



Exhume body, do re-postmortem in 'custodial torture' case, says Madras HC

The judge said X-ray examination shall be done to find out antemortem injuries, if any, on the body of the deceased.

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CHENNAI: The Madras High Court has ordered the re-postmortem of a Dalit worker by exhuming his buried body in an alleged custodial torture case.

R Anju, wife of the deceased K Raja, had filed a petition in the HC saying that her husband had allegedly died after being subjected to torture at the Villupuram Taluk Police Station. Justice R Sakhivel passed the order in a special sitting on Friday.



The judge directed that authorities, including Villupuram collector, exhume Raja's body and a team of two doctors with master's degree in forensic medicine, one each from Madras Medical College and Tiruchy KAP Viswanatham Government Medical College, conduct the re-postmortem.

The judge said X-ray examination shall be done to find out antemortem injuries, if any, on the body of the deceased. He also directed the authorities to preserve the CCTV footage of the Villupuram Taluk Police Station recorded between 6am on April 4 and 6pm on April 10.

Petitioner's suspicion of custodial torture is reasonable, says judge

The petitioner had said that her husband, employed in a canteen, was forcibly taken to the police station on April 10 and subjected to custodial torture leading to the death.

Human rights activist and advocate Henri Tiphane, appearing for the petitioner, submitted that the prisoner's search register showed that Raja was released on 'station bail' as he was feeling 'unwell and dizzy'. If he was feeling unwell when he was under police custody, they themselves should have taken him to the hospital, but it was not done. This created serious suspicion around the death, he argued.

Referring to the arguments, the judge observed that suspicion of the petitioner that her husband died of custodial torture is reasonable and cannot be brushed aside easily. Hence, an inquiry under Section 176 of CRPC is essential to unearth the truth, the judge said.

Government advocate S Udayakumar, representing the police, submitted that the deceased was picked up by a police team during vehicle check as he was holding liquor bottles intended for illegal sale. After registering a case, he was allowed to go on station bail in the presence of his employer and a co-worker. The cause of death, as per postmortem report, was combined effects of aspiration and pre-existing coronary atherosclerosis, Udayakumar said.

<https://www.newindianexpress.com/states/tamil-nadu/2024/May/19/exhume-body-do-re-postmortem-in-custodial-torture-case-says-madras-hc>