

KARNATAKA STATE HUMAN RIGHTS COMMISSION

1-4th Floors, 5th Stage, M.S. Building, Bengaluru – 560001

H.R.C No: 2380/10/16/2018

Date: 12-11-2020

PRESENT

Justice D.H. Waghela
Chairperson

Shri K.B. Changappa
Member

Shri R.K. Dutta
Member

Informant:

Superintendent,
District Prison,
Uttara Kannada

ORDER

The complaint is registered on the basis of report dated 21-06-2018 of the Superintendent of District Prison, Uttara Kannada District. It is reported that Umesh alias Neeladhar, U.T.P No: 6333, S/o Bhadraiah Gowda, aged about 38 years and R/o Sigemaruru village, Somwarpet taluk, Kogadu District was remanded to judicial custody in S.C No: 15/18 u/s 448, 324 & 302 I.P.C by II Add. District & Sessions Court, Karkala. It is further reported that on 21-06-2018, at about 16.35 hours, the prisoner tried to hang himself onto a gate of the cell and hence he was immediately rushed to District Hospital, where he was declared 'brought dead' at 04.54 p.m.

The inquest was conducted by Prl. Senior Civil Judge & C.J.M Court, Karwar. It is reported that the relatives of the deceased prisoner have not expressed any doubt

regarding the cause of his death and there were no other external injuries on the body of the deceased.

The final opinion submitted by Department of Forensic Medicine, Karwar Institute of Medical Sciences, Karwar; magisterial enquiry report in U.D.R No: 11/2018 u/s 176 (1-A) of Code of Criminal Procedure Code, 1973 and final opinion of I/c I.G.P of the Commission state that the death of the prisoner was due to asphyxia as a result of hanging.

Further, the Commission ordered for a detailed investigation into the circumstances surrounding the death of the prisoner. Pursuant to such order dated 03-09-2020, report dated 04-11-2020 is received from the Dy.S.P of the Commission. It is opined that based on the medical reports, it is found that the deceased prisoner used to behave indecently with other inmates of the prison and hence the court had ordered to refer him to prison hospital in Karwar; District Hospital, Karwar and NIMHANS Hospital, Bengaluru to treat his mental illness. It is also reported that Shri Sanjay, nephew of the deceased stated that the deceased was an alcoholic; behaved like a person of unsound mind and he suffered from epilepsy, due to which his marriage was cancelled. It is further reported that the Government of Karnataka has passed an order vide H.D./325/PR/A/2017, dated 12-03-2020 which provides for payment of interim compensation to family of the deceased, who died of unnatural death in prisons and accordingly, a sum of

Rs. 2,49,500/- is sanctioned to the mother of deceased, Smt. Shivamma. It is opined that based on statements of family members of the deceased, officers and staff of Karwar District Prison, it is seen that Umesh, U.T.P – 6333 died by suicide due to depression and not because of the negligence of officials of the prison.

In view of the material placed on record, the Commission does not find indication of any suspicious circumstance to enquire further into the complaint. Accordingly, the case is disposed and proceeding is closed without any recommendation.

Sd/-
(Justice D.H. Waghela)
Chairperson

Sd/-
(Shri K.B. Changappa)
Member

Sd/-
(Shri R.K. Dutta)
Member

V.M.N