

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 31008 OF 2025)

KERALA POLICE OFFICERS ASSOCIATION

APPELLANT (S)

VERSUS

STATE OF KERALA & ORS.

RESPONDENT (S)

O R D E R

1. Leave granted.
2. The appellant-Association is aggrieved by certain directions issued by the High Court of Kerala, which had initiated *suo-moto* proceedings after taking cognizance of some altercation between an advocate and police officials within the premises of the Court of First Class Judicial Magistrate at Ramankary in Alappuzha District:

"8. On a consideration of the various suggestions, we are of the view that over and above the statutory and administrative guidelines already in place such as the provisions of the Bharatiya Nagarik Suraksha Sanhita, the Kerala Police Act, the Government Orders and Office Memorandum issued by the State Government and the judicial guidelines prescribed in the context of arrest in the various judicial precedents, the following clarifications would suffice to guide the Law Enforcement agencies in the matter of effecting arrests of persons within the court premises in the State:

1. "Court premises" shall be taken as referring to not just the courtrooms, but shall also include all lands, buildings and structures (except residential quarters) used in connection with court proceedings during the notified working hours of the court, or till the court is in session, whichever is later.
2. While arresting persons within the court premises, the following guidelines shall be adhered to:
 - i. Arrest, detention or apprehending any person

in court premises during court hours shall, except in situations covered by clause (iii) below, be done only with prior intimation to the Presiding officer/jurisdictional court.

ii. Provided that any person who intends to surrender before court in connection with any crime either by himself or accompanying a lawyer/advocate shall not be arrested, apprehended or detained in court premises without prior permission of the Presiding officer/jurisdictional court.

iii. Police may arrest or use necessary force to arrest persons in court premises in emergent situations necessitating immediate action in order to prevent the occurrence of a cognizable offence within the court premises. Police can also arrest absconding persons/accused in long pending warrant matters in the court premises. However, intimation of arrest of persons in both of the aforementioned circumstances must be given to the presiding officer of the court immediately after the arrest.

3. With a view to instil a two-tier grievance redressal mechanism at the State and District level, we take cue from the judicial precedents in Chalakkudy Bar Association v. Thomas Jolly Cheriyan [2001 KHC 418] and District Bar Association Dehradun v. Ishwar Shandilya and Others [2023 (4) KHC 233] to direct the following Committees to be constituted at the State and District level:

a) At the State Level, the Committee shall comprise of the following personnel:

1. The Advocate General of the State

2. The Director General of Police.

3. Three members of the Bar to be nominated by the High Court Bar Association, including its President.

4. The Superintendent of Police of the area

concerned (If, however, the allegations in question are against the Superintendent of Police, any Police officer above the rank of the Superintendent of Police to be nominated by the Director General of Police); and

5. The President of the Bar Association to which the complainant - advocate belongs (except the High Court Bar complainant Association) whose nominees are already there.

b) At the District Level, the Grievance Redressal Committee shall be constituted with the following persons:

1. The Principal District Judge or the Judicial Officer nominated by the Principal District Judge.

2. The District Police Chief.

3. The District Government Pleader.

4. President of the Bar Association to which the complainant -advocate is a member.

5. A member nominated by the Bar Association to which the complainant - advocate is a member.

The deliberations of the Committees as constituted above shall be held at venues identified as convenient for all the stakeholders. Disputes or grievances that cannot be resolved at the District Level shall be escalated to the State Level and resolved by the State Level Committee.

The State Government shall forthwith issue an Office Memorandum highlighting the clarifications noted above for the purpose of informing all the stakeholders of the contents of this order."

3. We have heard Mr. R. Basant, learned Senior Counsel on behalf of the appellant-Association and the learned State counsel.

4. It seems to us that the definition of "Court Premises" given by the High Court in paragraph 8.1 appears to be correct and warrants no further clarification. That being said, we would have set aside the directions contained in paragraph 8.2(i) but for clause (iii) thereof, which nonetheless is somewhat restrictive and entails undesirable obligations on the authorised police officer in respect of an occurrence that has taken place within the Court premises. We, therefore, modify clause 8.2(iii), which shall be read as follows:

"iii. Police shall be at liberty to arrest persons within Court Premises or use necessary force in order: (a) to prevent the occurrence of a cognizable offence within the Court Premises, (b) to arrest the accused/suspect where on committing an offence, such accused/suspect can be apprehended at the spot, and (c) to prevent any suspect/accused entering the Court Premises with a view to evade arrest/detention."

5. As regards the apprehension expressed by the appellant-Association in respect of composition of the State Level and District Level Committee, we find adequate representation of the State Police within the State Level Committee, with the inclusion of Director General of Police and Superintendent of Police of the area concerned therein. Be that as it may, it is obvious that the task given to the State Level or the District Level Committee is not meant to/cannot be used for diluting the powers, duties or responsibilities of the authorised Police Officers in furtherance of maintenance of law and order or for the enforcement of the rule of law.

6. However, we find that direction No. 8.3(b) regarding

constitution of District Level Redressal Grievance Committee should be modified to the extent that one more Police Officer/official shall be included as member of the Committee, who shall be nominated by the jurisdictional Inspector General of Police/Commissioner of Police, as the case may be. The appeal is, accordingly, disposed of.

7. It goes without saying that the State Level or District Level Committees shall not recommend any punitive action against a Police Officer/official without giving him adequate opportunity of being heard.

.....CJI
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

NEW DELHI;
MARCH 09, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 31008/2025

[Arising out of impugned judgment and order dated 19-08-2025 in WP(C) No. 32952/2024 passed by the High Court of Kerala at Ernakulam]

KERALA POLICE OFFICERS ASSOCIATION Petitioner(s)

VERSUS

STATE OF KERALA & ORS. Respondent(s)

Date : 09-03-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Mr. R. Basant, Sr. Adv.
Mr. Akash Rajeev, Adv.
Mr. Manu Krishnan, Adv.
Mr. Amith Krishnan H, AOR

For Respondent(s) : Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Mahabir Singh, Adv.
Dr. Arunender Thakur, Adv.
Mr. Anshul Saharan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed order is placed on the file)