

CHIEF JUSTICE AND N S SANJAY GOWDA	16/08/2021	The affidavits filed by the petitioners are taken on record. An adjournment is sought on behalf of the State Government on the ground that the learned Advocate General is not available. We have perused the photographs annexed to I.A.No.1/2020 and especially the photograph No.2. We have also perused the photographs annexed to the rejoinder filed by the petitioner on 6th March, 2020. From the Annexure-M which are the photographs, it appears that three school children (two boys and one girl) were interrogated by five police persons, out of which four are in full uniform. Moreover two police persons are seen carrying weapons. We have perused the affidavit filed by Sri.Basaveshwar, son of Sri.Mallinath Hira, Deputy Superintendent of Police dated 16th March, 2020. In the affidavit, he has not dealt with the photographs annexed to the rejoinder but he has referred to the photographs annexed to I.A.No.1/2020. The second photograph of 1st April, 2020 shows that the school children (two boys, one girl) are being interrogated by five police officers out of which four are in full uniform. Atleast two of them are apparently carrying weapons. In the affidavit, Sri.Basaveshwar has accepted the correctness of the photographs annexed to I.A.No.1/2020, but has not denied the photographs annexed to Annexure-M to the rejoinder. Prima facie, this is a serious case of violation of rights of the children under the provision of Sub Rule 5 of Rule 86 of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016. We direct the State Government to respond by filing an affidavit of a senior police officer stating on record what action has been initiated against the police officials who interrogated school children while wearing uniform and carrying weapons. Apart from placing the action taken on record, the State Government shall consider of issuing a direction to the police through out the State which will ensure that such violation of rights of the children does not take place. We make it clear that the officer who shall be higher in rank than Sri.Basaveshwar, Deputy Superintendent of Police, as may be nominated by the Director General and Inspector General of police shall file the affidavit. The affidavit shall be filed within two weeks from today. List the petition on 3rd September, 2021. The affidavits filed by the petitioners are taken on record.
---	------------	---