



National Human Rights Commission, New Delhi, India

Case Details of File Number: 693/1/2002-2003-CD

Diary Number 13791
Name of the Complainant THE SUPDT. , SRIKAKULAM,
Address SRIKAKULAM , ANDHRA PRADESH
Name of the Victim MAILAPALLI SATYA SRINIVASA RAO S/O DANAIHAH
Address R/O VILL : KOVVURU
WEST GODAVARI , ANDHRA PRADESH
Place of Incident SRIKAKULAM
SRIKAKULAM , ANDHRA PRADESH
Date of Incident 3/2/2003

Direction issued by the Commission

The Commission received an intimation from Supdt. of Police, Srikakulam, Andhra Pradesh regarding death of Mailapalli Satya Srinivasa Rao, an accused in case crime No. 6/03 u/s 420/471/407 IPC PS Kotabommali, who was arrested on 1.3.2003 along with coaccused Sollangi Nageswara Rao. Mailapalli Satya Srinivasa Rao was kept in the writer's room, which was bolted from outside. On 2.3.2003, at around 7 AM, when the door of the writer's room was opened, Shri Mailapalli Satya Srinivasa Rao was found hanging to the iron hook of ceiling fan with the help of service wire. The deceased was taken to the hospital where he was declared brought dead. A case was registered vide CR No. 14/03 u/s 176(1) Cr.P.C. Upon the receipt of the information, the Commission directed Director General(Investigation) to collect the relevant reports. In the meanwhile, 1. Duryodhana Reddy, Human Rights Activist sent a complaint to the same fact forwarding newspaper clipping on "The Hindu" dated 3.3.2003. A complaint was also received from Suhas Chakma, Director, Asian Centre for Human Rights. SP, Srikakulam vide communication dated 17.4.2004 forwarded the copy of the inquest report, post mortem certificate and video cassette of post mortem. It was further informed that magisterial enquiry was still in progress. As per post mortem report, the cause of death was opined as "Cardia Respiratory Arrest due to Asphyxia caused by hanging". The perusal of the enclosed report indicates that there were no other injuries on the body except the slog around neck was split and blood was coming out. Collector, Srikakulam vide communication dated 13.4.2005 forwarded the magisterial enquiry report and informed that an amount of Rs. 2.50 lakhs sanctioned by the Government was drawn and sent to the District Judge, Vishakhapatnam by way of D.O. with a request to deposit the above said amount in any Nationalized Bank in the name of Master M. Udaya Kumar, son of the deceased. In the magisterial enquiry also, it was found that the versions of the police are full of contradiction and it was opined that the incident happened due to the negligence on the part of the police in discharging their legitimate duties and recommended to take necessary action against the police officials responsible for the incident. It was further informed that SP, Srikakulam has initiated departmental disciplinary action against the three delinquent police official. The perusal of the communication indicates that magisterial enquiry report has been accepted by the Government of Andhra Pradesh. Principal Secretary to the Government (Political), vide communication dated 16.6.2006 informed that prior to the receipt of the magisterial enquiry report, the State Human Rights Committee, Hyderabad has already done suo motu enquiry on the same custodial death and submitted their report. The State Human Rights Committee has recommended to the State Government to sanction compensation of Rs. 2.50 lakhs to the minor son of the deceased and recover the amount from the police official concerned, besides taking action against the concerned erring

officials for violating the guidelines issued by the Supreme Court of India. The above said communication further stated as under: "The Government have accordingly accepted the recommendations of the State Human Rights Committee and sanctioned an amount of Rs. 2.50 lakhs vide G.O.Rt.No. 70, General Administration (L&O-I) Department, dt. 06-01-2004 and instructed the Director General of Police, Andhra Pradesh, Hyderabad for entrusting the case to the CB, CID for investigation and also to take appropriate action including prosecution against the S.I. and A.S.I. concerned and to recover the amount from them vide Memo No. 24778/L&OIIA3/2003, GA (L&O-I) Department, dt. 06-01-2004." The Commission has gone through the record. The matter has already been examined by the State Human Rights Committee presided over by Hon'ble Justice Y. Bhaskar Rao (Now Member, NHRC). The recommendations of the State Human Rights Committee have already been accepted by the State Government and necessary action in this regard have already been taken. In the circumstances, no further intervention on the part of the Commission is called for. Hence the report is taken on record and the case is closed.

Action Taken

Concluded and No Further Action Required (Dated 3/14/2006)

Status on 12/31/2007

The Case is Closed.

Note: For further details kindly contact **National Human Rights Commission, Copernicus Marg, New Delhi, PIN 110001 Tel.No. 23385368 Fax No. 23384863 E-Mail: covdnhrc@hub.nic.in**

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