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A STUDY ON CHALLENGES IN PROSECUTION OF POLICE OFFICERS FOR EXCESSIVE USE OF FORCE WITH REFERENCE TO TAMILNADU

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Abstract:

Police accountability and the use of force are the basic concerns that form the public's belief in the law enforcement department. The point of police officers using excessive force has been a prominent matter, particularly in societies Struggling for justice, equality, and Human rights. The excessive use of force by police have aroused public outcry and brought up crucial and fundamental questions about police accountability, in the place where enforcement of law has to serve and protect the public from police brutality. Notable cases in the state of Tamil Nadu have emphasized root causes in prosecuting police officers for excessive use of force. The Tamil Nadu Police (Reforms) Act, 2013, was a significant statutory effort to enhance accountability in accordance with orders and guidelines from the Supreme Court of India. However, challenges remain. The main aim of this research is to study the varied challenges in prosecuting police officers for excessive use of force. Different articles and books were referred for Review of literature relating to the use of force and police accountability. By incorporating a non-doctrinal research method, the study explores empirical observations and pragmatic suggestions to focus on the challenges. The samples collected from the general public through an online mode of survey with independent and dependent variables. Victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences, The legislations in Tamil Nadu are sufficient but not implemented properly to focus on police misconduct, separate Investigative departments are important in Tamil Nadu to ensure police accountability and reduce excessive force are the dependent variables used. Also have used statistical tools to interpret the data. The result observed from the study is that Fear of retaliation from the police, Inaccessibility of legal Aid are the main challenge for victims in reporting police violence. Strengthening accountability procedures and Improving transparency in investigations are two important aspects to resolve police misconduct. Instituting Independent oversight departments for police accountability and initiating Compulsory Human rights training for police officers are basic recommendations to decrease the instances of police misconduct.

Keywords :

Accountability, prosecution, police officers, challenges, force.

Introduction :

The prosecution of police officers for use of excessive force has been a tricky and contentious exercise in the country, including Tamil Nadu. Police officers in the state, as throughout the country, historically have been viewed as overseers of law and order and have often been granted broad latitude in the use of

force. The foundation of India's law enforcement system was the colonial policing system that evolved during British rule.The Police Act,1861 that regulates police forces in India was not made with individual rights in mind as its priority, but law and order and repression of dissent. And police brutality was either overlooked or rationalized as needed to keep things in check during that time. Post-independence, Tamil Nadu, like other states in India, inherited this police infrastructure. in for police use. Cases of overuse of force were infrequently prosecuted, because police officers had legal immunity under Section 218[1035] of BNSS, which mandated Government sanction to prosecute anyone protected by state power. Years after independence, Tamil Nadu saw its share of police brutality, including during political uproar. When protests, labor strikes, and movements for social justice erupted, they were often met with heavy-handed responses by police. For instance, in the anti-Hindi agitation of the 1960s, the police allegedly resorted to indiscriminate use of force to quell demonstrations which resulted in deaths. Yet, very few police officers are prosecuted for issues concerning excessive use of force. This goes to show the difficulties with accountability when there is no guarantee of protection under law and institutional safeguards. The 1980s and 1990s were decades in which human rights gained wider recognition, with an equally increasing role played by the judiciary in tackling police misconduct. There were, in Tamil Nadu, several prominent cases during that time. Rajan Case (1976): This case brought the issue of police brutality onto the national stage even

before the Emergency in Kerala, where a student named Rajan met his death in police custody. It influenced public discourse in Tamil Nadu as well, which saw similar allegations being made. Sathyamangalam Case (1993): In Tamil Nadu, the death of tribal activist Muniappan during police custody in Sathyamangalam provoked an outcry and drew attention to the excessive use of force against marginalized communities. The case remained emblematic of the rigor with which one could be prosecuted against police officernmost of the investigations being delayed or compromised, as it were. Veerappan Hunt Era (1990s-2000s): The Tamil Nadu Special Task Force tasked with capturing the infamous bandit, Veerappan, was alleged to have used excessive force, torture, and extrajudicial killings. These were defendedas peressential law, yet embattled by various human rights practices required to investigate. Nevertheless, their prosecution was often rare.

