

Rameeza Bee rape trial transferred

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NEW DELHI, April 28—The Supreme Court today transferred the trial of T. Surender Singh and seven other constables charged with wrongfully confining as well as raping Rameeza Bee and murdering by beating Ahmed Hussain in a Hyderabad police station from the court of Sessions Judge, Hyderabad to that of Raichur in Karnataka. The transfer had been asked for on the ground that since Justice K. A. Mukhtadar, a sitting judge of the Andhra Pradesh High Court, had already held them to be guilty of these charges while functioning as a Commission of Inquiry, a fair trial could not be expected from a junior judge like that the Sessions Judge within the same State.

Mr Justice Mukhtadar had held with that T. Surender Singh the officer in charge of the police station and seven of his colleagues on the night of March 29, 1978 had illegally detained Rameeza Bee and Ahmed Hussain returning from a late night cinema show, raped Rameeza Bee by turns and beaten Ahmed Hussain so severely on the left kidney that he died the next day. As a result of this, Hyderabad witnessed demonstrations

Current Events

to suggest that some drastic action should be taken by the Government to ensure that the personal safety of these poor ladies is safeguarded so that in future these ladies may not suffer at the hands of people in authority as has happened in this case."

Rameeza was returning from a late night show with her husband in a cycle-rickshaw on the night of March 29, 1978. The husband stopped the rickshaw on the roadside to answer a call of nature. Two beat constables, Rao and Hussain, seeing Rameeza sitting alone, allegedly caught hold of her and dragged her to the Nallakunta police station, notwithstanding her protests that she was waiting in the rickshaw for her husband.

Outrage: At the station, she was led into a room by Sub Inspector Singh, who is said to have bolted the door from inside, and ordered her to remove her burqa. According to the report lodged with the police, when she hesitated Singh beat her on the thighs having himself removed the burqa, her sari, petticoat and blouse. Rameeza raised her arms to her breasts to cover them. He is also said to have burnt her left arm near the elbow joint with a cigarette, overpowered her and made her completely naked. She cried for help but in vain. A blanket was spread on the floor and she was "raped". Subsequently, she was reported to have been raped by three more policemen. Twenty empty beer bottles were found in the lavatory when Justice Mukhtadar visited the police station for inspection. He was told the bottles were used by the police for their morning ablution.

By daybreak, two policemen escorted Rameeza to her residence to summon her husband to the station. They also took Rs 400 from the house. When Ahmed reprimanded the police for raping his wife, both the husband and wife were given a severe beating before being allowed to go.

Ahmed died in the afternoon. Original notes on the autopsy showed he was murdered. The post-mortem certificate, however, said he died of "coronary thrombosis". Similarly, the medical report on Rameeza was also fudged to convey that no rape was committed although the report of the director of the Forensic Science Laboratory showed that her saree and petticoat contained seminal stains, spermatozoa and blood.

"Questionable Integrity": Sifting the evidence carefully, Justice Mukhtadar had observed: "Dr Khandilkar, professor of Forensic Medicine of Osmania Medical College, stooped down to the lowest depths at the zenith of his career by making interpolations in the original reports in order to minimise the seriousness of the injuries with a view to showing, in the case of the deceased, that death was due to natural cause and in the case of Rameeza Bee that no rape was committed on her. This is certainly unbecoming of the professor to indulge in these acts which, if brought to the notice of the Indian



Rameeza Bee: "polluted evidence"

Medical Council, would result in his being debarred from practising as a medical practitioner as they definitely amount to professional misconduct. It is sad to note that a department which has been established to bring out truth is manned by officers of questionable integrity who could suppress or distort truth to accommodate criminals. The earlier the Department of Forensic Medicine gets rid of such officers the better it would be for Indian citizens."

That public prosecutor Sripathi Rao could not marshal enough evidence in a case where the facts had been established by a judge of the High Court, is a sad commentary on the lack of will on the part of the Andhra Government to bring the guilty to book. Sripathi Rao instead helped Sessions Judge Navadgi come to the conclusion that Rameeza was a common prostitute and her husband a pimp.

Eagerness: Justice Mukhtadar in his inquiry report had pointedly noted: "There



Navadgi: "a reverse judgement"

was not an iota of evidence to incriminate Rameeza Bee was a prostitute and Ahmed Hussain was a pimp." But this is what Judge Navadgi has to say: "The polluted evidence of Rameeza Bee does not commend any indulgence. On this score alone the prosecution case can be thrown out as unworthy of credence." He concluded that the rape story was "nothing but a myth" because when she was examined by Dr Prabhakar of the Osmania Hospital he did not find her "pubic hairs matted with semen". Also he was convinced that a sub inspector of police "after raping a woman would not allow three of his subordinates, under his very nose, to share the body of that woman".

Regarding the chemical examiner's report, Judge Navadgi says: "It does not necessarily show that seminal stains and spermatozoa found on the saree and petticoat (of Rameeza Bee) were due to the outrage on the person between 3 a.m. and the dawn of March 30, 1978. As a result of the foregoing discussion, I hold that Rameeza Bee was not a victim of rape."

Judge Navadgi had no difficulty in "establishing" the following "facts": that Ahmed Hussain died a "natural death" because he took a cold shower after returning from the Nallakunta police station and slipped on the floor before he was taken to hospital. But the house in which he stayed had no shower; that Rameeza Bee went to Hyderabad "as a candidate for the institution of prostitution" a month before the Nallakunta police station episode and on the night of March 29, was engaged by two "male students" staying in a hostel near Kattalguda and that Ahmed Hussain acted as the broker. The Karnataka judge was only too eager to believe anything said against the unfortunate couple.

Liberal Praise: Judge Navadgi did not fail to place on record his thanks to K. Sripathi Rao, "learned special public prosecutor", for his "able and valuable assistance to me in the thorny and exacting exercise of determining and deciding the crucial controversies". According to him, Sripathi Rao conducted the prosecution with "exemplary grace, distinction and dignity showing faultless politeness and scrupulous fairness". Fairness to whom—to the perpetrators of the crime or its victims—is the question being asked in Hyderabad today.

Regarding the conduct of senior police officials, Justice Mukhtadar had observed: "A reading of their testimony would show that they, with a view to accommodating their subordinates and misleading the commission, have glaringly made untrue statements after taking oath before the commission. If this is the condition of the police officers who have been produced as witness, then it would be very difficult for the judiciary to rely upon the testimony of police officers of such cadre when they are being produced as investigating officers in cases involving heir-