

No.T9-77791/2019/PHQ

Police Headquarters, Kerala

Thiruvananthapuram-10

Dated: 26/06/2021

Circular No.22/2021

Sub:- Police Dept - Proper Maintenance of CD Files - Instructions issued - reg

Read : 1. Chapter XII of Kerala Police Manual
2. PHQ Circular No.21/2009 dated.23. 05.2009
3. PHQ Circular No.43/2010 dated.27.10.2010
4. PHQ Circular No.08/2013 dated. 03.2013.
5. Judgment dated 14.10.2014 in WP (C)NO.27266/2013 of the Hon'ble High Court of Kerala.

01. The CD in Crime No. 812/2017 of Mavelikkara Police Station forwarded to the Director General of Prosecution was retrieved after a period of 10 months. It was initially reported that the said CD was lost and untraceable, whereas in official records transaction of the Case Diary was acknowledged by the concerned and authorized officers. Due to this, the disposal of a Case was badly delayed which caused denial of litigant's legal right and failure of the Criminal Judicial System, to deliver justice in time.

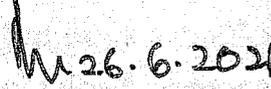
02. Numerous Circulars and instructions were issued in the past by emphasizing the procedures for maintaining the Case Diary, which is the most important Legal Document of a Case registered at a Police Station.

03. The Case Diary (CD) maintained by the Station House Officer (SHO) or the Investigation Officer of a case registered as per First Information Report (FIR) is an integral part of the Police Station Records and maintenance and upkeep of the same is the responsibility of the Investigating Officer or such officers assigned with the duty as per the provisions in the Kerala Police Manual (Chapter XII).

04. However, many instances of missing and misplacing of Case Diaries which were forwarded to competent authorities as per legal formalities stipulated in the Cr PC and such statutory codes, are brought to the notice of the undersigned. It is noted that a copy of the CD could have served the purpose in all such cases.

05. As per the Judgment 5th cited Hon'ble High Court had directed that if the case diary of a case is missing, appropriate action possible under the law including departmental action against the person concerned will have to be initiated by the authority concerned.

In view of the above, it is once again directed that the officer in charge who writes and maintain the CDs shall strictly follow the instructions issued in this regard, from time to time. The Unit Heads concerned must also ensure that the above instructions are followed scrupulously.

 26.6.2021
Loknath Behera IPS
STATE POLICE CHIEF

Copy to: The Additional Director General of Police, Law & Order
The Additional Director General of Police, Crime Branch
The Inspector General of Police, Zone
The Deputy Inspector General of Police, Ranges
All District Police Chiefs
To: All Officers in PHQ
CAs to SPC/ADGP(HQ)/IGP(HQ)/IGP(Admin) (Attn P/S)
Stock File/Circular Register/SPMC, PHQ / Police website/
D Space

THI -1610/28-06-2021