The prosecution of police officers concerning excessive use of force in Tamil Nadu is subject to various laws and rules, mostly constitutional, and statutory at various levels. The intention is to regulate the exercise of law for order, balance power in certain situations between enforcement and the monopoly of citizens, but they raise hindrances to accountability. The Constitution of India offers safeguards against police abuse of their rights to the citizens, thereby granting various fundamental rights. The Police Act of 1861 operates the police force out of India as well as Tamil Nadu. Police personnel have the right to exercise force in certain cases, such as the disbanding of unlawful assemblies per Section 23[1036]. The National Human Rights Commission (NHRC) and the State Human Rights Commissions (SHRCs), under the Protection of Human Rights

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[1035] *Sec.218(b) in the case of a person who is employed or, as the case may be, was at the time of commission of the alleged offense employed, in connection with the affairs of a State, of the State Government:*

Provided that where the alleged offense was committed by a person referred to in clause (b) during the period while a Proclamation issued under clause (1) of article 356 of the Constitution was in force in a State, clause (b) will apply as if for the expression "State Government" occurring therein, the expression "Central Government" were substituted:

Provided further that such Government shall take a decision within a period of one hundred and twenty days from the date of the receipt of the request for sanction and in case it fails to do so, the sanction shall be deemed to have been granted by such Government:

Provided also that no sanction shall be required in case of a public servant accused of any offense alleged to have been committed under section 64, section 65, section 66, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79, section 143, section 199 or section 200 of the Bharatiya Nyaya Sanhita, 2023.

[1036] *23. Duties of police officers: It shall be the duty of every police officer promptly, to obey and execute all orders and warrants lawfully issued to him by any competent authority; to collect and communicate intelligence affecting the public peace; to prevent the commission of offences and public nuisances; to detect and bring offenders to justice and to apprehend all persons whom he is legally authorised to apprehend, and for whose apprehension sufficient ground exists; and it shall be lawful for every police officer, for any of the purposes mentioned in this section, without a warrant, to enter and inspect any drinking-shop, gaming-house or other place of resort of loose and disorderly characters.*

Act of 1993, has been established to investigate the violations of any human rights, including such incidents as police excesses. The Tamil Nadu State Human Rights Commission (TNSHRC) has been assigned a pivotal role to probe complaints regarding the abuse of excessive force against officers. The Act empowers the commission and recommends actions against the guilty, be it exoneration or initiation of prosecution, on the power of its findings-all of which are advisory in nature under the Act. In cases where police officers use excessive force or violence against members of Scheduled Castes (SCs) or Scheduled Tribes (STs), the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 renders assistance. This Act prescribes stringent punishments and mandates the establishment of a special court to conduct a speedy trial of the offenses under it. In Tamil Nadu, this Act has been invoked in cases of police atrocities against marginalized communities, despite caste-based discrimination. The Lokayukta Act of Tamil Nadu (2018) now allows for the constitution of an independent body to investigate complaints against public servants, including police officers. It will, however, in major part be concerned with corrupt performance; yet, serious allegations of misconduct can also be addressed in these cases. Tamil Nadu initiated several attempts to strengthen accountability in its police force under the following: State Police Complaints Authority. In response to the judgment of Prakash Singh, the SPCA was formed to consider complaints made against senior police officers. Training and Sensitization in Tamil Nadu has devised a training program aiming at human rights and the proportionality to violence of police action, although it still waits to see its real effectiveness. After the order passed by the Supreme Court in the early months of 2000, the installation of CCTV cameras in police stations should be sufficient to monitor custodial practices. Investigating allegations of police misconduct can be complicated and hard, depending on all of the contributing factors, legal, institutional, or even social. So often, nothing is decided, as the police investigate allegations of excessive force. This raises questions about impartiality and transparency. The Indian Supreme Court, when it directed the establishment of independent police complaints authorities in the case of Prakash Singh (2006), itself was, however, inconsistently enforced in Tamil Nadu. This absence of independent oversight weakens the entire framework for accountability. It is also interesting that oftentimes, victims and witnesses face threats and intimidation, keeping them from testifying against police officers. This makes it tough to walk through the procedural maze with its sanctions and inquiries before the matter gets to the courts. In Tamil Nadu, there is a close-knit relationship between police officers and political parties, so police investigations or prosecutions are invariably compromised. Officers taking cover because of their political contacts can be shielded as well.

