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Illustration: Pariplab Chakraborty/The Wire.

Today, June 26 is observed as International Day in Support of Victims of Torture.

“Life of a 17-year-old boy was nipped before it blossomed”, [stated the Madras High Court](#) in a petition filed by a mother who lost her son to police torture. The entire narration of the order has such poignant details that it would unnerve anyone. This is the story of thousands of survivors and victims of torture in India, with unheeded calls for a dedicated anti-torture law and a robust apparatus for accountability. On the International Day in Support of Victims of Torture, the burning reckoning should be what our justice system and the human rights machinery offers the survivors and victims of torture and their families.

The forgotten victim

The Indian criminal justice system unapologetically overlooks the plight of survivors of torture or victims’ families. The Indian law is [designed](#) in a way that victims are mere witnesses in the state’s pursuit of the perpetrator. The current legal framework does very little in reparation to victims, except for section 396 of Bharatiya Nagarik Suraksha Sanhita which includes medical aid, but survivors of torture do not benefit from it without a law of torture. Due to Supreme Court rulings, NALSA came up with [Victim Compensation Scheme](#) in 2018, but it is limited to women survivors of sexual violence.

Victim Impact statements, which are unique in hearing the experiences of the victims, are also largely absent in India, as [highlighted](#) by the Supreme Court. Especially for survivors of torture, this is coupled with the lack of an anti-torture law and the difference in accountability mechanisms for torture versus [custodial deaths](#) (inquiry is mandated only if it results in death). As a result of this asymmetry in accountability, torture survivors typically [receive](#) between Rs. 10,000 and Rs. 25,000 in compensation, while awards of Rs. 100,000 to Rs 500,000 are reserved for custodial deaths, meaning Indian law values a survivor's suffering at a fraction of a victim's death.

No uniform protocol exists for assisting torture survivors, and doctors who examine them defy the Istanbul Protocol- the global standard built to document and treat the psychological as well as physical aftermath of torture.

The survivors of torture and the families of deceased victims alike live through the sufferings of the violence in various forms, including physical, psychological and psychosocial. The physical trauma of the survivors is paid less attention to, unless it is life-threatening, like [Rhabdomyolysis](#), (a medical condition involving breakdown of skeletal muscle tissue, usually resulting from heavy lathi charges on the muscles leading to kidney failure) where immediate dialysis will have to follow to save the life.

Most victims of torture [face](#) death due to this condition of Rhabdomyolysis and delayed treatment for the same – the Jeyaraj and Bennix duo in Sathankulam and Ajith Kumar in Thirupuvanam in the state of Tamil Nadu are some of them. In the case of a survivor from Coimbatore in Tamil Nadu who needed dialysis as a result of the torture, when a petition was moved in the Madras high court for him to be brought to Chennai for better treatment, it was [dismissed](#) with the judge citing that since he is already in treatment and alive, no such transfer is required. The court never serves the psychological needs of the families of victims. Although at times it appears vigorous in the Courtroom exchanges, nothing tangible is delivered to the victims. In all the aforementioned cases, it is the human rights groups who fight for victim-centric justice, while the onus stays on state institutions.

The social stigma is yet another aspect. In the case of the custodial torture and death of Ajith Kumar in 2025, his family in the after-math was crushed with [societal stigma](#) as people refused to visit their home or buy batter from the mother, who was running a small business of making and selling batter with which she sustained her family. Such is the impact. The mother of a minor boy who was tortured to death in 2019, had to leave her business of stringing flowers since the neighbours began labelling her, as her son was picked up for an inquiry over a theft. Having gained a name for living a life of integrity by stringing flowers for decades together, such labels made her quit the work she was best at.

Particularly for human rights defenders, targeted reprisal killed the lives of [Fr. Stan Swamy](#) in Bhima Koregaon (BK-16), due to refusal of medical treatment, and [Prof. Saibaba](#), a 90% disabled activist had to face the same fate as his health started deteriorating when he was [confined](#) to an 'anda cell'. These figures are just the tip of the iceberg of a staggering number of survivors and victim families who are systemically denied medical, psychological and social assistance.

