and why the State intelligence did not report Mr. Singh’s high-handedness to the DGP. If it did not know of such happenings in the Sub-Division, it is even worse”*** **a senior police officer**

An inquiry was ordered, as is routine in all cases of torture or death in custody, into the allegations against Mr. Singh. His batch-mate Mohammed Shabbir Alam, IAS, Sub-Divisional Magistrate and Sub-Collector of Cheranmahadevi, is the inquiry officer. There have been allegations that some of the victims are under pressure not to depose against the police officer.

While a few are standing firm in their allegations against Mr. Singh on the social media and are prepared to record their statements before the inquiry officer, a couple of suspected victims have retracted their statements.

It is alleged that the suspects taken to the Kallidaikurichi, Vikramasingapuram and Ambasamudram police stations on various charges in the recent weeks lost some teeth after the officer, who graduated from IIT Bombay, used a pair of pliers to remove them. This was in a case relating to a clash between two castes in the southern town. Taking suo motu cognizance of a report published by The Hindu, the State Human Rights Commission launched an investigation into the allegations.

The Ambasamudram case unfortunately is not the only instance of police excesses in the State. The Sattankulam father-son death, allegedly a case of custodial violence, which is under probe by the Central Bureau of Investigation, is a sharp recent

memory. There have been other incidents of death in custody and suspects who allegedly tried to assault the police having been fired at.

Even as the death of trader Jayaraj and his son Bennicks, due to the alleged third degree treatment at the Sattankulam police station in Thoothukudi district in June 2020, is haunting the force, the death of Vignesh, 25, due to the alleged torture at the Secretariat Colony police station in Chennai hit the headlines in April 2022.

Guidelines laid down for taking suspects into custody and the installation of CCTV cameras at police stations have not helped. Despite a series of measures to on the necessity to take suspects into custody, the Standard Operating Procedure as per court of human rights commission guidelines, installation of CCTV in police stations etc have not yet yielded the desired results.

### ***Reluctance to register FIR***

But what has surprised many is how the State intelligence failed to intervene or alert the brass to the cruel act of pulling the teeth in a crude manner by Mr. Singh and the State's reluctance to set the due process of law in motion by registering a case against him. Action started only after the exposé.

People's Union for Civil Liberties national general secretary V. Suresh says the allegations of torture with pliers to pull out teeth and hurting private parts were made by people from different police stations, which prima facie indicated commission of a serious cognizable offence. The Supreme Court has said the only option for the police in such cases is to register a first information report and get the cases investigated by an independent agency. "I condemn the attempt made by the Chief Minister and the Director-General of Police to suppress the serious crime of torture as a mere misdemeanour by instituting an inquiry by a revenue officer. It is a clear case of a serious crime and abuse of power. Therefore, the only decision should have been to register a criminal case against the officer and other police personnel who connived with him in committing these offences allegedly over a period of time," Mr. Suresh said.

The Supreme Court had said in the PUCL vs State of Maharashtra case in 2014 that in the cases of violence inflicted by police personnel, including an encounter, not only an FIR should be registered but the victims should also be protected from being threatened or coerced into retracting their statements or withdrawing complaints.

### ***Communication gap***

The intelligence machinery operates across the State and a sufficient number of staff members, including a Deputy Superintendent of Police and a constable, are deployed in all cities/districts to monitor the developments in their jurisdictions and report any unusual activity to the Chief of Intelligence.

"It is puzzling how and why the State intelligence did not report the alleged high-handedness of Mr. Singh to the Director-General of Police for appropriate action. If it did not know of such happenings in the Ambasamudram Sub-Division, it is even worse. Had the State intelligence acted in time, some teeth could have been saved," quipped a senior police officer who did not want to be quoted.

***"The police are adopting new methods of torture. They are now opening fire in the process of apprehending suspects causing a bullet injury on their legs"***

**Aseer, State coordinator,  
Joint Action against Custodial Torture**

On April 18, 2022, two youths — Vignesh and Suresh — were caught by the police for allegedly possessing ganja during a vehicle check in Chennai and taken to the Secretariat Colony police station. The next day, Vignesh developed seizures after breakfast and doctors declared him dead when he was taken to a hospital. After an autopsy report which indicated 13 injuries on the body of Vignesh, the case was altered to that of a murder. The Crime Branch-CID which investigated the case has charged five personnel and a home guard.

