

"ഭരണഭാഷ മാതൃഭാഷ"

"കസ്റ്റഡി
തിരുത്തൽ
നവീകരണം
പുനരധിവാസം"

 www.keralaprisonsgov.in



കേരള പ്രിസൺസ് &
കറക്ഷണൽ സർവ്വീസസ്

ആസ്ഥാനകാര്യാലയം,
ജയിൽ വകുപ്പ്, കേരളം
പൂജപ്പുര, തിരുവനന്തപുരം

 0471-2342532

 keralaprisonsgov.in

ഇണ്ടാസ് നം: KPCS/5367/2026-G5; തീയതി: 05-10-2026

24-09-2026 തീയതിയിലെ ജി.ഒ. (എം.എസ്.) നമ്പർ 173/2026/ഹോം നമ്പർ സർക്കാർ ഉത്തരവ് അറിവിലേക്കായും തുടർ നടപടികൾ സ്വീകരിക്കുന്നതിനും ഉള്ളടക്കം ചെയ്യുന്നു.

DINESH B

DEPUTY INSPECTOR GENERAL OF PRISONS(HQ)

സ്വീകർത്താവ്:- എല്ലാ ജയിൽ സ്ഥാപന
മേധാവികൾക്കും

പകർപ്പ്:- ടെക്കിനിക്കൽ ഓഫീസർ, ജയിൽ ആസ്ഥാനകാര്യാലയം (വെബ് സൈറ്റിൽ
പ്രസിദ്ധീകരിക്കുന്നതിന്)

Digitally signed by
Dinesh Bhagavathi Pillai
Date: 05-10-2026
15:53:47



GOVERNMENT OF KERALAM

Abstract

Home Department – Protocol / Additional Guidelines that are to be followed while producing persons before the Registered Medical Practitioners in hospitals or Judicial officer for Medical Examination /Procedures/ Medico Legal Examination – Amended - Orders issued.

HOME (Secret Section A) DEPARTMENT

G.O.(Ms)No.173/2026/HOME Dated,Thiruvananthapuram, 24-09-2026

Read 1. G.O.(Ms.) No.93/2022/Home Dated 07.05.2022

2. G.O.(Ms.) No.202/2023/Home Dated 21.09.2023

3. G.O (Ms.) No.205/2024/Home dated 06.09.2024.

4. WP(PIL) No.165/2025 filed by Adv. P.S. Subeesh in Hon'ble High Court of Kerala.

Letter no.WP (PIL) 165/2025/DGP&SPP dated 15.07.2026

5. of the Director General of Prosecution and State Public Prosecutor

ORDER

As per the Government Order read as paper 1st above, the Government have issued the Medico Legal Protocol containing the procedures to be followed while conducting medical examination of arrested persons and remanded prisoners.

2. Following a tragic incident where a medical professional Dr.Vandana Das was murdered while examining an accused person, the Kerala High Court directed the State Government to create a safety protocol for medical professionals. Accordingly, Government as per Government Order read as 2nd paper above has issued the additional medico legal protocol / additional guidelines that are to be followed while producing accused persons before the Registered Medical Practitioners in hospitals or Judicial Officers for Medical Examination/Procedures/ Medico Legal Examination. And later as

per Government Order read as 3rd paper above, clause 20 of the said protocol was amended.

3. Aggrieved by clauses 17 to 21 of the additional medico legal protocol / additional guidelines issued as per Government Order read as 2nd and 3rd paper above, Adv. P.S. Subeesh filed a Public Interest Litigation WP(PIL) No.165/2025 before the Hon'ble High Court of Kerala. The petitioner argues that while the protocol aims for safety, its clauses 17 to 21 are ultra vires of the Constitution (Article 21&22(2)) and statutory law (Section 57 CrPC, section 58 BNSS).

4. The Director General of Prosecution and State Public Prosecutor as per letter read as 4th paper above has reported Government that when the case came up for hearing on 14.07.2026 the Hon'ble Court expressed deep concern about the constitutional validity of Clause (18) to (21) of the Government Order read as 2nd paper above. In view of the observations made by the Hon'ble Court, the DGPR has recommended modifying clauses 18 - 21 of Government Order read as 2nd paper above

5. Government has examined the matter in light of the observations of the Hon'ble High Court, and hereby modify clauses 18, 19, 20 & 21 in the additional medico legal protocol / additional guidelines that are to be followed while producing accused persons before the Registered Medical Practitioners in hospitals or Judicial Officers for Medical Examination/Procedures/ Medico Legal Examination, issued as per Government Order read as 2nd paper above, as follows;

Clause: (18) The accused shall be produced before the Judicial Officers, as far as possible, in between 10:00 A.M. and 5:00 P.M strictly adhering to the 24 hours time limit prescribed under Section 58 of BNSS, Article 22(1) of the Constitution of India.

Clause: (19) If there exists any exceptional circumstance for the production of the accused before the Judicial Officer after 5:00 PM. there shall be a prior intimation to the Judicial Officer, concerned about the production of accused during late hours.

Clauses (20) and (21): deleted.

6. The additional medico legal protocol / additional guidelines issued vide Government Order read as 2nd paper stands amended to the above extent.

(By order of the Governor)
MINHAJ ALAMI A S
ADDITIONAL CHIEF SECRETARY

To:

1. The Registrar, High Court, Ernakulam (with G/L).
2. The Advocate General, Ernakulam (with C/L).
3. The State Police Chief, Kerala, Thiruvananthapuram.
4. The Director General of Prisons and Correctional Services, Thiruvananthapuram.
5. The Director General of Prosecution and State Public Prosecutor, Ernakulam
6. The Principal Secretary, Health & Family Welfare Department.
7. The Secretary, Law Department.
8. All District Collectors.
9. The Director, Health Services, Thiruvananthapuram.
10. The Director of Medical Education, Thiruvananthapuram.
11. GA(SC) Department (Vide item no:199 dated 23/09/2026)
12. Health and Family Welfare(A) Department
13. Law Department (Vide ST-II/34/2026-LAW dated 21.02.2026 & ST-II/99/2026/LAW dated 23/03/2026)
14. Home (M) Department
15. Stock File /Office Copy

Forwarded /By order

Digitally signed by
Kiran Chith.C
Date: 25-09-2026
12:15:14

Section Officer