The lending hands of the judiciary

Judiciary in the present times has begun to pay notice to the gravity of the crime and has come forward to a victim-centric approach, although not in a wholesome way of catering to the victim or the survivor in its entirety. One such example is the [recent](#) judgement by the Jharkhand High Court while serving justice for 262 victim families of custodial death, ordered seamless access to compensation through the existing non-judicial mechanism of District Victim Compensation Committees which are not generally robust in action, directing them to disburse the compensation within 30 days, adding on that every inquiry report in cases of custodial torture should reach the NHRC and the SHRC of Jharkhand. The [Sathankulam](#) verdict from Tamil Nadu sent a strong message in police accountability, although the death penalty was [condemned](#).

While this is the case with the judiciary, the role of the legal services authority at state and national levels has long been pushed to the back seat as it continues to remain a mute spectator to the crime despite [Section 12](#) of the Legal Services Authorities Act 1987 mandating that any person in custody is entitled to legal services. With the Chief Justice of India serving as the Patron-in-Chief and the Judge of Supreme Court as the Executive Chairman of the National legal Services Authority ([NALSA](#)), and everyone being a witness to the number of custodial torture and death in the country, no one turns their eyes or ears to this heinous crime, while possessing the power to do so.

India's NHRC has only been a delayed compensation delivery system in cases of torture, without recommending even a single case for criminal prosecution, between [2014 and 2022](#). In its span of 33 years of existence, this singular institution could have generated jurisprudence, had it been sensitive to the voices of survivors of torture.

International solidarity

The United Nations recently [presented](#) the Charter of Rights of Victims and Survivors, echoing the voices of the survivors of torture and the families of the victims from 30 countries. The charter puts forth the agonies of the victims and the survivors, providing a space to voice out their “visible and invisible wounds”, of their shattered lives, the years lost to “pain and recovery”, “fracturing their ability to trust” anyone at all, and their shared suffering and collective struggle to be heard by the larger world. The charter encompasses eight articles, capturing the significant aspects of the rights of victims, such as, the right to a victim and survivor centred approach in all actions, including their opinions in the process of rehabilitation and medical assistance, “guarantee of non-repetition” and the role of the state in ensuring, that victims and survivors are treated as equal partners in every stage. This Charter has emerged as a ray of hope in the dark custodial landscape in India.

One of the popular [phrases](#) one shall find automatically spilling out of the mouth of any police officer in conversation is that torture is the only way to “extract confessions” from the accused persons. This belief is deeply and comfortably embedded in the minds of people and the society collectively endorses violence can do justice, be it with a child at home or an adult at a police station. This belief contradicts the established norm that investigation agencies should be equipped at gleaning the truth without force, highlighting the need to rely more on scientific methods in inquiries.

The scars that the survivors and the families of the victims carry are those that cannot easily be done away with. These are stains that deeply paint their hearts, leaving a constant reminder of the wound once inflicted. Despite the physical healing or recovery from the psychological trauma, these wounds are an eternal reminder of the gates to the room that they were once pushed into, the fate that has made their lives fatal, casting a shadow of darkness that has not just affected their physical or mental condition but has labeled them in the society for a lifetime. The victims of torture in almost all cases are those from the marginalised communities, stricken by poverty and vulnerable to be treated thus. They live from hand to mouth everyday, barely trying to make ends meet, but with families to love and children and spouses who await their arrival back home every day.

With the Global Torture Index 2025 [classifying](#) India as a country with “high risk” of torture and ill treatment, and the signed UN Convention Against Torture (UNCAT) yet to be ratified, the hope of having a victim-centric approach encompassing all the aspects has been the Godot that the country, and especially the survivors and

the families of the victims have long been waiting for, in uncertainty and with an eternal hope. Additionally, with the FCRA being struck down for many organisations in India working with victims of torture in the grassroots, it is as well unfortunate that no local philanthropist in India comes forward to support or stand with the survivors of torture. This lack of support makes access to justice extremely difficult.

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