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Title: Regarding custodial death in Kerala.

ADV. DEAN KURIAKOSE (IDUKKI) : Sir, I would like to draw the kind attention of the Government towards repeated custodial deaths taking place in the State of Kerala. The last custodial death that happened in the State was in my district Idukki. A 49-year old, by the name Rajkumar, was killed in police custody on June 21. All evidences including the post-mortem report clearly suggested that it was a custodial death and it happened because of continuous police torture for four days. Such incidents are being repeated. It is because of the criminal nexus between the supporters of CPI(M) and the police officers who are taking part in criminal activities.

Sir, in the State of Kerala, the CPI(M) criminals are getting more support from the police officers who have contacts with the CPI(M) leaders. The judgement of the Supreme Court in Shri D.K. Basu *versus* the Government of West Bengal clearly states that the human rights of an accused should be protected. The police cannot detain an accused person without records and the police has to produce the accused before the Magistrate on time. This rule has not been followed by the police officers in the State. Even the directives of the National Human Rights Commission have also been violated by the State police.

I would like to request the Government that there should be an enactment to prevent custodial torture, which would apply uniformly to all States. The National Law Commission in 2014 had recommended for enactment of a law for the prevention of custodial torture. The Report

also presented a draft Bill for prevention of torture in police custody to the Government. It is high time for us to have such a law having uniform application across all States.

Thank you.