



GOVERNMENT OF KERALA

Abstract

Forest & Wildlife Department-Establishment-CBI Investigation of crime No.685/2020 of Chittar Police Station-Sanction for Prosecution-Accorded-Orders issued.

**FOREST & WILDLIFE (A) DEPARTMENT**

G.O.(Rt)No.32/2022/F&WLD

Dated, Thiruvananthapuram, 31-01-2022

- Read:-
1. Letter No. B3/3042/2020 dated 13.01.2022 from the Additional Principal Chief Conservator of Forest (Administration)
  2. Letter No. 3/5(S)/2020/CBI/SCB/Tvpm/2196 dated 23.12.2021 from the Head of Branch, CBI, SCB, Thiruvananthapuram.

**ORDER**

**WHEREAS**, Shri R.Rajesh Kumar (A-1), Aged 40 years, S/o Shri.Rajappan Amalaputhuparambil (H), Trikkodithanam PO, Changanassery, Kottayam, has been working as a Public Servant in the capacity of Deputy Range Forest Officer (Dy.RFO), in the Department & Ministry of Kerala Forest and Wildlife. Govt. of Kerala during the year 2020.

**WHEREAS**, Shri A K Pradeep Kumar (A- 2), Aged 44 years, S/o Shri V.K.Krishnan, Altharackal House, Vellayil PO, Theadical, Pathanamthitta District, Pin-689613, has been working as a Public Servant in the capacity of Section Forest Officer (SFO), in the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

**WHEREAS**, Shri Anil Kumar T (A-3) Aged 38 years, S/o Late K.K.Thankappan Olickal Puthuvelil Puthanveedu, Kummannoor PO, Iranvill, Konni, Pathanamthitta-689697, Kerala, has been working as a Public Servant in the capacity of Beat Forest Officer (BFO), in the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

**WHEREAS**, Shri Santhosh N (A-4), S/o Shri Neelambaran Aged 45 years, S/o Shri Neelambaran Santhosh Bhavan, Thengamam PO, Pallickal, Pathanamthitta, Kerala PIN-690522 has been working as a Public Servant in the capacity of Beat Forest Officer (BFO), in the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

**WHEREAS**, Smt. Lekshmi V M (A-5) Aged 29 years, D/o Shri Vasu Kurup, Vayanavilayil, Vadakkemuri, Poruvazhy, Chathakulam PO, Kollam 690520, has been working as a Public Servant in the capacity of Beat Forest Officer (BFO), in

the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

**WHEREAS**, Shri E.B. Pradeep Kumar (A-6), Aged 47 years, S/o Shri R.Bhaskaran, Ettimoottil House, Chittar Village, Pambini PO, Pathanamthitta, Kerala PIN 689663, has been working as a Public Servant in the capacity of Tribal Watcher (T W), in the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

**WHEREAS**, Shri Jose Philson D'Cruz (A-7), Aged 43 years, S/o Shri Joseph D'Cruz, Ettimoottil House, Chittar Village, Pambini PO, Pathanamthitta, Kerala PIN 689663, has been working as a Public Servant in the capacity of Tribal Watcher (TW), in the Department & Ministry of Kerala Forest and Wildlife, Govt. of Kerala during the year 2020.

Whereas, investigation has revealed that on 28.07.2020, at 03:00 PM, Shri Rajesh Kumar R (A-1), the then Dy. RFO, Chittar Forest Station along with Shri. A.K. Pradeep Kumar (A-2), the then SFO (Section Forest Officer), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5), all working as the then BFOs (Beat Forest Officer), Shri. E.B. Pradeep Kumar (A-6) the then Tribal Watcher of Chittar Forest Station, proceeded to Nalumukku area to verify the information. At Nalumukku, they found that the Tiger census cameras are not damaged but their memory cards have been taken out. It is a police case and he was supposed to inform about the same to Jurisdictional Police Station. Instead of doing that he along with others have taken all the MOs without following the legal procedures due to which material evidences Viz. fingerprints etc. were destroyed. Thereafter, he along with others contacted informer, the team illegally entered into the house of deceased Mathai PP at Areekkakavu, taken him out from his house, misbehaved with the family members of deceased Mathai PP, pushed down the old aged mother of the deceased who fell down on the ground and lost her consciousness, taken the deceased Mathai PP to various other places, without following the legal procedures, misbehaved with the deceased Mathai PP, demanded illegal gratification for the release of deceased Mathai PP, taken him to the parental house of the deceased situated at Kudappanakulam for collecting the memory card of the camera, and searched the house without ensuring any witnesses on contrary to the mandatory provision as laid down in Cr.PC, and without taking any safety measures forced him to enter into the well to take out the memory card from the well, due to which he fell into the well and died.

