

ABSTRACT

CUSTODIAL CRIME AND PREVENTIVE MEASURES

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The concept of crime is essentially concerned with the social order. Everyone owes certain duties to his fellow-men and at the same time have certain rights and privileges which person expects from others to ensure for him. The sense of mutual respect and trust for the rights of others obviously imposes an obligation to maintain a balance in society. The tough task protecting the law abiding citizen and punishing the law breakers vests for the state which perform it through the instrumentality of the law. The conducts which are prohibited by the law are known as crime.

Custodial crime is one of the worst crimes in a civilized society. Custodial crimes proceed with arrest and detention in police custody. The term police custody means supervision or restriction on the movement of the arrested person or detained fully or partially. The police custody commences when a person is arrested. Arrest is a formal way of taking a person into custody.

The phenomena of custodial crimes also by known various names in different countries such as police brutality, police violence, police criminality, police misconduct etc. The term torture has been defined as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in a official capacity”.

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