

# VERDICTUM.IN

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Thursday, the 27<sup>th</sup> day of October 2022 / 5th Karthika, 1944  
WP(C) NO. 11880 OF 2021

**PETITIONER:**

ANIL J.S AGED 44 YEARS S/O. SHIVAJI, JAGATHALE HOUSE, GROUND ROAD,  
CHERPU P.O, CHERPU, THRISSUR DISTRICT, PIN - 680561.

**RESPONDENTS:**

1. STATE OF KERALA REPRESENTED BY SECRETARY TO HOME, SECRETARIAT,  
PALAYAM P.O, THIRUVANANTHAPURAM DISTRICT, PIN - 695001.
2. THE DIRECTOR GENERAL OF POLICE, OFFICE OF THE DIRECTOR GENERAL OF  
POLICE, STATE POLICE HEADQUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM  
DISTRICT, PIN - 695010.
3. THE SUPERINTENDENT OF POLICE(THRISSUR) OFFICE OF THE SUPERINTENDENT  
OF POLICE, KALYAN NAGAR, AYYANTHOLE P.O, THRISSUR DISTRICT, PIN -  
680003.
4. THE SUB INSPECTOR OF POLICE CHERPU POLICE STATION, CHERPU P.O,  
THRISSUR DISTRICT, PIN - 680561.

This WP(C) coming on for orders upon perusing the judgment dated 03.09.2021 and the compliance report filed by the Assistant Inspector General of Police (Public Grievances and Legal Affairs), Police Headquarters on behalf of the 2nd Respondent, State Police Chief, Kerala as directed by the court on 03.09.2021 and upon hearing the arguments of learned GOVERNMENT PLEADER and Sri. DINESH MATHEW J.MURICKEN, Advocate for the petitioner, the court passed the following:

**DEVAN RAMACHANDRAN, J.**

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**W.P(C)No.11880 of 2021**  
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Dated this the 27th day of October, 2022

**O R D E R**

This matter has been listed today to report compliance of the directions issued in judgment dated 03.09.2021 by the State Police Chief.

2. Sri.Joshy Thannickamattom - learned Government Pleader, submitted that Ext.R2(a) circular has been filed on record, which is the one issued to all Police Officers to behave well.

3. Smt.Nayana Varghese - learned counsel for the petitioner, however, submitted that, in spite of the efforts of this Court and the circular aforementioned, there have been consistent news of misbehaviour by Police Officers, including with complainants and witnesses.

4. As is evident from the judgment I have delivered, good behaviour and civilized conduct by Police Officers is not merely desideratum, but an obligation. It is, therefore, not merely

sufficient that, the State Police Chief issues circulars, but it should be ensured that every Police Officer adheres and abides by the same.

5. The compliance report is woefully wanting in this regard, since it merely says that a circular has been issued. This Court certainly requires further information from the State Police Chief, as to the manner in which the above mentioned Circular has been implemented across the State and among all the officers in the hierarchy of ranks.

6. Unless it is made known to all officers that their misdemeanor and violation of the various judgments and orders of this Court will not be tolerated and they will be accountable for the same, no real change is possible; and the directives of this Court would remain merely on paper.

7. This cannot be allowed and the State Police Chief will have to demonstrate that the judgments of this Court are being implemented, obeyed and adhered to by everyone in the Police

Force, in its letter and spirit.

8. In the afore perspective and taking into account the submissions of Smt.Nayana Varghese as afore, I am certain that a further report is required from the State Police Chief.

I, therefore, adjourn this matter to be called on 10<sup>th</sup> November 2022, within which time, the said Authority will file necessary further Action Reports on record.

I, however, warn that, should the superior authorities not take necessary action in cases of misdemeanor and misfeasance by the officers, this Court may not hesitate to hold them also personally responsible. This shall be kept in mind by the State Police Chief while responding as afore ordered.

Sd/-

**DEVAN RAMACHANDRAN,  
JUDGE**

SAS/ACR