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CUSTODIAL VIOLENCE AND FAKE ENCOUNTER

AUTHORED BY - LALITH KRISHNA NM

Abstract

Custodial violence and fake encounters constitute severe violations of fundamental rights enshrined in Articles 14, 19, 20, 21, and 22 of the Indian Constitution. This research paper examines the systematic nature of these issues through analysis of recent cases and statistical data from the National Human Rights Commission (NHRC Annual Reports 2016-2024) and National Crime Records Bureau. Custodial deaths continue at an alarming rate, encompassing deaths in both police custody and judicial custody, with NCRB reporting an average of 92 police custody deaths annually and NHRC registering over 1,700 cases per year (2010–2022), with a significant escalation to 2,739 custodial deaths in 2024 compared to approximately 2,400 in 2023 spanning both categories of custody. According to Parliament data, no police officer was convicted in custodial death cases reported between 2017 and 2022, despite over 11,000 deaths during this period. The paper proposes comprehensive technological and legal remedies, including mandatory body cameras for all police personnel and dashcams with GPS tracking in all police vehicles to prevent encounters during transport.

Introduction

The constitutional promise of life and liberty under Article 21 faces systematic challenges through custodial violence and fake encounters. Despite judicial interventions and legislative measures, these violations persist, undermining the rule of law. This research examines recent cases where CCTV-equipped police stations still witnessed custodial deaths, analyzes constitutional violations, and proposes comprehensive remedies including mandatory vehicle-mounted dashcams to prevent encounter killings during transport.

Literature Review

Custodial violence and extrajudicial killings have been a recurring concern in the Indian criminal justice system. Scholars and human rights advocates have consistently highlighted the systemic nature of these abuses, reflecting deep-rooted institutional failures.

1. Historical and Legal Perspectives

K. S. Subramanian (2007) and Vibhute & Kelkar (2012) have highlighted how police

brutality in India has roots in colonial-era practices, noting that the Indian Police Act of 1861 was designed more to safeguard state authority than to uphold citizens' rights.. This has led to a policing culture that often overlooks constitutional safeguards under Articles 20 and 21.

2. Constitutional and Human Rights Analysis

Basu (2015) and Singh (2018) have analyzed how custodial deaths violate not only Article 21 (right to life and personal liberty) but also international treaties such as the **International Covenant on Civil and Political Rights (ICCPR)**. The National Human Rights Commission (NHRC) reports and Law Commission recommendations have repeatedly emphasized the need for police accountability mechanisms, including mandatory autopsies, independent inquiries, and compensation schemes.

3. Empirical Studies on Fake Encounters

Empirical data from studies by Amnesty International (2016) and CHRI (Commonwealth Human Rights Initiative) illustrate patterns of impunity in states such as Uttar Pradesh, Gujarat, and Assam. These reports show that fake encounters often target marginalized communities and are used as a tool of coercive control rather than lawful enforcement. The case of *PUCL v. State of Maharashtra (2014) 10 SCC 635* laid down 16 guidelines for encounter killings, yet compliance remains inconsistent.

4. Technology in Policing: CCTV and Body Cameras

Recent scholarship, including work by Verma and Subramanian (2020), highlights the growing global reliance on surveillance technologies such as CCTV and body-worn cameras to deter custodial abuse. However, Indian studies suggest poor implementation. For instance, *Paramvir Singh Saini v. Baljit Singh (2020)* mandated CCTV installation in all police stations, yet RTI findings and NHRC data show widespread non-compliance, with critical footage often “missing” in cases of custodial death (e.g., the Jeyaraj-Fenix case in Tamil Nadu).

5. Accountability and Reform Proposals

Scholars such as Arvind Verma and Prakash Singh have argued for comprehensive police reforms, including the separation of investigation and law-and-order functions, independent complaints authorities, and stronger civil oversight. The Supreme Court’s directives in *Prakash Singh v. Union of India (2006)* laid the foundation for police reform, but most states have only partially implemented them.

Methodology

This research adopts a **qualitative and doctrinal research methodology**, supported by **empirical data analysis** through **secondary sources** including government reports, RTI replies, case law, academic publications, and media investigations. The methodology is structured as follows:

1. Research Design

The research employs a **descriptive and analytical framework** to study the prevalence, causes, and legal consequences of custodial violence and fake encounters in India. It further examines the implementation and effectiveness of CCTV surveillance and body cameras in police stations, assessing their role in curbing police excesses.

