

Custodial violence complaint | Madras High Court directs Villupuram Collector to exhume body for re-postmortem

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The Madras High Court has directed Villupuram Collector to exhume the body of an individual suspected to have died due to custodial torture on April 10, and issued a consequential direction to the Director of Medical



Education (DME) to make arrangements for performing a re-postmortem. Justice R. Sakthivel passed the orders on a writ petition filed by R. Anju, wife of the deceased K. Raja, after being convinced with the arguments of her counsel Henri Tiphagne that there was reasonable doubt of custodial torture by Villupuram police and therefore a re-postmortem must be conducted.

"As a matter of fact, if re-postmortem is conducted and the result negatives the contention of the writ petitioner, it would only enhance the reputation of the police among the public. Therefore, in the interest of justice, the re-postmortem must be conducted," the judge said.

He directed the DME as well as the Dean of Villupuram Government Medical Hospital to nominate forensic specialists from Madras Medical College in Chennai and KAP Viswanathan Government Medical College in Tiruchi for conducting the re-postmortem and identifying external injuries if any on the body.

If any of the doctors were unavailable, then the experts could be drawn either from Madurai Medical College or Tirunelveli Medical College. And if the experts were of the view that the re-postmortem must be conducted at the burial ground itself, then the norms laid down by the High Court in 2023 should be followed, he said.

"If re-postmortem needs to be done on the spot, X-Ray examination shall be done mandatorily to find out the antemortem injuries, if any, on the deceased's body," the judge said and directed the Home Secretary to secure

the CCTV footage of Villupuram Taluk police station from 6 a.m. on April 9 to 6 p.m. on April 11.

According to the police, they had picked up Raja at 9:30 pm on April 10 after finding him to be in possession of 10 brandy hottles in a polythene bag near a liquor shop at Tirupachavadimedu. Since he attempted to flee, he was arrested and then let out on station bail at 10:50 am. on the same day, the police claimed.

On the other hand, the petitioner alleged that her husband was beaten up black and blue at the police station and fearing that he might die the police had released him on hail. After the release, he had visited a primary health care centre along with his friend before returning. home.

Since he complained of chest pain even after returning home, he was rushed to the Villupunan Government Hospital where he was declared brought dead at 1:30 pm. on the same day. The petitioner claimed that her husband had narrated the entire brutality meted out to him before breathing his last.

<https://www.thehindu.com/news/national/tamil-nadu/custodial-violence-complaint-madras-high-court-directs-villupuram-collector-to-exhume-body-for-re-postmortem/article68189680.ece>