On June 11, 2022, Appu alias S. Rajasekar, 33, was picked up by the Kodungaiyur police in a theft case. He reportedly complained of uneasiness in custody the next day and died while being taken to a hospital. The police claimed that Rajasekar had 27 criminal cases pending against him. The case was transferred to the CB-CID.

Akash, 21, of Ayanavaram, who had 11 criminal cases against him for offences, including robbery, theft and assault, died at a hospital on September 29 last year after he was taken to the Otteri police station for an inquiry in a case of damage to a car. Aseer, State coordinator of the Joint Action against Custodial Torture, says the police have now deviated from the regular practice of staging encounter deaths or breaking the arms/legs of suspects. “The police are adopting new methods of torture. They are now opening fire in the process of apprehending suspects, causing a bullet injury on their legs. In the last few weeks, there were nine incidents in which the accused persons were caught after the police opened fire. Two of these cases were reported in Chennai,” he said.

In Coimbatore, three persons involved in murder cases were shot at the legs by the police in a span of three weeks. The police dubbed the shootings “acts of self-defence”, claiming that the persons in their custody tried to attack them.

In the first incident, the police shot at the legs of J. Joshwa, 23, and S. Gowtham, 24, who are accused in the daylight murder of G. Gokul, 25, near the Combined Court Complex in Coimbatore on February 13 this year, after they allegedly attempted to escape by attacking policemen in a jungle at Mettupalayam. The police claimed that the duo tried to escape when they, along with five other accused persons, were being taken from Kotagiri in the Nilgiris to Coimbatore on February 14.

Three weeks later, the police shot at another murder case accused, M. Sanjay Raja, 32, whom they had taken into custody for interrogation.

During March last year, a person with disability was allegedly assaulted at the Viralimalai police station in Pudukottai district, leading to his hospitalisation. Three constables were placed under suspension for the alleged assault on the partially visually impaired man after he reportedly called up the control room complaining about liquor sale in the police station limits. The police version was that the man had abused a woman constable on the phone when she inquired with him about his complaint.

A case of custodial death at the Samayapuram police station in Tiruchi was reported on September 20, 2022. A 44-year-old man, accused of attempting to snatch a mobile phone from a devotee in the Samayapuram temple, was caught by members of the

public and handed over to the police. Later, the suspect was found dead in the police station toilet. However, police officers maintained that it was a death by suicide. A couple of instances of the accused persons being shot in the legs by the police in “self-defence” were also reported in recent months in the Tiruchi city limits and in the neighbouring Thanjavur district. According to the police, the accused persons in both cases assaulted the police teams to make good their escape, forcing the teams to open fire.

Before the Sattankulam incident in 2020, the Madurai Bench of the Madras High Court had taken a serious view of the 2019 custodial torture and death of a 17-year-old boy, Muthu Karthik, at the S.S Colony police station in Madurai.

The boy’s mother, M. Jeya of Kochadai in Madurai, said that her son was picked up by the police under the pretext of an inquiry in a case of jewellery theft. However, he was tortured at the police station and he sustained grievous injuries. He died at a hospital later, she said.

While ordering a CB-CID probe into the case, the court observed that it was unhappy with the way the case was handled by the police. The court pulled up the police, the Government Rajaji Hospital authorities and the Juvenile Justice Board for not acting fairly in the case. The High Court in December 2022 directed the trial court in Madurai to complete the trial in six months and ordered the State to pay a compensation of ₹5 lakh to the family.

In 2019, a youth, M. Balamurugan, was detained by the Madurai police in connection with a kidnapping case. He later succumbed to his injuries at the Government Rajaji Hospital. His father, P. Murukaruppan, sought a CBI probe. However, in an unexpected turn of events, he decided to withdraw the petition. Advocate Henri Tiphagne, who had represented the petitioner, wrote to the High Court, alleging that the petitioner was threatened by the local police. Another case of alleged custodial torture is that of K. Ramesh in 2020 at Saptur in Madurai district. The family alleged that he was picked up by the police and tortured in custody. Ramesh was found dead, hanging from a tree.

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