

PRESS RELEASE

The State Human Rights Commission, Tamil Nadu has directed three policemen, a Inspector of Police and two police constables attached to Kundrathur P.S, to pay a compensation of Rs.2 Lakhs to one Prakash for brutally attacking him and his brother Madankumar both working as drivers.

In his petition, the petitioner Tr. Prakash stated that due to a quarrel between his brother Madankumar and owner of a flour mill, police personnel attached to Kundrathur police station, took them to police station, registered a case and brutally attacked them, seized Madankumar's auto under seizure mahazar and produced before court under Form 95; that in the meanwhile stolen the battery of the auto worth Rs.4,000/- while the same was kept in police station.

The SHRC Member Dr. Chittaranjan Mohandoss, IAS (Rtd.) observed that it is the duty of the defendant/respondent to prove their case by way of adducing evidence or filing documents. But in this case they denied the allegations in the petition by mere filing of counter. A simple denial is not sufficient to prove the case of the respondents and they have to rebut the presumption and non-filing of documents creates suspicion of the Respondent Police. The Member further observed that, the police produced the auto before the concerned court with different number plate managed to cover up the same as typographical error, which could have been rectified immediately by bringing to the notice of the Court, but the respondent failed to do so, due to which the petitioner could not get back his auto for about 20 days, which affected his livelihood. As per section 102(1) IPC, the police have no power to seize the autorickshaw, as particularly there is no mention of the auto rickshaw in the alleged occurrence.

Hence, the Hon'ble Member directed the concerned policemen in this case to pay a compensation of Rs.2,00,000/- (Rupees two lakhs only) to the petitioner and also recommended the government to take disciplinary proceedings against them.

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