**Whereas**, Smt. Sheebamol W/o Late Mathai PP, Padinjarecharuvil House, Areekkakavu, Maniyar PO, Vadasserikkara, Pathanamthitta, lodged a complaint about un-natural death of her husband Mathai PP on 28.07.2020, following the illegal custody of her husband from his residence at Areekkakavu on 28.07.2020, by

the forest officials of Chittar Forest Station. On the basis of the said complaint, Crime No. 685/2020 was initially registered at Chittar Police Station, Pathanamthitta District. U/s 174 Cr.PC and in due course, 342, 348, 364(A), 330, 304, 404, 465, 471, 201, 166, 167 r/w 34 IPC were added and investigation of the case was done by Police.

**Whereas**, aggrieved by the manner of investigation of local police, Smt. Sheebamol W/o late Mathai PP filed WP(C) 16593/2020 before the Hon'ble High Court of Kerala, Emakulam and based on the Writ Petition, the Hon'ble High Court of Kerala passed an order dated 21.08.2020 and thereby directed CBI to conduct investigation of Crime No.685/2020 of Chittar Police Station, Pathanamthitta District, Kerala state. Accordingly, the case was re-registered by CBI, Special Crime Branch. Thiruvananthapuram as RC0342020S0005 on 01.09.2020 and investigation was carried out. Consequent up on the registration of the case at CBI SCB Thiruvananthapuram, the FIR and connected documents of the case were also transferred from Hon'ble JMFC, Ranni to, Hon'ble CJM Court, Thiruvananthapuram as CJM, Thiruvananthapuram is empowered to take cognizance of this matter.

**Whereas**, during the investigation of the case it was found that on 28.07.2020, at about 04:50 PM, the then Chittar Forest Officials headed by Shri. R. Rajesh Kumar (A-1), the then Deputy Range Forest Officer, along with Shri. A.K. Pradeep Kumar (A-2), the then SFO (Section Forest Officer), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5), all working as then BFO (Beat Forest Officer) and Shri. E.B. Pradeep Kumar (A-6) the then Tribal Watcher, Chittar Forest Station, illegally without any authority or registered case, entered into the house of the deceased Mathai PP, took the deceased Mathai PP in their illegal custody, without any arrest memo, Custody memo etc., on the information that he allegedly destroyed 02 Nos. of forest cameras which were fixed at Nalumukku forest area. While taking the illegal custody of the deceased from his house, the above accused forest staffs also pushed down the old aged mother of the deceased into ground due to which she fell down and became unconscious for some time.

**Whereas**, it is revealed during investigation of the case, that after taking the deceased Mathai PP in their illegal custody, was brought to Nalumukku forest area, from where the cameras were allegedly said to be destroyed, and the deceased was abused, roughly treated, manhandled and slapped by the forest officials. From there the deceased was taken to Perumpamballu and there also the deceased Mathai PP was manhandled and roughly treated by the accused forest officials A1 to A6. The forest officials also contacted Shri. Shibin K R @ Saleem through Shri. Arun Sathyan and demanded illegal gratification of Rs.75,000/- for release of the deceased Mathai PP. Thereafter he was taken to his ancestral house

at Kudappanakulam situated near the farm of the deceased for collecting evidence without ensuring the presence of independent witnesses, which is a mandatory requirement as per the provisions of Cr.PC, and told the deceased to take out the memory card from the well, without ensuring any safety precautions for his life, due to which he fell into the well which is situated behind his ancestral house at Kudappanakulam, and died. Thereafter, the team members, viz., Shri. R.Rajesh Kumar (A-1), Shri. A.K. Pradeep Kumar (A-2), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5) and Shri. E.B. Pradeep Kumar (A-6) without putting efforts to rescue him from the well, had escaped from the Scene of Crime, on seeing people gathering in that area, leaving behind the Forest Jeep near the SOC.