2. Sources of Data Collection

The study relies primarily on **secondary sources**, including:

- **RTI replies** obtained from various state police departments and the Ministry of Home Affairs (2015–2024) regarding custodial deaths and encounter killings.
- **National Human Rights Commission (NHRC)** annual and monthly reports on custodial deaths and human rights violations.
- **NCRB (National Crime Records Bureau)** data on custodial deaths, encounter killings, and complaints against police officers.
- **Judgments and case law** from the Supreme Court and High Courts including *Paramvir Singh Saini v. Baljit Singh* (2020), *PUCL v. Union of India* (2014) 10 SCC 635, *Prakash Singh v. Union of India* (2006), and the *Jeyaraj–Fenix* custodial death case.
- **Scholarly articles, law commission reports, and committee recommendations** on police reform (e.g., Ribeiro Committee, Malimath Committee).
- **Media investigations and reports** (e.g., The Hindu, Indian Express, Scroll.in, The Wire) on ongoing cases of fake encounters and missing CCTV footage.

3. Case Study Method

To analyze the ground-level realities, the research uses the **case study method** for in-depth examination of:

- **B. Ajithkumar case (Sivaganga, Tamil Nadu, 2025):** Custodial death despite CCTV coverage.

- **Jeyaraj–Fenix case (Thoothukudi, Tamil Nadu, 2020):** Missing CCTV footage and media-led accountability.
- **Uttar Pradesh Pattern (2023–2025):** A series of encounter killings as a "crime control" policy.
- **Assam Encounters (2021–2024):** Investigations revealing over 50 deaths in staged police actions.
- **Suhana Petition Case (Gujarat, 2024):** A PIL filed by a 13-year-old resulting in FIR against 7 police officers.

4. Legal Analysis

A **doctrinal analysis** is conducted to examine:

- The **constitutional violations** of Articles 14, 19, 20, 21, and 22.
- Compliance with **Supreme Court guidelines** on police encounters and CCTV usage.
- Interpretation of key statutory provisions under the **Indian Evidence Act, CrPC, and the Police Acts.**
- Gaps in enforcement of judicial mandates and executive policies.

5. Comparative Jurisprudence

The research briefly examines **international best practices** (e.g., UK, USA, and South Africa) related to body camera policies, internal oversight, and civilian complaints boards, to provide reform recommendations applicable to the Indian context.

Analysis and discussion

Custodial Violence and Custodial Deaths:

Recent Cases Despite CCTV Presence:

B. Ajithkumar Case, Sivaganga (2025)

The custodial death of 27-year-old temple security guard B. Ajithkumar in Tamil Nadu's Sivaganga district demonstrates that CCTV systems alone cannot prevent custodial violence. Despite Tamil Nadu's claim of 99% CCTV coverage in police stations (DGP Statement, 2024), Ajithkumar was tortured to death while in custody.

Case Details:

- **Date:** June 27, 2025 - initial detention for questioning regarding gold jewelry theft
- **Location:** Thiruppuvanam police station, Sivaganga district

- **Cause of Death:** Custodial torture resulting in 44 external injuries according to autopsy report (Tamil Nadu Health Department, July 2025)
- **Evidence:** CCTV footage shows him "walking unaided into custody and being released in a severely injured state"
- **Torture Methods:** Physical beating with lathis, pouring chili powder on face and private parts
- **Legal Action:** Five policemen arrested for murder including Head Constables Kannan, Prabhu and Grade I Constables Raja, Anand, Sankaramanikkamthan

Additional CCTV-Documented Custodial Violence

Devadanapatti Police Station, Theni (January 2025)

Despite functional CCTV systems, footage emerged showing C. Ramesh, an autorickshaw driver, being repeatedly beaten by multiple officers inside the station. The incident came to light only when a lawyer filed an RTI request to verify his presence at the station, revealing the systematic torture (NDTV, July 14, 2025).

Chengalpattu Juvenile Home (2023)

A 17-year-old minor died in custody with 96 injury marks despite the presence of surveillance systems. The police initially claimed death by "food poisoning" until evidence of systematic torture emerged (The News Minute, June 22, 2025).

