

Out No: Addl.C.P./Region/Report/  
Office of the Additional Commissione  
Region, Near Poonam Plaza. Akashwa  
Date : 21/03/2009

709,  
Police,  
Chowk, Nagpur.

To,

✓ Shri N. Balasubramaniam  
Research Officer,  
National Commission for Scheduled Tribes,  
6th Floor, B Wing, Lok Nayak Bhavan ,  
Khan Market, New Delhi. 110003

Sub : Regarding presentation received from Adv. M. Madavi, Pres  
Delhi- in respect of atrocity complaint filed by – Smt. Kalpa  
Aged 45, a senior Supdt.(operation) Indira G. International Ai

nt ABAVP New  
Ramesh Kannake  
rt New Delhi.

Ref : Your letter No. MM/ Atrocity/Maha/127/2009/RU-IV, dated 1

Feb. 2009

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Sir,

1) With reference to above mentioned subject, It is to submit that Sr  
Kannake Aged 45 year Occu. Service, r/o Sadar, Nagpur, has made comp  
Inspector Paunikar and Sub Inspector Sunanda Deshmukh of Napur City. Ir  
mentioned that above Police Officers entered the house, slapped the complair  
saying “ Randi kahiki Gond Sali” and called on Inspector B.D.Paunikar wi  
some women P.Cs. He also abused “YE HAI KYA WOH RAND” and slapp  
While at Police Station, P.I. abused her on caste, thrashed and kicked and o  
of the complainant. On 29.01.2009 she gave the FIR against above official  
and the Police Officer has made a false case against her etc.

Kalpana Ramesh  
nt against Police  
er complaint she  
ts and abused her  
came along with  
the complainant.  
ged the modesty  
ut it was refused

2) The fact of the case is that on 28<sup>th</sup> January 2009 WPSI Sunanda Des  
1 H.C, 2 NPC & 1 P.C. of Sadar Police Station was performing foot patrol  
hrs. An offence No. 3123/08 under section 184, 185 of M.V.Act dated :  
investigated by her. Inspite of best efforts, the accused Iqbal Khan s/o  
Mankapur was not attending and therefore efforts were on to trace surety. Th  
complainant Anil Vasantrya Madavi was surety for the accused and the a  
While on foot patrolling, WPSI Deshmukh noticed a name plate Vasantrya  
Temple and therefore WPSI Sunanda Deshmukh enquired about the surety  
(complainant's brother). At this time one lady came from house and said A  
stay here. She further said “Once you are told, how do you dare to corr  
abused WPSI and asked her to get out. There after she started beating her and  
scare them. At this time, one elderly woman came out from the house  
Deshmukh by her hair. The complainant challenged lady PSI and asked to c  
100 and call C.P. (Commissioner of Police). She further threatened them th  
no. of persons like her and they cannot harm her and passed comments on I

ukh along with a  
; at around 10.20  
07/08 was being  
rahim Khan, r/o  
junger brother of  
sed was on bail.  
Madavi, near Jain  
Anil V. Madavi  
Madavi does not  
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illed out shoes to  
d dragged WPSI  
act on Police No.  
he has dealt with  
ice. The lady PSI

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managed to rescue herself. While she was contacting Police helpline 100 on phone, the complainant kicked the WPSI in her stomach. This incident was reported to Senior Police Inspector Paunikar who immediately rushed to the spot. A scuffle was going on and hence he intervened and rescued WPSI and asked the complainant to come to Police Station in Police mobile van. Accordingly offence vide Sadar Police Station Cr.No. 25/09 under section 353, 323, 34 IPC was registered on 28<sup>th</sup> January 2009.