**Whereas**, the forest team, consisting of Shri. R. Rajesh Kumar (A-1), Shri. A.K. Pradeep Kumar (A-2), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5) and Shri. E.B. Pradeep Kumar (A-6), all public servants, without completing any legal formalities, or making effort to save the deceased Mathai PP, after running away from the Scene Of Crime, reached at Karikulam Forest Station at about 09:30 PM on 28.07.2020 and prepared a mahazer there with incorrect time, place and facts of the case, and all the forest team members i.e., Shri. R. Rajesh Kumar (A-1), Shri. A.K. Pradeep Kumar (A-2), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5) and Shri. E.B. Pradeep Kumar (A-6) signed in the mahazer. After preparation of the mahazer at Karikulam Forest Station, Shri. R Rajesh Kumar (A-1) sent the mahazer to Chittar Forest Station at about 02:30 AM on 29.07.2020 with Shri. G.V. Shibu (SFO) and Shri. Nidhin AS, BFO of Gurunathanmannu Forest Station and on the basis of that mahazer, with the knowledge that the mahazer contains incorrect time, place and facts, Shri. Jose Philson D'Cruz (A-7) prepared the Preliminary Offence Report (POR) dated 28.07.2020 and registered the OR No. 06/2020 at Chittar Forest Station and filed the same before Hon'ble JEFMC, Ranni on 29.07.2020.

**Whereas**, the accused forest officials i.e.. Shri. R. Rajesh Kumar (A-1), Shri. AK. Pradeep Kumar (A-2), Shri. Anil Kumar. T (A-3), Shri. Santhosh. N (A-4), Smt. Lekshmi V.M. (A-5), Shri. E.B. Pradeep Kumar (A-6) had taken 02 Nos. of mobile phone of the deceased Mathai PP from his possession while the deceased was in their legal custody, and kept the same discretely with them, without preparing any Mahazer or informing the same to the police, during the investigation of the case by police.

**Whereas**, the accused personnel Shri. R. Rajesh Kumar (A-1), Shri. A.K.Pradeep Kumar (A-2). SFO, Shri. Anil Kumar T (A-3), Shri. Santhosh. N (A-4), Smt. Lekshmi V.M. (A-5) and Shri. E.B. Pradeep Kumar (A-6), who were the team members had illegally entered into the house and taken the deceased Mathai PP in their illegal custody, from his residence at Areekkakavu, which led to the death of

the deceased Mathai PP while he was in their illegal custody, are responsible for the death of the deceased Mathai PP for their criminal negligence for not safeguarding the life of the deceased Mathai PP. Further, after the death of the deceased Mathai PP, Shri. Jose Philson D'Cruz (A7), registered the POR No. 06/2020 dated 28.07.2020 on the basis of the mahazer, with the knowledge that the time, place and facts mentioned in the mahazer are wrong, for protecting the accused Shri. R. Rajesh Kumar (A-1), Shri. A.K. Pradeep Kumar (A-2), Shri. Anil Kumar. T (A-3), Shri. Santhosh. N (A-4), Smt. Lekshmi V.M. (A-5) and Shri. E.B. Pradeep Kumar (A-6) from their criminal negligence and offences.

**Whereas**, on 29.07.2020, the officials of Kerala Police along with fire officials, finger print experts, photographer, scientific officers etc. visited the Scene of Crime (hereinafter abbreviated as SOC) Kudappanakkulam, inspected the SOC and prepared a detailed Scene Mahazar along with site plan. During inspection of the SOC, 02 red colour slippers which were lying near well, were seized along with sample of water from the well in a bottle. The Kerala police team also seized the forest vehicle bearing registration No. KL 01 BP 5521 of Chittar Forest Station which was parked near SOC and seized the items/ articles/ MOs/ documents kept in the forest jeep in presence of experts and witnesses. The SOC at Kudappanakkulam and the forest vehicle No. KL 01 BP 5521 were thoroughly checked by Experts of FSL and Finger Print Bureau. IO also prepared an additional Scene Mahazar of SOC, Kudappanakkulam, after draining the water of the well, during which a saffron coloured dhoti was found lying in the bottom of the well, which was seized.