Constitutional Violations:

- **Article 21:** Right to life violated through fatal torture
- **Article 20(3):** Forced self-incrimination through coerced confessions under torture
- **Article 22:** Denial of proper arrest procedures and legal representation
- **Article 14:** Discriminatory treatment denying equal protection of laws

NCRB Data:

As per National Crime Records Bureau (NCRB) data, an average of 92 custodial deaths in police custody occurred annually between 2000 and 2022. The highest number was recorded in 2005 with 128 deaths, followed by 118 each in 2007 and 2013. The lowest was in 2010, with 70 deaths.

In the 88 countrywide deaths in the police custody during the year 2021, as many as 38 were caused by illness and or during treatment in the hospital while 31 were suicide, according to

the NCRB's latest data compilation, 'Crime India 2021'. Many of these suicides may be linked to the psychological and physical trauma caused by custodial violence.

NHRC Data:

On the other hand, between 2010–11 and 2021–22, the National Human Rights Commission (NHRC) registered an average of over 1,700 custodial death-related cases each year. The year 2020–21 witnessed the highest with 1,945 cases, while the lowest was in 2010–11 with 1,572. Comparing judicial and police custody in the same period, the average number of cases registered against officials in judicial custody cases was significantly higher — 1,596 per year — whereas those involving police custody averaged 137 annually.

Despite the high volume of cases, the action recommended by the NHRC against officials remains alarmingly low. Between 2016–17 and 2021–22, disciplinary action was recommended against only 21 officials, while prosecution was recommended against none.

Why CCTV Systems Fail to Prevent Custodial Violence

Implementation and Coverage Gaps

Despite Supreme Court mandates, significant gaps persist:

- **2,701 police stations nationwide lack any CCTV cameras** as of 2024 (Status of Policing in India Report 2025, Common Cause)
- **Only 17 of 36 states** and union territories have allocated budgets for CCTV system implementation (Ministry of Home Affairs, April 2024)
- Just **20 states/UTs formed District Level Oversight Committees** required for monitoring compliance

Technical and Institutional Failures

Research from Uganda provides relevant insights into CCTV system failures. Uganda Police Force reports that **nearly 40% of installed CCTV cameras fail to function** due to:

- **Optic fiber cuts** during road construction and utility works
- **Power failures** and inadequate backup systems
- **Physical damage** from accidents and deliberate sabotage
- **Poor maintenance contracts** with limited technical support (Uganda Police Force Statement on CCTV Performance, March 2022)

Evidence Manipulation:

The Sathankulam case (2020) revealed that "security footage has been erased at the police station where a man and his son were detained before they died" (NDTV, June 30, 2020). This demonstrates how CCTV evidence can be deliberately destroyed to cover up custodial violence.

Strategic Blind Spots:

Even functional systems often have coverage gaps where abuse occurs, particularly in:

- Interrogation rooms not covered by cameras
- Areas outside designated lock-ups where informal questioning occurs
- Transit zones between different sections of police stations

Statistical Evidence from Reliable Sources

National Human Rights Commission Data

- **2024:** 89 judicial custody deaths with ₹4.5 crore compensation recommended in first six months alone (NHRC Monthly Statistics, April-September 2024)
- **January 2024:** 171 judicial custody deaths registered (NHRC Monthly Statistics, January 2024)
- **Tamil Nadu:** 490 custodial deaths between 2016-2022, highest among southern states (Parliament Data on Custodial Deaths, 2023)

Zero Conviction Rate

Parliamentary data reveals a disturbing pattern of impunity:

- **2017-2022:** 11,656 custodial deaths reported nationally
- **Police personnel convicted:** Zero (Parliament Data on Human Rights Violations, 2023)
- **Magisterial inquiries ordered:** 345 cases
- **Convictions resulting:** Zero
- **Source :** Lok Sabha Starred Question No. 347, answered on March 2023

This data demonstrates that despite evidence availability through CCTV systems, institutional failures prevent accountability.

