



23.06.2020

Press Statement

People's Watch vehemently condemns the brutal custodial torture that has taken place in Sattankulam police station of Thoothukudi district

People's Watch vehemently condemns the brutal custodial torture that has taken place in Sattankulam police station of Thoothukudi district leading to the death of the father Jeyaraj and son Pennis both of whom are traders, not at all criminals. The FIR in crime No. 312 of 2020 registered on 19.06.2020 at 22.00 hrs is u/s 188, 269, 294 (b), 353 and 506 (ii) of the IPC. All the offences except 506(ii) registered against the accused are punishable with imprisonment of less than 2 years. Therefore, there was no reason for the police to have produced the accused for remand and for Judicial Magistrate, Sattankulam to have remanded the accused contrary to the Apex court judgement in Arnesh Kumar Vs. State of Bihar 2015.

Our enquiry sadly reveals that the Judicial Magistrate Sattankulam did not see the accused who were brought to the court in a vehicle but not produced before the Magistrate safely hidden from the Magistrate's view and kept in a police vehicle. The remand of the accused by the Judicial Magistrate in this case therefore was also totally illegal and contrary to law of the apex court. Had the Judicial Magistrate seen the accused the accused would have had the opportunity of narrating what had taken place and show him the injuries sustained by them resulting out of torture in the police custody.

The remand of the two accused to the Kovilpatti Sub Jail and has therefore taken place without the mandatory medical examination contemplated under the criminal procedure code and thereafter now resulting subsequently in the first death of J. Pennis S/o Jeyaraj aged 31 years on 22nd June followed by the admission of his father Jeyaraj in the Kovilpatti hospital and thereafter his death on 23rd June morning.

People's Watch demands

- a. Immediate action against the Judicial Magistrate Sattankulam for the illegal manner of remanding both the accused without seeing them in person, without recording their injuries and therefore not referring them for medical treatment to a hospital.
- b. People's Watch demands immediate suspension of the Inspector, the Sub Inspector and all police officers of Sattankulam who have been responsible for the torture of the two accused leading to their death in custody.
- c. People's Watch demands that the post mortem in the two cases have therefore to be conducted by a team of 3 forensic experts headed by a senior professor of forensic medicine drawn from three different district medical college hospitals.
- d. People's Watch demands that the enquiry under 176 (i) A Cr.P.C. should not be entrusted to the Judicial Magistrate, Sattankulam under any circumstances and the relatives of the deceased should first be allowed to see the two bodies and record the injuries by taking photographs of the bodies before the body is handed over for post mortem
- e. People's Watch is pained to note that days ahead of the UN International day of solidarity with victims of torture, the Thoothukudi police have exhibited their brutal torture to a trader in a matter that did not require any arrest and as resulted in a custodial death.
- f. People's Watch demands that the movement against this custodial torture and deaths initiated by the traders and public of Sattankulam is respected by the police as a genuine form of protest against the excesses by the police and there is no violence of any form used against the protestors and the family members.



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