In many instances, the police will investigate the allegations against the police themselves, giving rise to the question of how they could be objective in their investigations. The absence of independent oversight mechanisms makes it difficult to put credibility into these investigations in Tamil Nadu. Although the Supreme Court had said that independent police complaints authorities have to be formed at the state and district level, it has been very inconsistent in its implementation. In India, corruption leads to a nonaccountability of law. Muruganantham[1037] (July 2022): A 44-year-old man, Muruganantham, was found dead inside a police station in Tiruchirappalli in the Coimbatore district, where he was allegedly being held on a phone-snatching charge. The case has since been transferred to the CB-CID for further inquiry. Mani (September 2019): A mysterious case of a man who died after he was taken by a special police team linked to many theft cases, in Kanjamalaipatti from Ariyalur District. Police say he had died of

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[1037] *Muruganantham vs. The Deputy Inspector General of Police, Trichy Zone, Trichy & 4 Ors. - Crl OP(MD)No.1344 of 2022*

diarrhea, but his relatives claimed the police beat him to death. Gokul Sree (December 2022): A 17-year-old inmate in a juvenile reform home in Chengalpattu died under suspicious circumstances. Initially, the juvenile home branded his cause of death as food poisoning. However, on the basis of a complaint lodged by his mother, the case opened an inquiry into the allegation of custodial violence. The six juvenile home staff involved were arrested on charges of murder. E. Subramani (May 2015): A 35-year-old man, E. Subramani, picked up by the Tamil Nadu police at Melpattampakkam, had disappeared since. For the last seven years, his wife Revathi has been persistently fighting for justice, alleging that he was tortured in custody and thus died. M. Selvamurugan (January 2020): The police custody of the 39-year-old man M. Selvamurugan came to suffer fatality. He died under alleged torture, and hence a magistrate initiated an inquiry. Revathi's Fight against Justice: Revathi, the wife of E. Subramani, continues her fight for justice, epitomizing their struggles against custodial deaths. Vettan (October 2022): A man named Vettan was reported taken by the police late in the night and died mysteriously. The Leader of Opposition, K. Palaniswami, condemned the occurrence, calling it one of several deaths alleged to occur as a result of custodial torture in several districts, including Dharmapuri.Kulanjiappan and Rajakannu April 2024: Kulanjiappan and uncle Rajakannu were allegedly subjected to custodial torture at Kammapuram police station. Kulanjiappan sustained serious injuries, whereas Rajakannu did not make it out alive from the torture. It evoked concern regarding police brutality in the area. Illicit Liquor Tragedy[1038] June 2024: In a tragic incident, 47 peoples died in Kallakurichi district after consuming illicit liquor. The incident led to protests demanding accountability. Three people were arrested in connection with the incident. Custodial Deaths 2019: 2019 saw reports of custodial deaths in Kanchipuram

district that raised alarm regarding police practices and human rights violations. Specifics about such incidents remain scant, but they continued fueling a larger-question debate about police accountability in the area. Jayaraj and Bennicks June 2020[1039]: Jayaraj and his son, Bennicks, were arrested by Sathankulam police in Thoothukudi district for allegedly keeping their mobile phone shop open beyond allowed time. They were duly tortured in custody until death. It sparked a public outcry and focused on issues concerning police brutality in Tamil Nadu. The custodial deaths of Jayaraj and Bennicks in 2020 put excessive police force in the national and international limelight. While the outcry was great, the quest for accountability faced often insurmountable hindrances by law, which manifested glaring systemic woes in dealing with police excesses.