- 3) An enquiry into these allegations was ordered by Joint Commissioner of Police. The enquiry was entrusted to Assistant Commissioner. Of Police, Sadar Division, who recorded statements of 23 witnesses including 16 Police Officers and men.
- 4) Out of above witnesses, some independent witnesses stated that there was a crowd and traffic was jammed at the spot. They saw the scuffle and witnessed beating and manhandling of WPSI by the complainant and elderly lady.
- 5) One lock-up in-mate and two of his relatives were present in Police Station premises when the complainant was brought at P.Stn. and they have stated that the complainant was talking on phone, saying she was beaten up and brought to Police Station. It is no incident of beating, stripping her in Police Station premises has occurred, according to these independent witnesses.
- 6) Dushyant Atram, relative of complainant called two witnesses to Police Station and saw a mob, raising slogans and photography was being taken. They came to incident. Their signature on a memorandum submitted by the complainant to the Police Station but they denied having signed it.
- 7) It is therefore clear from statements of witnesses that complainant has abused, manhandled WPSI at her residence when Police party went to search for her younger brother. At this time, complainant created a scene and additional manpower was sent to the Police Station. At the time of the incident, the complainant was not aware of the fact that some legal action is being initiated, she mobilized relatives, friends and people of her area to come to Police Station and levelled allegations to avoid legal action.
- 8) Perusal of application dated 28<sup>th</sup> January 2009 along with 32 signatories (copies enclosed) mentions, Police had gone to search for Anil Madavi (complainant's younger brother) Police entered her house, abused and beaten her and a shameful act has taken place in the area of Mohalla. It is pertinent to note that the provocative words like Rand (Prostitute) and abuse of caste lines has not been mentioned in the first application. This is confirmed by her statement on 28<sup>th</sup> & subsequent application on 29<sup>th</sup> January. ( Copies enclosed ).

9) Applicant in her application dated 06-02-2009 addressed to Hon't National Commission of Schedule Tribe, New Delhi mentioned that at Police her on caste and use some abuse words like " Randi, Gond Sali " etc. This after thought.

10) Significantly the complainant was referred to Medical examination has mentioned the injuries were superficial and simple on her person. (copy e complainant's mother was also medically examined and there was a swelling finger. There was no fracture. It seems to be "Ring strangulation" as per orth

11) On 2<sup>nd</sup> Feb. 2009, the complainant applied for anticipatory bail in C.R.No. 25/09 under section 353, 323, 504, 34 IPC vide Misc. Cri. App The District Judge -7 was pleased to release the accused on interim bail they shall co-operate with the Police investigation; they shall not come witnesses in any manner and directed them to attend Police Station, Sadar d 11.00 hrs. till next date. The Session Judge-7, Nagpur was pleased to grant accused on 11-02-09 and further directed to attend Police Station on We between 08.00 to 11.00 hrs. and they should not make any inducement, th person acquainted with facts of the accusation and should not pressuri completion of investigation, Police have filed charge sheet in the Hon't Nagpur vide C.C. No. 2631/09, dated 27.02.09. The case is now subjudice.

In view of above facts, the allegations levelled by the complainant and totally false.

- Encl: 1) FIR Sadar P.S. C.R. No. 25/09  
2) Copy of Medical Certificate.  
3) Application 28<sup>th</sup> Jan. 2009

**Copy submitted to :**

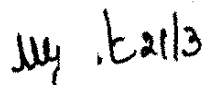
- 1) Additional Director General of Police ( P.C.R.), M.S., Mumbai with पोमसं/41/नाहसं/अर्ज/नागपूर शहर/67/2009, दि. 02.02.2009 fi
- 2) The Commissioner of Police, Nagpur City for favour of info. Pl.

Chairman, The tion, P.I. abused lication is made

Medical Officer . (losed). Similarly left hand middle edic experts.

Sadar Police station ation No. 243/09. the condition that contact with the between 08.00 to affirmed bail to the esday and Sunday or promise to any the witnesses. On JMFC Court No.6

pear to be baseless

  
( M .Gavit )  
Addl. Com ssioner of Police,  
Regio Nagpur City.

erence to letter No our of info. pl.