

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN
&
THE HONOURABLE MRS. JUSTICE M.B. SNEHALATHA
Wednesday, the 4th day of March 2026 / 13th Phalgun, 1947
WP(CRL.) NO. 1421 OF 2025(S)

PETITIONER:

SANTON LAMA, AGED 38 YEARS, (AADHAR CARD NO. 7115 5502 6140),
S/O MR. SURAJ LAMA, NO. 9/4, SAIDHAM, BILESHIVALE,
HANUMANTHA NAGAR, DODDAGUBBI POST, BENGALURU, PIN - 560 077.

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
 2. ADDITIONAL CHIEF SECRETARY, IN CHARGE OF HOME DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
 3. DIRECTOR GENERAL OF POLICE, KERALA POLICE HEADQUARTERS, TRIVANDRUM, PIN - 695 010
 4. THE COMMISSIONER OF POLICE, KOCHI CITY, ERNAKULAM, PIN - 682 018.
 5. THE STATION HOUSE OFFICER, THRIKKAKARA POLICE STATION, THRIKKAKARA, ERNAKULAM, PIN - 682 021.
 6. THE STATION HOUSE OFFICER, NEDUMBASSERY POLICE STATION, CIAL, ERNAKULAM, PIN - 683 111.
 7. COCHIN INTERNATIONAL AIRPORT LTD (CIAL), REPRESENTED BY ITS MANAGING DIRECTOR, NEDUMBASSERY, COCHIN, PIN - 683 111.
 8. THE SUPERINTENDENT, GOVERNMENT MEDICAL COLLEGE HOSPITAL, KALAMASSERY, ERNAKULAM, PIN - 683 104.
- ADDITIONAL R9 & R10 IMPLEADED**
9. THE DIG, THE ANTI-HUMAN TRAFFICKING UNIT (AHTU), THIRUVANANTHAPURAM RANGE, POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 695 010.
 10. THE PRINCIPAL SECRETARY, DEPARTMENT OF SOCIAL JUSTICE, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM - 695 001. ADDL.R9 & R10 ARE SUO MOTU IMPLEADED AS PER ORDER DATED 11/11/2025 IN WP(CRL.) 1421/2025.

P.T.O.

Writ petition (criminal) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(CrL.) the High Court be pleased to direct the respondents 1-6 to produce Mr.Suraj Lama, the missing person in Ext P5 FIR and who was in custody of 5th respondent as evident from Ext P7 photograph before this Honourable Court.

This petition coming again on for admission upon perusing the petition and the affidavit filed in support of WP(CrL.), this Court's order dated 16/02/2026 and upon hearing the arguments of SMT. A.PARVATHI MENON, Advocate for the petitioner, SRI.SUNIL NATH, SENIOR GOVERNMENT PLEADER for R1 to R6, R8, Addl.R9 & Addl.R10, SRI.S.SREEKUMAR (SENIOR ADVOCATE) along with SRI.HARIKRISHNAN S, Advocate for R7, DEPUTY SOLICITOR GENERAL OF INDIA and of SRI.V.RAMKUMAR NAMBIAR, AMICUS CURIAE, the court passed the following:

P.T.O.



DEVAN RAMACHANDRAN & M.B.SNEHALATHA, JJ.**W.P(CrI) No.1421 of 2025**

Dated this the 4th day of March, 2026

ORDER

Devan Ramachandran, J.

The learned Government Pleader has filed a Memo dated 11.02.2026; which, however, poses more questions than answers.

2. The report says that late Sri. Suraj Lama was found by his fellow passengers on the aircraft, to be behaving in an odd manner; but that he somehow cleared the immigration and came out from the Airport, to be then noticed by the CISF Control Room. It further says that the Airport Terminal Manager was intimated by the CISF; who, in turn, informed the Police Aid Post that Sri. Suraj Lama was behaving abnormally.

3. The report then indicates that since, at that time, nothing suspicious was noted against Sri.Suraj Lama, the officers in duty in the Aid Post allowed him to board into a 'Metro Feeder bus', to travel onwards into the city.

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4. For some reasons, action appears to have been taken against a Police Officer who was at the Aid Post, but against whom, *prima facie*, we cannot find much of a cause or reason, as we will presently state.

5. The report then says that, on 08.10.2025, after the wife of late Suraj Lama registered a case of 'man missing', he was found by the Police and he was taken in a police vehicle, to be dropped of in Kakkanad area. It then goes on to say, as we have also seen earlier, that, on 10.10.2025, Suraj Lama was again found in the Thuthiyoor area and taken to the Kalamassery Medical college in an ambulance, with the assistance of the local residents and the police.

6. Obviously, the omissions - even if one is to see them as such - is not at the Airport Police Aid Post as is now been sought to be shown; but, at the stage of immigration and thereafter on 08.10.2025 and 10.10.2025 - when Sri. Suraj Lama was taken into custody by the Police, but left unaccompanied by any officer, in spite of the fact that he would have been governed by the provisions of the Mental Healthcare Act, 2017.

7. The report now filed does not mention about the afore; at all and as seen above, a Sub-Inspector of Police of the Airport

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Aid Post alone has been found guilty and proceeded with. We do not know why such a course has been adopted because, going by the information available now, the said officer appear to have acted as per normal human reaction, since there were no complaints or suspicion of commission of any offence against Late Suraj Lama, requiring that he be detained; thus guiding him to take a 'Feeder Bus', so that he could travel from the airport.

8. Further, in paragraph 23 of the report, it has been explained how, on 10.10.2025, Sri. Suraj Lama was sent to the Medical College. The intervention of the police in doing so is unmistakable, but we fail to understand why he was neither accompanied by the officer, or send in the charge of somebody else authorized. To make matters worse, the Medical College evaluated him, to find him to be under no specific physiological or psychiatric problem and then allowed him to walk away. Again, this would have so happened had he been accompanied by a Police Officer, or intimation given to the Medical College that he was a person required in a 'man missing case'.

9. Alas, this led to the final fate of Sri. Suraj Lama, who has now been found dead.

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10 .This is why we said in the prefatory paragraph of this order, that the report of the Police leave more questions answered, than offering answers.

11. The learned DSGI, at this time, submitted that she will get specific instructions from the Immigration Department on the afore observations of this court and file a report by the next posting date. This is recorded.

12. We further direct the competent Police Officer to file further report on the afore omissions we have noticed - which, of course, is preliminary in nature and subject to further inquiry we may think fit in future.

13. That said, we find a glaring lacuna in the manner in which the 'man missing case' appears to be dealt with by the police.

14. Admittedly, on 08.10.2025, Mrs. Suraj Lama registered a case that her husband is missing. Had this information been disseminated to all the Police Officers, at least in the vicinity and within the area nearby, he would have been certainly identified by some officer or the other, on 08.10.2025 itself, if not on 10.10.2025.

15. In fact, we find there is even an admission to such effect in paragraph 16 of the report, but with which we will not

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deal at the moment and leave it to the authorities to explain further, since, we find it to be vitally important and necessary.

16. We, however, need to clarify that we are not inquiring into, or causing any investigation, into the manner of death of Sri. Suraj Lama because, it is one in the realm of the criminal investigation. This has to be done by the police and a final closure obtained; and we are told by the learned Senior Government Pleader- Sri.Sunil Nath, that the Chemical Analysis Report is still awaited.

Post on 06.03.2026.



Sd/-

DEVAN RAMACHANDRAN, JUDGE

Sd/-

M.B.SNEHALATHA, JUDGE

SJ