Objectives :

(i) To assess the experiences of victims and the challenges they face in reporting police violence.

(ii) To analyze the role of legislative frameworks in addressing police misconduct and their effectiveness.

(iii) To provide recommendations for reforming legal mechanisms to improve police accountability and reduce use of excessive force.

Review of Literature :

Baidya Nath Mukherjee and Dr. Bhupinder Singh (2021) The paper highlights the questionable relationship between police reform and functional autonomy in India, by examining the more systemic aspects of police related violence. It advocates community policing and community training through bottom-up approaches to transition policing from a colonial to a democratic model. **Commonwealth Human Rights Initiative (2002)**The report explains the historical context in which political interference in policing has

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[1038] *I.S. Inbadurai & Ors. v. State of Tamil Nadu & Ors. - W.P.Nos.16519, 16744, 18323, 19079 and 19281 of 2024 (5 WPs) and W.M.P. Nos.18109 and 12397 of 2024 (2 WMPs)*

[1039] *Selvarani Vs. The State of Tamil Nadu rep. through its The Superintendent of Police, Thoothukudi District & 5 Ors. - Crl.O.P.(MD).No.6651 of 2020*

evolved, and also cites findings from different state police commissions, including Tamil Nadu. It shows increasing alarm over a political apparatus undermining law enforcement. **Mansi Avashia (2020)** Tbe paper explores the setup of the Indian police force and considers recent cases of excessive force. It criticizes the dependence on repressive measures instead of persuasive means, in violation of the directions laid down in the Code of Conduct for Indian police. **Anwesha Paul and Arghya Sengupta (2020)** The Paper call for a focus on community policing and improved training to make police more accountable. It analyzes the failure of existing accountability mechanisms under political pressures and calls for structural reforms to bring policing into line with democratic values. **Centre for Law and Policy Research (2012)** This memorandum examines forms of accountability that are judicially enforceable, and that arise as a result of laws that are already on the books — domestic criminal and public laws, as well as private laws. And it explains National and State Human Rights Commissions which provide relief against police excesses. **Dr. S. S. Srivastava (2023)** The investigative research throws light on various instances of police brutality in India, fiscally within Tamil Nadu. It tends to cover the backdrop, causes, and aftermath of such acts on public credibility. Of note, it also examines the laws designed to provide police accountability and jurisdictional purview to derive optimized and proper preventions against police misconduct. **V. P. Sarathi (2006)** The Paper analyses the police reform initiatives undertaken by Tamil Nadu, focusing on the establishment of the Police Accountability Commission (PAC). It assesses the effectiveness of these reforms in addressing serious misconduct and enhancing accountability within the police force. **Ananya Singh (2023)** The article discusses recent developments in Indian criminal justice reforms, highlighting several aspects related to their accountability. It expresses deep-seated concerns regarding the expanded powers of the police and the

potential effects this expansion could have on civil liberties-it thus emphasizes the need for more balanced reforms to protect civil liberty while ensuring effective enforcement of law and order. **Paul Legislative Research (2019)** This gives a detailed description about the structure and functioning of various police forces in India-issues being political interference, lack of accountability, outdatedness in training systems, and reforms which have been proposed that will make the police more effective along with restoring public confidence. **India Legal (2020)** The article discusses police brutality in India and the remedial measures in place. It critiques that they are untouched by colonialism and blamed for being ineffective on the modern police accountability reforms for contemporary misdeeds on the sweep of such. **Dr. R. K. Sharma (2022)** The present paper analyses the contexts in which force is used by the Indian police services and contemplates whether such uses of force could be justified. In talking about the coexistence of public order on one end and individual rights on the other, some cases were illustrated to show that certain force was dealt with to excessive public uproar. **Dr. A. K. Verma (2019)** The report scientifically examines police accountability in India and finds that police accountability intervenes in the relationship between public trust, community cooperation, and police transparency. The study shows practices for building public trust-management of wide-ranging reforms, must be ethnicized and put into practice. **Commonwealth Human Rights Initiative (2003)** The memorandum discusses rules of accountability deservedly, as they will be enforced by courts arising from statutes of the existing criminal, public, and private law; it discusses the role of the National and State Human Rights Commissions on police misconduct. **Dr. S. K. Singh (2021)** This article provides an overview of the recurring problem of police brutality in India and how individuals are held accountable for it; it critiques the prevalent reliance on colonial-era laws and presses on the necessity of overall reforms to