Analysis of Fake Encounters: Recent Cases and Prevention

Recent Fake Encounter Cases

Gujarat Father-Son Case (2021)

A Case filed by 13-year-old Suhana expose the deep-rooted issues of custodial violence and fake encounters in India, even in the presence of CCTV infrastructure. In the former, despite alleged CCTV coverage at Kheda police station, the death of Naranbhai and Pragnesh Patel occurred under suspicious circumstances, with **critical footage missing** and **delayed FIR registration**, prompting an NHRC notice and CID inquiry. In the latter, Suhana's courageous petition before the Gujarat High Court led to FIRs against seven police officers accused of staging a fake encounter that killed her father Jatmalek and minor brother. The victims, from a **marginalized community**, exemplify how **state violence often targets the underprivileged**, and how families must fight systemic bias to access justice. These cases highlight the **urgent need for tamper-proof surveillance, independent oversight, and enforceable accountability mechanisms** in the Indian policing system.

Assam Encounters Investigation (2024)

Supreme Court investigation revealed **171 alleged fake encounters** in Assam from May 2021 to August 2022, directing the Assam Human Rights Commission to conduct independent inquiries. The Court emphasized "allegations of fake encounters are indeed serious and, if proven, would amount to a violation of Article 21" (The order was dated May 28, 2025).

Uttar Pradesh Pattern (2023-2025)

Investigation by Newslaundry revealed systematic issues in UP encounters:

- **Three separate encounters at the same location** (Goonghwa Ka Bagh, Kaushambi) raising questions about authenticity
- **Vijay Soni case**: Court DID order FIR registration against 12 officers in September 2024
- **Common script**: "Crime reconstruction," "attempt to escape," "self-defense firing" (Newslaundry, June 6, 2025)

Prakash Kadam v. Ramprasad Vishwanath Gupta, (2011) 6 SCC 189

The Supreme Court of India held that **fake encounters constitute nothing less than cold-blooded murder** and stressed that **police officers involved in such acts must be prosecuted like any other criminal**. The Court emphasized that when law enforcers turn lawbreakers, it

damages the very foundation of constitutional governance. This judgment highlights the urgent need for systemic reforms, including the **implementation of body cameras, CCTV systems, and independent oversight mechanisms**, to curb custodial killings and extrajudicial violence. The Court's strong stance reinforces the principle that **Article 21 of the Constitution guarantees the right to life even in police custody**, and no justification can override this fundamental right.

Constitutional Violations in Fake Encounters

Article 21 Violation (Right to Life)

The Supreme Court established that fake encounters constitute "cold-blooded, brutal murder by persons who are supposed to uphold the law" and may warrant death sentences as "rarest of rare cases" (Supreme Court Guidelines on Encounters, 2014).

Article 14 Violation (Equality before Law)

Selective targeting of individuals from specific backgrounds or communities for fake encounters violates equal protection guarantees, as demonstrated in cases involving marginalized communities.

Body Camera Prevention Potential

International evidence demonstrates body cameras' effectiveness in preventing extrajudicial killings:

- **Brazil:** 30,000 body cameras deployed saved **104 lives within first 14 months** of implementation (International Body Camera Implementation Report, 2021)
- **United States:** **88% reduction in citizen complaints** against officers equipped with body cameras (Police Body Camera Studies, 2020)

Prevention Mechanism: Real-time recording and transmission capabilities make it impossible for officers to later claim "self-defense" or "attempted escape" without verifiable video evidence.

Major Findings

93% Reduction in Complaints Against Police

A year-long, multi-site randomized trial led by the University of Cambridge's Institute of Criminology involved almost 2,000 officers across UK and US forces, including over 1.4

million officer-hours. After officers began wearing body cameras, complaints from the public fell by 93%. Researchers attributed this dramatic drop to positive behavioral changes on both sides: officers and citizens behaved more calmly, knowing their interactions were being recorded.

The study concluded that BWCs serve as a “digital witness,” improving transparency and accountability during police–public interactions.

30–37% Reduction in Use-of-Force Incidents

A landmark randomized controlled trial by CNA and the University of Nevada, Las Vegas (UNLV) with the Las Vegas Metropolitan Police Department assigned BWCs to about 200 officers and tracked another 200 without cameras. Officers wearing BWCs experienced a 37% reduction in involvement in at least one use-of-force incident, compared to a slight increase in the control group; there was also a 30% reduction in complaints against BWC officers compared to only a 5% drop in control officers.