**Whereas**, the Inquest of the dead body of the deceased Mathai PP was conducted on 30.07.2020 at the mortuary of the Govt. General Hospital, Pathanamthitta by Shri S.Harikumar, RDO, Adoor in presence of Smt. Soni A M, JFMC, Ranni and others. As per which, in brief the height of deceased is 175 cm and his colour is neither dark nor fair. He has a healed wound mark on right shoulder and a mole on thigh of right leg. The left hand elbow was seen swollen and toughened 5 cm x 3 cm size. One scar mark was seen on left side on abdomen. In the inquest, the details of various injury marks have been discussed and the version of the relative i.e. brother, wife etc. of deceased Mathai PP was also discussed. As per the statement of relatives, neighbours etc. recorded in the Inquest Mahazar, they have got suspicion about the death of the deceased as there was no reason for him to commit suicide as his family life is good and his relationship with neighbours was also good.

**Whereas**, after inquest proceedings, the post-mortem of deceased Mathai PP aged 41 years was conducted by Dr. Renju Raveendran, Professor and HoD, Dept. of Forensic Medicine, and Dr. Santhosh Joy, MD, Asst. Professor of Forensic

Medicine, both of Govt. Medical College, Kottayam on 31.07.2020. As per the Postmortem Certificate No. 1142/2020 dated 31.07.2020, there were 12 ante mortem Injuries on the body of the deceased as under.

1. Superficial laceration 1 x 0.1 x 0.1 cm on the right side of head 12 cm above top of ear.
2. Abraded contusion 2.5 x 2 cm involving full thickness of scalp on middle of top of head 10 cm above occipital protuberance.
3. Contusion of scalp 4x3 cm involving its full thickness on left side of head overlaying the parietal eminence.
4. Abrasion 4x 0.1 cm, oblique, across the midline on forehead, its upper left end, 3 cm above inner end of eye brow.
5. Abrasion 0.8x 0.5 cm on middle of forehead 3cm above root of nose.
6. Contusion 9x6x2 cm involving outer aspect of left elbow and adjoining forearm and arm, with fracture dislocation of elbow joint underneath.
7. Contusion 13x4x1.5 cm on outer and adjoining front surface of left hip.
8. Contusion 1x1x0.5 cm each on back aspect of either heel.
9. Abrasion 1x1 cm on outer aspect of front of left knee.
10. Abrasion 1.5x1 cm on the front of right knee.
11. Abrasion 0.5x0.2 cm, horizontal on inner aspect of right leg 17 cm below the knee.
12. Abrasion 0.5x0.2 cm, horizontal, on inner aspect of right leg 1 cm below the injury no. (11).

**Whereas**, the opinion of the doctor about the cause of death is that 'death was due to drowning'.

**Whereas**, after taking over the investigation of the case by CBI, the re-inquest of the dead body of deceased Mathai PP was conducted by Dr. Vinay Goel, IAS, SDM, Thiruvalla on 04.09.2020 in the presence of witnesses, family members, relatives etc. and has recorded their brief statement in the Re-Inquest Report dated 04.09.2020. In brief, as per the Re-Inquest report, a stitched wound Starting from chin and running in the midline till pubic region measuring of 63 cms, a wound measuring 3.5 cm x 0.5 cm on the upper portion of the right side of the chest, two discolorations measuring 2 cm x 1.5 cm and 5 cm x 3 cm noted at distance of 16.5 cm and 21 cm respectively from the midline on the left middle portion of chest, on the left upper limb a stitched wound 33 cm long on the frontal portion running from left shoulder joint to left palms, swelling observed on the right lower abdomen of size roughly 16cm x 11cm, a sutured wound 16 cm in length observed on the frontal portions of the right thigh, running vertically from hip joint to knee joint, three horizontal stitched wounds measuring 12 cm, 10 cm and 8 cm are seen on the front lateral portion of the right thigh in lower half, a lacerated wound 7x1 cm observed on the right knee. A sutured wound 58 cm in length observed on the inner side of right lower limb running from above the knee joint to lower third

Right hand Dorsum:-Erythema discoloration noted on the upper third portions. A contusion 2cm x 1cm noticed on the back portion of the right elbow. A laceration wound 3.5 x 0.5 cm noticed just below the right elbow joint. A sutured wound 13 cm in length noticed running from elbow to lower third of right forearm. Wounds measuring 6 cm x 1 cm and 7cm x 0.2 cm are noticed on the outer portion of the right hand on dorsal aspect. A surgical incision 6.5 cm x 3 cm noticed on the lower portion of right hand on dorsal aspect. All external orifices appeared normal.