work in the direction of finding solutions toward systemic problems within the police force. **A. Bhattacharya (2020)** The paper examines the historical scheme of police accountability in India, including the issues of political interference and a colonial legacy that continues to erode gossamer instances of police practice today. The magnificence of reform, therefore, is possible in India via such inquiries, so that police accountability can be considered in its widest and most inclusive sense. **R. Kumar and P. Sharma (2021)** The research examines the concept of police accountability as enshrined in Indian laws and its main features; it discusses the British-imposed system of police and how it has undergone transformation from independence. Further, it critiques the accountability mechanisms in vogue and suggests ways to incorporate requisite reforms motivated by democratic ideas, which would then lead to a major transformation of the police service itself. **Dr. M. R. Rao (2023)** It dealt with the structure of the Indian police forces and included some instances of the use of excessive force that occurred in these past years. It drew comparisons with similar scenarios worldwide, thus intensifying the important need to solve police brutality's issues and possibly pursuing police reforms to effect a non-abuse of their batons and harassments on civilians, which may just occur. **Dr. S. S. Sree Kumar (2016)** The study examines various instances of police atrocities in India and attempts to analyze the roles and responsibilities of police officers towards citizens. It points to many systemic problems leading to such incidents and urges far-reaching reforms to ensure accountability and uphold human rights. **Human Rights Watch (2018)** It discusses the 'Friends of Police' initiative introduced in Tamil Nadu in 1993 with a vision to promote better police-community relations. In this research, we will see how this movement is perceived by the public in Tirunelveli City. The program also aims to foster improvements with regard to transparency, misconduct reduction, and the building of trust between the police and the society. **Dr. R. Meenakshi (2020)** An in-depth examination of the events of 2018 in Thoothukudi, in which the police opened fire on those protesting against a copper smelting plant, results in significant loss of life. The study issued a critique of the excessive use of force, procedural lapses, and the subsequent challenges of public confidence in law enforcement in Tamil Nadu. **Amnesty International India (2019)** The research paper discusses cases of custodial deaths in the state of Tamil Nadu. The research tries to look into its origin, which comprised deliberate torture by police and abuse of power. It also briefs on the custodial framework and points to loopholes in the accountability mechanism that have allowed such events to persist. **Dr. P. Arul (2021)** The paper examines the human rights violations against police in Tamil Nadu, including excessive use of force, unlawful detaining, and custodial torture committed by police. The report evaluates the existing "regime" of accountability and calls for far-reaching reforms to ensure observance of human rights standards. **Shrinath (2020)** The paper critically appraises community policing initiatives in Tamil Nadu, assessing their effectiveness in improving police accountability and reducing the use of force. It discusses various programs implemented in the state, their outcomes, and the challenges they face in realizing a genuine police-community relationship.

Methodology :

This study is based on primary and secondary data of challenges on prosecuting Police Officers for excessive use of force with reference to Tamil Nadu. Here secondary data is collected from articles,books, online sources and literature part of Books And primary data is collected from 200 sample respondents. The type of research used is Empirical research, Sampling method followed in this research is Convenient Sampling. Research instrument used for primary data is a well structured questionnaire. Independent variables used in this research are age, gender, occupation and locality. The Dependent variable is Victims of

