

POLICE



KERALA

DEPARTMENT

No.D8-18855/2015/PHQ

Police Headquarters,

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Dated. 23-09-2015

Circular No.37/2015

Sub : The instructions to be followed by an officer investigating/Arresting etc.- Juvenile Convict-reg

Ref : Order of Kerala State Commission for Protection of Child Rights CRMP No. 232/02/LA2/2014 KeSCPCR datd, 02.12.2014

The Hon'ble Kerala State Commission for Protection of Child Rights has issued certain instructions to be followed while handling investigation of crimes related to Juveniles. The following instructions shall be strictly adhered by all Officers in this regard

A. The Investigating Officer or any other police Officer acting under the instruction of Investigation Officer:

Every Police Officer at the time of arresting/apprehending young offenders shall be under obligation to inform the alleged offender about his right to be dealt with under the provisions of Juvenile Justice Act if he is below 18 years of age and a proper counseling shall be done on the point of age.

- i. Investigating Officer (IO) or any other police officer affecting the arrest/apprehension shall also prepare the Age Memo. A copy of such Age Memo shall **also be** delivered to the alleged offender and his parents/ Guardians/ or relative who have been intimated about his arrest.
- ii. At the time of forwarding the copy of FIR to the Magistrate, within 24 hours, the IO shall be under duty to file preliminary memo along with the FIR in case of arrest/apprehension is made before forwarding the FIR.
- iii. On completion of age inquiry, which shall be done, preferably within one week of arrest/apprehension, the completed age memo be filed before the court concerned.
- iv. If the alleged offender claims to be a juvenile and prima facie it appears to be so from his physical appearances but if age documents to support such claim are not readily available and it is not possible for IO to obtain such documents within 24 hours of arrest, accused shall be produced before Juvenile Justice Board.
- v. At the time of first production of offender before Court or JJB, it shall be the duty of IO to ensure that parents or relatives of such offender are duly informed about (1) date, (2) time and (3) particulars of court or Board of such production and a copy of such intimation shall be produced before the respective Board or Court at the time of first production.

B. The Officer In Charge of the Police Station:

- i. It shall be the duty of the Officer In Charge of the Police Station to ensure that Police Officers of his or her police station have taken all measures to ensure that proper inquiry or investigation on the point of age has been carried out and that all the required formalities, procedure have been carried out and required documents have been prepared in this regard.



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C For the Superintendents of Police, In-Charge of Districts concerned.

(i) In case any person approaches the DPC or Commissioner of Police as the case may be, with a complaint that Police is not taking notice of Juvenility of any offender and is refusing to take on record the documents being provided to suggest juvenility and instead treating a child as adult, it shall be the duty of the District Police Chief or the Commissioner concerned to do an immediate inquiry into such complaint. Such inquiry shall be completed within 24 hours of having received such complaint and if the complaint turns out to have merit and truth, the officer concerned shall make ordes to the concerned Police officers to immediately take corrective steps and shall also initiate disciplinary action against erring Police official .

(ii) In cases where any action is taken against an erring Police Officer, a quarterly report of the same containing the nature and reasons of such lapse and details of action taken shall be furnished by the officer concerned to the concerned JJB having jurisdiction over that District.

(iii) The Officers shall, during the regular monthly meeting with all the SHOs & other officials, shall brief them about their responsibilities, and shall ensure that their subordinate Police Officers don't show children as adults, take all necessary steps to verify the age of accused persons and are in overall compliance with the provisions of JJ Act & Rules.

(iv) District Police Chiefs shall also ensure that all the Police stations under their jurisdiction put in place the required setup and required notice boards etc, in this regard.

(v) On being intimated by the JJBs about any lapse having been committed on age investigation, District Police Chief concerned shall institute an inquiry and take such action as may be required or appropriate.


T P SENKUMAR IPS
State Police Chief

To :

Copy To : All Officers in List 'B'
All CAs of Police Headquarters,
Circular Book/Stock file.
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