



GOVERNMENT OF KERALA

Abstract

Home Department- Order of the Hon'ble Kerala Administrative Tribunal in OA 778/2024 dated 20.05.2024 filed by Sri. Syam Krishna K R, Assitant Public Prosecutor Grade II (under suspension) and the order in OA(EKM) 750/2024 dated 07.06.2024 file by Sri. Abdul Jaleel P.M, Deputy Director of Prosecution (under suspension) – Complied with – Orders issued.

HOME (S) DEPARTMENT

G.O.(Rt)No.2670/2024/HOME Dated, Thiruvananthapuram, 10-09-2024

- Read 1. GO(Rt)No. 362/2024/Home dated 31.01.2024.
2. Letter No. 1079/G/2015/DGP dated 13.02.2024 from Director of Prosecution Ernakulam.
 3. Representation of Sri. Syam Krishna K R dated 07.03.2024.
 4. Representation of Sri. Abdul Jaleel P.M dated 07.03.2024.
 5. Order of the Hon'ble KAT in OA 778/2024 dated 20.05.2024.
 6. Order of the Hon'ble KAT in OA(EKM) 750/2024 dated 07.06.2024.
 7. Letters of No.SPCST3-84796/2024/PHQ dated 03.06.2024 and No. D5-47198/2024/PHQ dated 06.08.2024 from State Police Chief, Kerala.
 8. Memo of Charges No. S1/11/2024-HOME dated 03.09.2024 issued against Sri.Abdul Jaleel , Deputy Director of

Prosecution (under suspension).

9. Memo of Charges No. S1/11/2024-HOME dated 03.09.2024 issued against Sri. Syam Krishna K R, Assitant Public Prosecutor Grade II(under suspension).
10. Interim Order of the Hon'ble KAT in CP-166/2024 in OA 778/2024 dated 05.09.2024.

ORDER

As per government order read as 1st paper above, Sri. Abdul Jaleel P.M, and Sri Syam Krishna K.R, were suspended from service while serving as Deputy Director of Prosecution, Kollam and Assistant Public Prosecutor, in Judicial First Class Magistrate Court, Paravoor, respectively following allegations regarding their involvement in the unnatural death of Aneeshya, Assistant Public Prosecutor Munsif Magistrate Court, Paravoor. Subsequently the Director of Prosecution appointed Smt Sheeba K, Deputy Director of Prosecution as Enquiry Officer to conduct a preliminary enquiry into Aneeshya's death. The enquiry report was submitted to the Government vide letter read as 2nd paper above.

2. Sri. Syam Krishna K.R and Sri. Abdul Jaleel P.M, aggrieved by the Government Order read as 1st paper above, filed OA 778/2024 and OA 750/2024 respectively before the Administrative Tribunal. The Tribunal disposed of both the cases with directions to the 1st respondent, the Secretary to Government, Home Department, to consider and pass orders on the Annexure A4 petitions (representation and review petition) within 6 weeks from the date of receipt of the order copies. The petitioners, through their Annexure A4 petitions, had requested the government to reinstate them into service after dropping further proceedings against them.

3.The Government has thoroughly examined the matter based on the reports furnished by the State Police Chief and the preliminary enquiry report. Initially, an FIR was registered under Section 174 of Cr.P.C as Crime No.119/2024 at Paravoor Police Station, Kollam. Following an examination of the suicide note, voice messages, and WhatsApp messages of the deceased, the investigation has been continued against the accused persons, Sri. Abdul Jaleel P.M and Sri Syam Krishna K.R, for allegedly committing an offense punishable under Section 306 read with Section 34 of the Indian Penal Code, as per Crime Branch Crime No. 86/CB/TVM/R/2024.According to the report from the State Police Chief, the accused officials used WhatsApp messages to threaten the deceased. The suicidal note, voice messages, and WhatsApp messages reveal that the deceased suffered severe mental torture and defamation in the office and on social media platforms at the hands of the accused. The investigation is underway,awaiting FSL reports and the examination of additional witnesses.

4.Accordingly the Government initiated disciplinary action against the accused persons, Sri. Abdul Jaleel P.M, Deputy Director of Prosecution, and Sri Syam Krishna K.R, Assistant Public Prosecutor Grade II and Memo of Charges were served to the accused persons, vide papers read as 8th and 9th above, respectively.

5.Sri. Syam Krishna K.R has filed a contempt petition, CP-166/2024, in OA 778/2024 before the Hon'ble Tribunal, seeking to initiate contempt proceedings against the respondent, the Secretary to Government, Home Department.As per the Order read as 10th paper above, the Hon'ble Tribunal passed an interim order directing the Registry to issue a notice to the respondent, calling upon them to show cause, if any, as to why

further steps in the contempt petition should not be proceeded with against them.

6. Regarding the requests of the accused to reinstate them into service, the Director General of Prosecution reported that there was no legal hurdle in considering the request and that in order not to sway the ongoing investigation in any way the request for reinstatement might be considered by the government by giving postings to these officers in courts in far away districts.

7. In this circumstances, the Government hereby issue order, reinstating Sri. Abdul Jaleel P.M, Deputy Director of Prosecution and Sri Syam Krishna K.R, Assistant Public Prosecutor Grade II into service subject to the disciplinary action initiated against them and posted to the stations as follows:-

Sl No	Name & Designation	Posted Station
1	Sri. Abdul Jaleel P M Deputy Director of Prosecution	Kasargod in the existing vacancy
2	Sri. Syam Krishna K R Assistant Public Prosecutor GradeII	Judicial First Class Magistrate Court, Kalpetta, Wayanad

7. The order of the Hon'ble KAT in OA 778/2024 dated 20.05.2024 read as 5th paper above, order of the Hon'ble KAT in OA(EKM) 750/2024 dated 07.06.2024 read as 6th paper above and the interim Order of the Hon'ble KAT in CP-166/2024 in OA 778/2024 dated 05.09.2024 read as 10th paper above are thus compiled with.

(By order of the Governor)
NAVIN KRISHNAN G I
JOINT SECRETARY

To:

The Advocate General, Kerala, Thiruvananthapuram (With C/L)

The Advocate General, Kerala, Ernakulam (With C/L)

The Director of Prosecution(Admin), Ernakulam

The Persons Concerned(through the Director of Prosecution)

The Principal Accountant General (Audit/A&E), Kerala,
Thiruvananthapuram

Law Department(Vide Note No. ST-I1/176/2024-LAW dated
25.06.2024)

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Section Officer