police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences, The legislations in Tamil Nadu are sufficient but not implemented properly to focus on police misconduct, separate Investigative departments are important in Tamil Nadu to ensure police accountability and reduce excessive force. This study used a percentage bar chart, clustered bar chart and Chi-Square test to interpret the data.
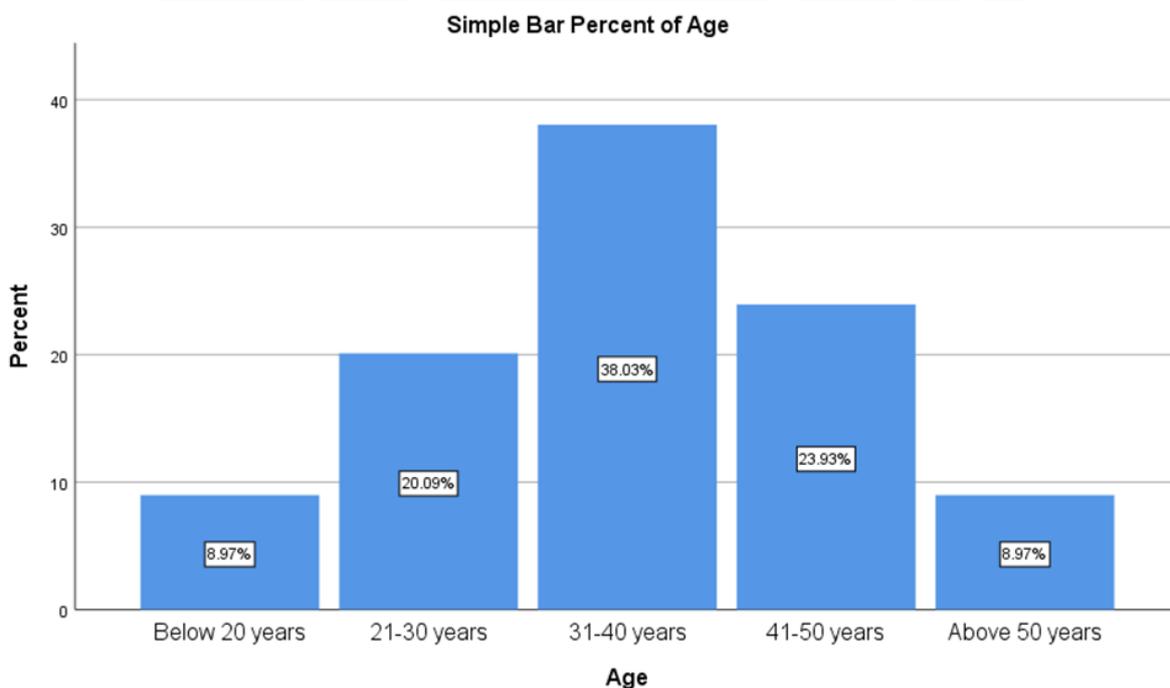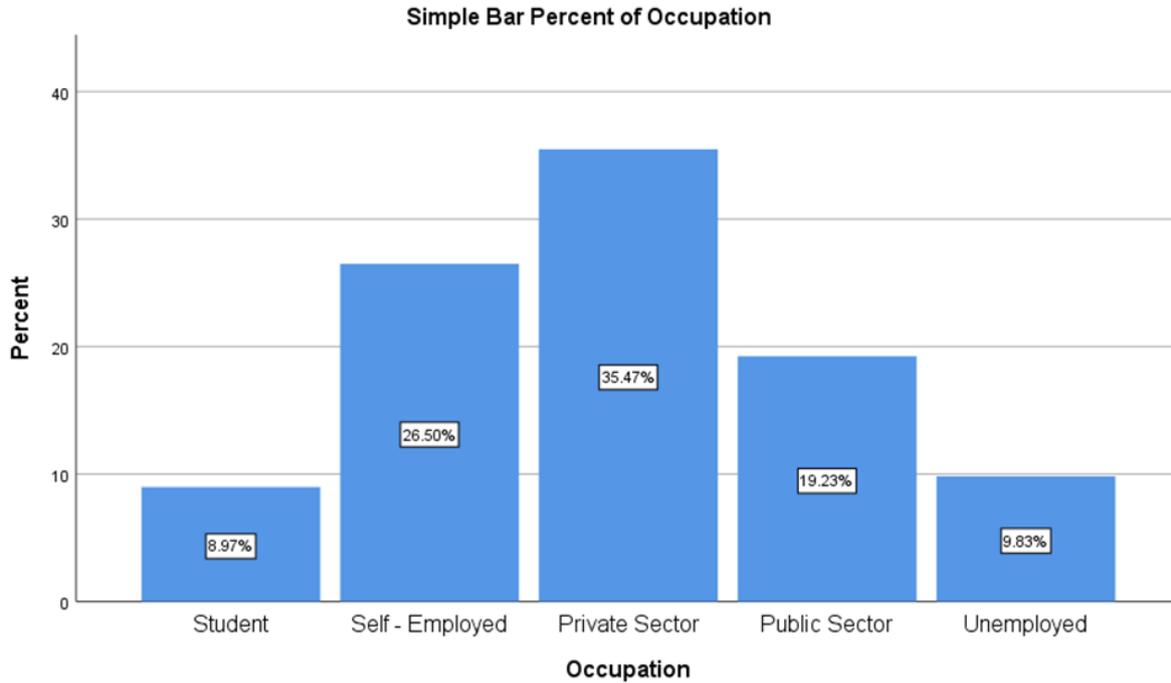
SPSS Analysis :