**Whereas**, after the re-inquest, a team of doctors consisting of Dr. P.B. Gujral, Chief Consultant (Forensic Medicine) Dr. Prasannan K, Professor and Head of Forensic Medicine and Dr. Unmesh A K, Additional Professor of Forensic Medicine & Police Surgeon on 04.09.2020, conducted re- postmortem. As per the Post Mortem report No.411/2020/GMCE dated 04.09.2020 vide which it was observed that the post mortem findings were consistent with death due to "Drowning". There are 12 injuries which are ante mortem in nature. All the incision seen on the body was post mortem incisions made during the first Postmortem examination. As per the re-postmortem report, the manner of causation of injuries could have sustained during the fall into well and the subsequent movements of the body after the submersion. The injury located on the head could have sustained during the effort to save himself as that part coming into forceful contact with irregularly projecting rocky parts at the bottom portion of the well. Injury on right knee, inner aspect of leg, inner aspect of right leg and back aspect of right heel could have sustained by contact with rough portions at the bottom of the well during the process of fall. Injury on outer aspect of left elbow and adjoining part of arm and forearm fracture and contusion on left aspect of left hip region could have sustained during the fall and that part coming in contact with the rocky portion in the bottom of the well. The doctors after Re-Postmortem, have gave their opinion that the immediate cause of death was due to drowning. The injuries individually or collectively were not sufficient to cause death in the ordinary course of nature and considering all the above aspects, the preponderance of probability of suicide or homicide over accident is not present in this case.

**Whereas**, Dr. Renju Raveendran, MD, Professor and HoD of forensic Medicine, Govt. Medical college, Kottayam have given a report of crime scene examination bearing file No.1354/20/FMK dated 18.08.2020. As per the said report, the panel of doctors opined in the crime scene report that after examination of the scene of occurrence and after giving due consideration to limitation imposed by the inanimate nature of dummies that when both the dynamics of the fall as well as the points of impact (on dummies) were conjointly evaluated, a better conformation could be derived for the former situation. The former situation in such a way that he was sitting in the gap of the well with legs hanging into the well and he had subsequently fallen into well.

portion of right leg, an abrasion of size 1x0.5 cm noted on the outer portion below right knee, a discoloration of size 2.5 cm x 2 cm noted on the lower third portion the right leg on the interior side, three surgical incisions measuring 13 cm, 15 cm and 14 cm respectively noted on the sole side of the right leg and these are not sutured, a discoloration 1.5x1 cm noted on the upper thigh on the lateral side and a healed wound 1s noted on the outer side of the right leg in the middle third.

Left leg frontal portion:- An 'L' shaped sutured wound measuring 14 cm and 5 cm noted on the lower right side of the abdomen just at the level of left gap joint. One sutured wound 25 cm in length noted on the inner side of the left thigh. One sutured wound 17 cm in length noted on the outer portion of the left thigh. One sutured wound 7 cm in length noted just above the left knee joint. One sutured wound 10 cm in length noted on the lateral portion of the left thigh just above the knee joint. All of these wounds are vertical in position. Erythematic of skin noticed on the inner aspect of left thigh just above the knee joint. A lacerated wound 4cm x 1.4 cm noted just below the knee joint. A sutured wound measuring 35.5 cm and another measuring 26 cm noted on the left leg. Both these sutured wounds are running vertically. A surgical incision 17 cm in length noted on the left foot.

