

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR
Monday, the 19th day of July 2021 / 28th Ashadha, 1943
WP(C) NO. 14291 OF 2021

PETITIONER:

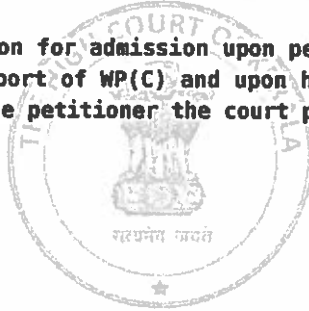
DR.PRATHIBHA K .,AGED 34 YEARS, D/O. BHASKARAN, KOTHAYAMATTIL HOUSE,
MADATHIL ROAD, TANUR P.O, MALAPPURAM DISTRICT, PIN - 676302, WORKING
AS ASSISTANT SURGEON, TANALUR FAMILY HEALTH CENTRE, MALAPPURAM.

RESPONDENT:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695001.
2. ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.
3. PRINCIPAL SECRETARY, HEALTH DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.
4. THE DIRECTOR OF HEALTH, HEALTH DIRECTORATE, THIRUVANANTHAPURAM -
695035.

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct 4th respondent to issue direction that Ext.P4 is not a bar is conducting necessary medical test to the accused person as the examining Doctor deemed fit and proper, pending disposal of the Writ Petition (Civil).

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI.R.GOPAN Advocate for the petitioner the court passed the following:



P.B.SURESH KUMAR J.

W.P.(C) No.14291 of 2021

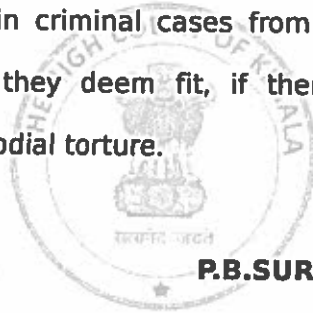
Dated this the 19th day of July, 2021.

ORDER

Government Pleader seeks time for instructions.

List this matter after six weeks.

In the meanwhile, it is made clear that Ext.P4 order will not preclude the doctors conducting medical examination of persons accused in criminal cases from ordering appropriate investigations as they deem fit, if there are indications or complaints of custodial torture.



**Sd/-
P.B.SURESH KUMAR, JUDGE**

YKB

PK
19/7/21

19-07-2021

/True Copy/

[Signature]
Assistant Registrar

19/7/21

Exhibit P4

PHOTOCOPY OF THE CIRCULAR NO. EC1-20983/2021/DHS DATED
14.06.2021 ISSUED BY THE 4TH RESPONDENT.

