

KARNATAKA STATE HUMAN RIGHTS COMMISSION

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

H.R.C No: 538/10/31/2020

PRESENT

Date: 05-01-2021

Justice D.H. Waghela
Chairperson

Shri K.B. Changappa
Member

Shri R.K. Dutta
Member

Informant:

Chief Superintendent,
Central Prison,
Bengaluru

ORDER

The complaint is registered on the basis of g-mail intimation dated 07-02-2020 of the Chief Superintendent, Central Prison, Bengaluru. It is reported that Badesaab alias Basha, U.T.P No: 1754/18, S/o Hanumantha, aged about 45 years and R/o Gunchihalli Village, Yeregere Hobli, Raichuru District was remanded to judicial custody in S.C No: 941/2018 u/s 302 & 201 I.P.C. It is further reported that on 07-02-2020, aforesaid prisoner was found lying unconsciously near the toilet of 6th barrack and hence he was taken to Victoria Hospital at 07.40 a.m., where he was declared 'brought dead' at 08.35 a.m.

The inquest was conducted by XXXIV A.C.M.M. Court, Bengaluru. It is reported that there were no external injuries on the body of the deceased and

statements of co-prisoner, Shri Asif, S/o Rafiq Saheb and Shri Vinay Kumar, watcher of the prison were recorded and they did not express any doubt regarding the cause of prisoner's death. It is further reported that intimation of death of the prisoner was given to wife and other family members of the deceased.

The post-mortem report submitted by Victoria Hospital, Bengaluru; magisterial enquiry report in U.D.R No: 17/2020 u/s 176 (1-A) of The Code of Criminal Procedure, 1973 and the final opinion of I/c I.G.P of the Commission state that the death was due to cardiac failure as a result of coronary artery disease.

For further enquiry into the case, notice was issued to the Chief Superintendent of Central Prison, Bengaluru to inform the doctors of the Central Prison, Bengaluru, who treated the prisoner between 27-01-2020 and 07-02-2020 as regards his heart problem, if any, to remain personally present before the Commission alongwith relevant medical record. Pursuant to such order dated 20-10-2020, Dr. Uma and Dr. Jyothi remained personally present before the Commission on 09-12-2020 and submitted medical papers pertaining to the deceased prisoner. Dr. Uma stated that the prisoner had not complained of any heart ailment during his stay in the jail and also explained that fresh thrombi could develop in a matter of few hours.

In view of the material placed on record, explanation of doctors of the Central Prison, Bengaluru, and in absence of any adverse complaint or allegation, 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