Dorsum of the body:- A sutured wound seen running from left ear to right ear on the occipital portion of the head. A vertical sutured wound measuring 68 cm is seen running in the midline from occipital portion to lower back. An incision wound measuring 11 x1.5 cm and another measuring 11 cm x 1.5 cm are seen on the back portion of the right shoulder. One sutured wound measuring 12 cm running laterally seen on the upper back portion of the right shoulder. Two incision wounds 11.5 x 1 cm and 12 cm x 1cm are seen below the above mentioned sutured wound. A discolouration measuring 6.5 cm x 5 cm 1s seen on the lateral portion of right middle back. Peeling of the skin and discoloration measuring 19 cm x 13 cm on the left side of the back. Two sutured wound measuring 17 cm and 13 cm are seen on the (right side) either side of midline located at a distance of 8 cm and 13 cm respectively from midline. Three surgical wounds measuring 4 cm x 2 cm, 2.5 cm x 1cm and 4 cm x 1 cm are located on the left lower back area. Two vertical incision 11 cm and 10 cm are noticed on the right lower back area.

Left Leg Dorsum:-One sutured wound 70 cm in length running from just below the left gluteal area till lower third of left leg. One sutured wound 18 cm in length located on the inner side of the upper thigh area; 27 cm long sutured wound is seen on left leg running vertically. Right Leg Dorsum:- One sutured wound in 80 cm in length running from just below the right gluteal area till the dorsum of the foot.



**Whereas,** Shri Biju D, Assistant Chemical Examiner to Government, RCEL, EKM issued test report No. 4, receipt No. 4446/2020 with reference to PM No. 411/2020 GMCE dated 04.09.2020 on the result of re-postmortem samples send by Dr. Unmesh AK, who along with 02 other doctors had conducted the re-post mortem of the deceased on 04.09.2020. As per the report they examined five sealed packets containing samples of liver & Kidney, Bone Marrow, Liver, lung and saturated saline. The conclusion of result is that diatoms detected in bone marrow (item no. 2), liver (item No. 3) and lungs (item no. 4) were identical with those detected in the water sample received and no poison was detected in the samples under items No. 1 (liver and kidney sample). It was also concluded in other Test Report No. 3, receipt No. 4730/2020 that diatoms detected in bone marrow (item No. 2), liver (item No. 3) and lungs (item No.4) were identical with those detected in the water samples received.

**Whereas,** during investigation, the Chemical Analysis Report dated 21.01.2021 was received from Assistant Chemical Examiner, Chemical Examiner's Laboratory, Thiruvananthapuram on the result of the post mortem sample sent by Dr. Renju Raveendran, who did the first post-mortem of the deceased on 31.07.2020. As per the Chemical Analysis report, which revealed that the characteristics and identical diatoms were detected in the sample No. 4 & 5 (bone marrow and water sample) and no poison including ethyl alcohol was detected in the samples under items number 1, 2 and 3 (stomach and part of intestine with contents, parts of liver and half of each kidney and blood).

**Whereas,** during investigation of the case, 02 Nos. of mobile phones of the deceased Mathai PP, were taken by the accused forest officials from the possession of the deceased Mathai PP while he was in their illegal custody on 28.07.2020, were seized from the possession of Shri AK Pradeep Kumar, the then SFO of Chittar Forest Station on 30.06.2021 and produced before the Hon' ble CJM Court, Thiruvananthapuram. Smt. Sheebamol, wife of the deceased Mathai PP has also identified both the mobile phones. The accused forest officials had discretely kept the above 02 mobiles phones of the deceased with them without informing the same to the police during the investigation of the case by police.

**Whereas,** The forest officials also kept 02 mobile phones of the deceased Mathai PP with them, without informing the matter to the police. The forest officials have not informed about their actions to their senior officers till death of the deceased. Made incorrect entries into the mahazer and other documents.

**Whereas,** Shri Jose Philson Dcruz (A-7), the then, SFO, Chittar FS, has prepared and signed the POR No. 06/2020 of Chittar Forest Station on 29.07.2020 but the date in the POR has been mentioned as 28.07.2020, though on 28.07.2020 Shri

Jose Philson Dcruz (A-7) was on leave. He has not mentioned in the POR the fact that Mathai PP has died on 28.07.2020. He is the person who has received the information regarding the camera initially at Nalumukku and had passed the same to other officials of Chittar FS and he was in regular contact with the team members. Shri. Jose Philson D'Cruz, SFO, who was on leave on 28.07.2020 with the knowledge that Shri. Mathai PP has died in the well, while in the illegal custody of the accused A1 to A6, prepared a POR dated 28.07.2020, on the basis of the Mahazer and signed the same though he was not on duty on 28.07.2020 and submitted the same before the Hon'ble JFMC, Ranni, though he was fully aware that the time and place of preparation of the mahazer, and facts mentioned in the mahazer are incorrect.

