

POLICE



DEPARTMENT

No.U5-170138/2021/PHQ

Police Headquarters,
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Dated. 01-06-2022

Circular. 17/2022/PHQ

Sub : Conducting Inquest of dead body during night hours - instructions issued-reg.

Ref : Judgment dt. 16.12.2021 of the Hon'ble High Court of Kerala in WP(C).
33874/2015 filed by Kerala Medico Legal Society and another

As per G.O(MS) No.239/H/FWD dated 26.10.2015, Government have accorded sanction for conducting 24 hours autopsy in five Govt. Medical Colleges namely, Thiruvananthapuram, Alappuzha, Kottayam, Thrissur, Kozhikkode and at the General Hospital, Kasargod. Subsequently, Dr. Hitesh Sankar, Secretary, Kerala Medico Legal Society and another filed Writ Petition No. 33874/2015 before the Hon'ble High Court of Kerala challenging the directions in the above Government Order.

Vide the judgment read above, the Hon'ble High Court has disposed of this case by directing the Chief Secretary, Government of Kerala to convene a meeting of the officials of the Home Department including the State Police Chief and the officers of the Health Department, to take a decision and issue orders for completing the inquest and postmortem of dead bodies, involved in unnatural death cases, within a fixed time frame.

In pursuance of the above directions, a meeting was convened by the Additional Chief Secretary (Home), Government of Kerala on 26.04.2022 to discuss the matter and take steps for implementation of the Hon'ble Court direction. On the basis of the decisions taken at that meeting, the Chief Secretary, Government of Kerala has issued instructions to implement the said decisions.

As such, the following directions are hereby issued for strict compliance by all SHOs and the investigating officers, who conduct the inquest of dead bodies during night hours, once an unnatural death case is reported at a Police Station.

1. All Station House Officers are directed to make necessary arrangements for conducting inquest procedures during night time effectively and properly, once an unnatural death case is reported at the Police Station. Under no circumstances shall there be a delay or interruption caused in the conduct of inquest, and forwarding of the corpse for postmortem examination, for the reason that there is no sufficient light, for the proper conduct of inquest.

2. The District Police Chiefs shall take steps to procure lights with sufficient intensity and other infrastructure facilities for the conduct of inquest during night hours as well as to meet the associated expenses incurred by the investigating officers, with regards to transportation of the dead body to the hospital, incidental expenses etc, utilizing appropriate budget allocation, following rules and norms, with regard to the utilization of funds.

3. All Station House Officers are directed to ensure that the inquest procedures in unnatural death cases are completed within 4 hours in a case, before forwarding the corpse for autopsy. However, where the specific needs of the investigation require a prolonged or more detailed inquest, the same should be undertaken, after recording the reasons in writing.

4. The police shall take steps to forward the body of the deceased to the hospital for autopsy in unnatural death cases and to other places "after autopsy", if found necessary, in extra ordinary situations.

The District Police Chief shall monitor and ensure that the Station House Officers and the investigating officers comply strictly with the above instructions in its letter and spirit. Laxity or violations, if any, noticed in complying with the instructions will invite stringent departmental action.



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Anil Kant IPS
State Police Chief

To : All IG & Commissioners of Police/ District Police Chiefs/ ISHOs for strict compliance.

Copy To : All Officers in List 'B' [including Spl. Units], for info & n/a.
All Officers in PHQ / Legal Advisor, PHQ / Dy. Dir, State Police Media Centre, PHQ.
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