



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

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28/09/09

C. D. Case No. 127/1/2005-06 / 1914

✓ The District Magistrate
Ahmednagar.

Date : September 16, 2009.

Coram : Justice Kshitij R. Vyas (Former Chief Justice), Chairperson.

PROCEEDINGS

None present at the time of hearing. This being the custodial death case, pending since long, the Commission has decided to dispose off the same on the basis of the record.

The Superintendent of Beggars Home, Visapur, Tal-Shrigonda, Dist-Ahmednagar has reported the death of inmate Hariyan Reyaj age 45 home No. 2924 at Civil Hospital Ahmednagar, on 22.10.2005 at 9.25 am. On the basis of the said information, the Commission called for the report and information in prescribed proforma from the District Magistrate, Ahmednagar.

Having gone through the medical reports of the examination of the deceased prior to his death, it is stated that he was normal and study as there was no actual illness at the time of his admission. In the column of general state of health and previous history, it is stated that the deceased was mentally unsound. All medical certificates including the Post Mortem report states head injury on the deceased. The opinion as to probable cause of death states that death due to "*intracranial hemorrhage due to head injury*".

It is unfortunate that the District Magistrate has not sent his inquiry report regarding the death of the deceased. With the result the Commission is not able to know the circumstances as to how and where the inmate fell and sustained head injury. There should be some reason for the inmate to sustain head injury which has direct connection to his death.

In the result the following directions are given:

The entire custodial death case is transmitted to the District Magistrate, Ahmednagar with further direction to inquire regarding the head injury sustained by the deceased Hariya Reyaj, the inmate of the Beggar's Home, Visapur, resulting into his death. The District Magistrate, Ahmednagar shall, thereafter, submit the report to the Commission.

With this direction, the case is accordingly disposed off.



Kshitij
(Justice Kshitij R. Vyas)
Chairperson.

Mumbai; September 16, 2009.