**Whereas,** investigation has established that A-1 to A-6 being public servants working in forest department have illegally entered in to the house of late Mathai PP taken him into illegal custody. misbehaved and manhandled him, illegally took his mobile, without taking precautionary measures have forced late Mathai PP to enter into the well which resulted in to his death and have violated the various provisions of law including the guidelines issued by the Hon'ble Supreme Court of India in D K Basu Vs State of West Bengal.

**Whereas,** the above acts of Shri Rajesh Kumar R (A1), Shri A K Pradeep Kumar (A2), Shri. Anil Kumar T (A3), Shri. Santhosh N (A4), BFO, Smt. Lekshmi VM (A5), BFO and Shri. EB Pradeep Kumar (A6), Tribal Watcher of Chittar Forest Station, who were the team members constitute offences punishable U/s.304 (ii), 330, 342, 348, & 167 r/w 34 IPC.

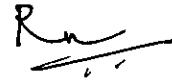
**Whereas,** the above acts of Shri Rajesh Kumar R (A1), Shri A K Pradeep Kumar (A2), Shri. Anil Kumar T (A3), Shri. Santhosh N (A4), BFO, Smt. Lekshmi VM (A5), BFO and Shri. EB Pradeep Kumar (A6), Tribal Watcher of Chittar Forest Station which were the team members, and Shri. Jose Philson D'Cruz (A7) constitute offences punishable U/s.120 B r/w 167& 201 of IPC.

**And whereas I, Rajesh Kumar Sinha, Principal Secretary, Forest and Wildlife Department,** being the competent authority to remove the accused persons Shri. R. Rajesh Kumar (A-1), the then Deputy Range Forest Officer along with Shri. A.K. Pradeep Kumar (A-2), the then SFO (Section Forest Officer), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A-5), all working as the then BFO (Beat Forest Officer), Shri. E.B. Pradeep Kumar (A-6) working as the then Tribal Watcher, and Shri. Jose Philson D'Cruz (A7) the then SFO (Section Forest Officer) from service after fully and carefully examining the FIR, statements of witnesses, Material Objects, relevant files, documentary evidences placed before me, in respect of the above said facts and circumstances of the case and after due consideration having applied my mind, on satisfaction, have come to

the conclusion that there exists a prima facie case made out against the above mentioned accused persons and consider that they shall be prosecuted before a Court of Law for the commission of offences punishable under sections 304 (ii), 330, 342, 348, 167 r/w 34 IPC (for A1 to A6), and U/s120-B r/w 167 & 201 IPC (for A1- A7).

NOW THEREFORE, I ,**Rajesh Kumar Sinha, Principal Secretary, Forest and Wildlife Department**, being the authority competent do hereby accord the sanction under section 197 of Cr.PC to prosecute accused persons Shri. R. Rajesh Kumar (A-1), the then Deputy Range Forest Officer, along with Shri. A.K. Pradeep Kumar (A-2), the then SFO (Section Forest Officer), Shri. Anil Kumar T (A-3), Shri. Santhosh N (A-4), Smt. Lekshmi V.M. (A- 5), all working as the then BFOs (Beat Forest Officer), Shri. E.B. Pradeep Kumar (A-6) working as the then Tribal Watcher, Forest Officer Chittar Forest Station, for the offences punishable U/s. 304 (ii), 330, 342, 348, 167 r/w 34 IPC and U/s. 120B r/w 167 & 201 IPC (for A1 to A6), and Shri. Jose Philson D'Cruz (A7) the then SFO (Section Forest Officer), Chittar Forest Station for the offenses punishable Under Section 120-B r/w 167 & 201 IPC (for A1- A7).

(By Order of the Governor)



**RAJESH KUMAR SINHA IAS**  
**PRINCIPAL SECRETARY**

Head of Branch, CBI, Special Crime Branch, CBI OCR Complex, Muttathara,  
Vallakkadavu PO, Thiruvananthapuram

Principal Chief Conservator of Forest & Head of Forest Force

The Additional Principal Chief Conservator of Forest (Administration)

Information & Public Relations (Web & New Media)

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