These findings were echoed in a broader US Department of Justice review, which noted statistically significant drops in excessive-force incidents and citizen complaints in departments adopting BWCs, particularly when following stringent camera use protocols.

Sources

Cambridge University’s Institute of Criminology trial results are documented at cam.ac.uk and published in the journal *Criminal Justice and Behaviour* (2016).

The US Las Vegas RCT and national review are reported by the National Institute of Justice (nij.ojp.gov).

These studies collectively suggest that widespread BWC deployment can lead to major improvements in police accountability, reduce incidents of misconduct, and foster trust with the public through objective documentation of frontline encounters.

Police Vehicle Encounters and Transport-Stage Killings

The "Escape Attempt" Pattern

A significant number of encounter killings occur during transport between facilities, with

police claiming suspects "attempted to escape" from vehicles. Analysis of recent cases reveals:

Common Transport Encounter Script:

1. **Suspect transfer** between jail and court or crime scene
2. **Vehicle breakdown** or "flat tire" necessitating stop
3. **Escape attempt** by handcuffed suspect
4. **Retaliatory firing** in "self-defense"
5. **Lack of independent witnesses** to contradict police version

Akshay Shinde Case (2024)

In the Badlapur school sexual assault case, accused Akshay Shinde was killed in an alleged encounter while being transported from Taloja prison. Police claimed "he snatched the gun of police personnel in the police van and opened fire." However, magistrate inquiry found five policemen responsible for the custodial death, contradicting the police narrative (Business Standard, Custodial Death Reports, 2025).

Proposed Solution: Mandatory Dashcams and GPS in Police Vehicles

Comprehensive Vehicle Monitoring System

Interior and Exterior Camera Coverage:

- **Dashboard cameras** covering areas outside windshield and interior of vehicle
- **Cabin cameras** monitoring driver and passengers throughout transport
- **Rear cameras** documenting activities behind vehicle
- **Audio recording** capabilities for complete evidence preservation

Technical Specifications:

Based on Delhi Police procurement (2025) and international best practices:

- **4K video recording** with night vision capability
- **GPS tracking** with real-time location monitoring
- **Cellular connectivity** for live streaming to control centers
- **Tamper-proof storage** with blockchain-based evidence preservation
- **Emergency alert systems** triggered by weapon discharge or impact

Constitutional Justification for Vehicle Monitoring

Article 21 Protection: Mandatory vehicle cameras serve as technological safeguards ensuring right to life during transport, preventing fabricated encounter scenarios.

Article 20(3) Compliance: Video evidence prevents coerced confessions during transport and ensures proper procedural adherence.

Article 22 Safeguards: GPS tracking and video monitoring ensure arrested persons are produced before magistrates as required, preventing enforced disappearances.

Current State Implementation Status

Limited Police Vehicle Camera Deployment:

Delhi Police (2025): Installing cameras in 241 Hoysala vehicles as part of Nirbhaya scheme, covering both exterior and interior areas (Times of India, April 6, 2024).

Bangalore Police (2024): Dashboard cameras fitted in 500+ vehicles including Hoysala patrol cars and inspector vehicles, with real-time monitoring capabilities for studying police response and behavior (Times of India, April 6, 2024).

Goa Initiative (2019): Police requested 70 dashboard cameras and GPS trackers for PCR and highway patrol vehicles to record traffic and monitor vehicle locations (Times of India, February 7, 2019).

However, these remain isolated initiatives rather than comprehensive national implementation.

CCTV Implementation: Sources and Statistics

***Paramvir Singh Saini v. Baljit Singh*, (2021) 1 SCC 184,**

The **Supreme Court of India** mandated the compulsory installation of CCTV cameras with audio-video recording in all police stations and interrogation facilities across the country. The judgment directed that all spaces where suspects are detained or interrogated—including **lock-ups, corridors, entrances, and passageways—must be under 24x7 surveillance**. Each police station was required to preserve footage for a **minimum of 18 months**, and ensure that the **recordings are accessible to judicial and human rights authorities** upon request.

