



POLICE



DEPARTMENT

No.D2-80975/2025/PHQ

Police Headquarters,

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Dated. 21-07-2026

Circular. 10/2026/PHQ

Sub : Compliance with the provisions of Section 43(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 – Guidelines on Escort Duty and Use of Handcuffs – Instructions issued.

Ref : Letter No.D/8570/2025/LO Dtd.05.06.2026

It has come to the notice of the Police Headquarters that ambiguity still exists regarding the use of handcuffs while arresting accused persons and during their lawful custody, including escorting them for production before Courts.

Section 43(3) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, empowers a police officer, having regard to the nature and gravity of the offence, to use handcuffs while making the arrest of a person or while producing such person before the Court, where such person falls under any of the following categories:

Habitual or repeat offender;

Person who has escaped from custody;

Person accused of an offence of organised crime;

Person accused of a terrorist act;

Person accused of a drugs-related offence;

Person accused of illegal possession of arms and ammunition;

Person accused of murder;

Person accused of rape;

Person accused of acid attack;

Person accused of counterfeiting of coins or currency notes;

Person accused of human trafficking;

Person accused of a sexual offence against children; or

Person accused of an offence against the State.

In order to ensure uniform implementation of the statutory provisions while safeguarding the constitutional rights of persons in custody, the following instructions are issued for strict compliance by all police officers:



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1. Exercise of Discretion under Section 43(3) BNSS

The power to use handcuffs under Section 43(3) of the BNSS is **discretionary** and **not mandatory**. The mere fact that an accused falls within one of the categories specified under Section 43(3) does not automatically warrant the use of handcuffs.

Before deciding to use handcuffs, the Arresting Officer/Escort Officer shall independently assess the necessity of such restraint, having due regard to the nature and gravity of the offence, the conduct of the accused, the likelihood of escape, the possibility of violence, and other relevant security considerations.

In respect of persons not falling within the categories specified under Section 43(3), the use of handcuffs shall ordinarily not be resorted to. Any exceptional use of handcuffs shall be governed by the applicable judicial pronouncements and existing lawful instructions, and shall be resorted to only where the circumstances clearly warrant such action, such as an imminent risk of escape, violent behaviour, or a serious threat to the safety of the escort party or the public.

2. Recording of Reasons and Intimation to Court

Whenever handcuffs are used, the Arresting Officer/Escort Officer shall record the specific reasons justifying their use. Such reasons shall be entered in the General Diary and KPF 150 (Register of Persons in Custody).

The reasons shall also be brought to the notice of the jurisdictional Court in writing at the time of production, in accordance with the applicable judicial directions, the Police Standing Orders and other lawful instructions. Handcuffing shall never be resorted to routinely or merely for the convenience of the escort party.

3. Protection of Human Dignity

While exercising the power to use handcuffs, police officers shall ensure strict adherence to the constitutional guarantees under Article 21 of the Constitution of India.

A handcuffed individual shall not be paraded in public or exposed unnecessarily to public view or media attention. Every effort shall be made to preserve the dignity, privacy, and decency of the individual consistent with legitimate security requirements.

4. Medical and Humanitarian Considerations

Visible medical conditions, advanced age, physical infirmity, disability, or other circumstances affecting the health of the individual shall be taken into account while deciding whether handcuffing is necessary. Handcuffing in such cases should ordinarily be avoided unless the security risk clearly outweighs such considerations.

5. Prohibition of Excessive or Punitive Use

Handcuffs shall not be used as a measure of punishment, intimidation, or humiliation. They shall be applied only to the extent necessary for lawful restraint and security.

Prolonged or unnecessary handcuffing, or the application of handcuffs in a manner causing avoidable pain, injury, or indignity, is strictly prohibited and would be contrary to the guarantees under Article 21 of the Constitution of India.



The District Police Chiefs shall bring the contents of this Circular to the notice of all officers under their control and ensure strict compliance.

All officers entrusted with arrest and escort duties shall scrupulously adhere to these instructions. Any deviation from these guidelines or any misuse of the power to use handcuffs will be viewed seriously and shall invite appropriate disciplinary action.



Ravada Azad Chandra Sekhar IPS
State Police Chief

To : ADsGP (L&O) /(Crime Branch) /INT/HQ & AP BN
IsGP, Cyber Operation /SCRB & DIG ATS
All DPCs
All Unit Heads

Copy : All Zonal IGPs/IGPs of Crime Branch/ All Range DIsGP
To : SPs, DYSPs, Inspectors of Crime Branch/ /SP Railways
All SHOs/ All SDPOs, DYSPs/ACPs of Districts.
All officers in PHQ/ CA to SPC