After supreme court mandated the compulsory installation of CCTV cameras still **2,701 police stations nationwide lack any CCTV cameras** as of 2024 (Status of Policing in India Report 2025, Common Cause). **Only 17 of 36 states** and union territories have allocated budgets for CCTV system implementation (Ministry of Home Affairs, April 2024).

Ministry of Home Affairs Data Sources

According to Ministry of Home Affairs communications regarding CCTVs (April 30, 2024), the following agencies are directed to install surveillance systems:

- Central Bureau of Investigation (CBI)
- National Investigation Agency (NIA)
- Enforcement Directorate (ED)
- Narcotics Control Bureau (NCB)
- Department of Revenue Intelligence (DRI)
- Serious Fraud Investigation Office (SFIO)

State-wise Implementation Statistics

Based on Status of Policing in India Report 2023 (Common Cause and Lokniti Programme):

CCTV Coverage in Police Stations:

- **Andaman & Nicobar Islands:** 100% coverage
- **Arunachal Pradesh:** 100% coverage
- **Tamil Nadu:** Claims 99% coverage (disputed by ground reality)
- **National Average:** Approximately 62% of police stations have functioning CCTV cameras
- **Source :** Status of Policing in India Report 2023

Budget Allocation Challenges:

- Only **17 out of 36 states/UTs** allocated budget for CCTV installation
- **India Justice Report 2022** which also found that **2,701** out of 17,535 police stations nationwide still lack any CCTV cameras
- Implementation delayed due to procurement issues and maintenance contract failures

Jeyaraj–Fenix custodial deaths case (Tamil Nadu, 2020)

A tragic example of **police brutality and manipulation of technological safeguards**. The father and son were allegedly tortured to death inside the Sathankulam police station for keeping their mobile shop open past curfew hours during the COVID-19 lockdown. Despite **Tamil Nadu Police’s public claim of extensive CCTV coverage, critical camera footage from inside the police station was missing or “unavailable” during the investigation.**

The **Magistrate’s inquiry and postmortem report revealed over 25 injuries** on each body, indicating systematic and prolonged torture. The **Madurai Bench of the Madras High Court** strongly condemned the conduct of police officials and cited **deliberate tampering or failure**

in preserving digital evidence, which contradicted the principles laid down in **Paramvir Singh Saini v. Baljit Singh (2020)**.

This case directly illustrates the **failure of passive technological reforms** when not supported by **institutional accountability**, including **tamper-proof storage**, **external monitoring**, and **penal consequences for non-compliance**. The Jeyaraj–Fenix case has become symbolic of **custodial impunity in India**, particularly in situations where **marginalized individuals are the victims and police act with political or systemic protection**.

Common Failures in Police CCTV Surveillance

Police station CCTV systems, despite being mandated by the Supreme Court, often fail to prevent or record custodial abuse due to several recurring issues:

1. Defunct Cameras

In many police stations, CCTV cameras remain non-functional at critical times. For example, during a custodial death incident in Delhi in 2021, investigations revealed that the cameras meant to monitor the holding area were “defunct,” failing to record any footage around the time of the victim’s death.

Technical malfunctions are sometimes due to poor maintenance, lack of timely repairs, or neglected infrastructure budgets.

2. Strategic Blind Spots

Even where cameras exist, they may not cover all essential areas—like interrogation rooms, corridors, or transit zones within stations.

Many custodial violence cases occur in these unmonitored corners, allowing officers to avoid electronic oversight.

Oversight committees and judicial observations have repeatedly emphasized that violence often happens in these “blind spots,” rendering large parts of stations effectively invisible to surveillance.

3. Deliberate Tampering or Erasure

There are recorded instances where critical CCTV footage has been erased or tampered with following incidents of custodial violence.

In the 2020 Sathankulam case in Tamil Nadu (involving the deaths of Jeyaraj and Bennix), authorities found that key CCTV evidence from the police station was deliberately wiped out shortly after the victims’ detention, severely hampering investigation and prosecution.

Judicial inquiries and media reports noted that such destruction of evidence is not

isolated and highlights the ease with which digital records can be compromised when internal collusion exists.

Sources:

Hindustan Times, “Custodial death: CCTV cameras were defunct at police facilities, says magisterial probe” (March 2021)

NDTV, “No Footage, ‘Blind Spots’ In Police Stations: Why CCTV Is Failing To Curb Torture” (February 2023)

NDTV, “Custodial Deaths: CCTV Footage Erased At Tamil Nadu Police Station” (June 2020)

Remedies and Recommendations

Mandatory Body Camera Implementation

Universal Coverage Requirements:

- **All 1.5 million police personnel** must be equipped with body cameras during duty hours
- **Real-time streaming capability** to central monitoring centers with 24/7 oversight
- **Automatic activation** during arrests, searches, interrogations, and encounters
- **GPS integration** showing exact location and timestamp of all recordings
- **Blockchain storage** ensuring tamper-proof evidence preservation

Technical Specifications:

- Minimum **12-hour battery life** with wireless charging docks
- **4K resolution** with night vision and audio recording
- **Impact sensors** automatically triggering recording during physical altercations
- **Cellular connectivity** for live streaming to independent oversight centers
- **Emergency buttons** allowing victims to trigger immediate supervisor notification

Mandatory Police Vehicle Dashcams and GPS Systems

Complete Vehicle Fleet Coverage:

- **All police vehicles** including jeeps, vans, motorcycles must have dashcams
- **Interior and exterior camera coverage** documenting all passenger interactions
- **GPS tracking** with real-time location monitoring and route recording
- **Panic button integration** allowing passengers to alert control centers

Encounter Prevention Mechanism:

When police claim suspects "attempted to escape" during transport:

- **Video evidence** will show exact circumstances of any incident
- **GPS tracking** will verify claimed vehicle breakdowns or stops
- **Audio recording** will capture all conversations and commands
- **Real-time monitoring** will enable immediate supervisor intervention
- **Emergency alerts** will trigger when weapons are discharged inside vehicles

Enhanced CCTV Implementation in Police Stations

Complete Coverage Requirements:

- **24/7 monitoring centers** independent of local police control
- **Real-time streaming** to state and national oversight committees
- **AI-powered analysis** detecting unusual activities and violence
- **Automatic backup systems** preventing evidence deletion
- **Public access portals** allowing victims to request footage through legal processes

Technology Mandate Legislation

Police Modernization (Technology) Act, 2025 should mandate:

- **Body cameras as essential equipment** like weapons and uniforms
- **Vehicle dashcams** for all police transportation
- **Real-time monitoring systems** for all police stations
- **Criminal penalties** for disabling or tampering with surveillance equipment
- **Public access rights** to surveillance footage in cases of alleged violations

Conclusion

Custodial violence and fake encounters in India represent enduring and grave violations of constitutional rights, particularly those guaranteed by Articles 14, 19, 20, 21, and 22. Despite decades of judicial oversight, legislative reforms, and awareness brought forth by human rights organizations, the persistence and rise of custodial deaths make it clear that existing measures remain inadequate. The consistent lack of accountability, demonstrated by zero convictions of police personnel in over 11,000 reported custodial deaths between 2017 and 2022, points to systemic institutional failures and insufficient enforcement of the rule of law.

Recent statistical evidence from the NCRB and NHRC illustrates both the scale and the

alarming persistence of these abuses: the jump to 2,739 custodial deaths in 2024 underscores the urgent need for reform. Even the presence of technological safeguards, such as CCTV cameras in police stations, has not prevented deaths, emphasizing that monitoring alone is not enough without independent review and robust accountability.

This analysis demonstrates that custodial violence is deeply rooted in structural and historical deficiencies, perpetuated by inadequate legal frameworks and a policing culture that often prioritizes authority over justice. Remedies must therefore move beyond piecemeal reform. The implementation of comprehensive technological solutions—mandatory body-worn cameras for all police personnel, dashcams with GPS tracking in police vehicles, and real-time monitoring—must be coupled with legal reforms that ensure independent oversight, mandatory and transparent investigations, and the prosecution of offenders.

Ultimately, safeguarding the constitutional promise of life and liberty requires a holistic transformation of accountability mechanisms within India's criminal justice system, with technology, legal reform, and institutional change working in tandem to end the culture of impunity.

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- See K.S. Subramanian, *Political Violence and the Police in India* (SAGE Publications 2007).
- See Paramvir Singh Saini v. Baljit Singh, (2020) 13 SCC 439.
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