Figure 1
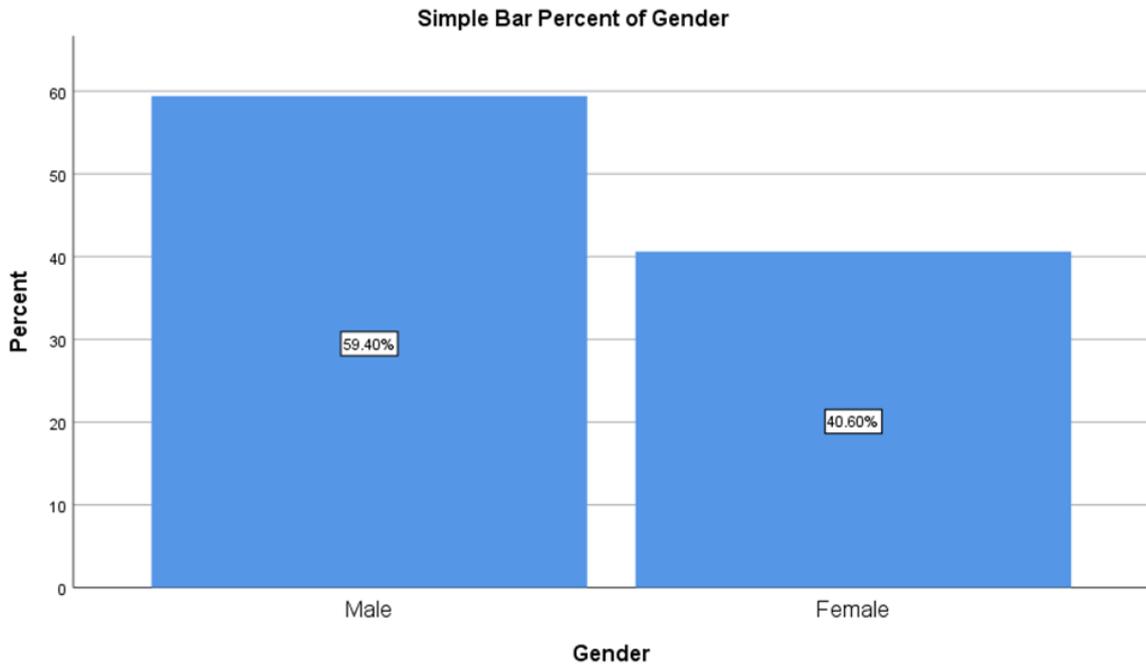
Legend: This graph shows the percentage of Gender of the sample population.

Figure 2

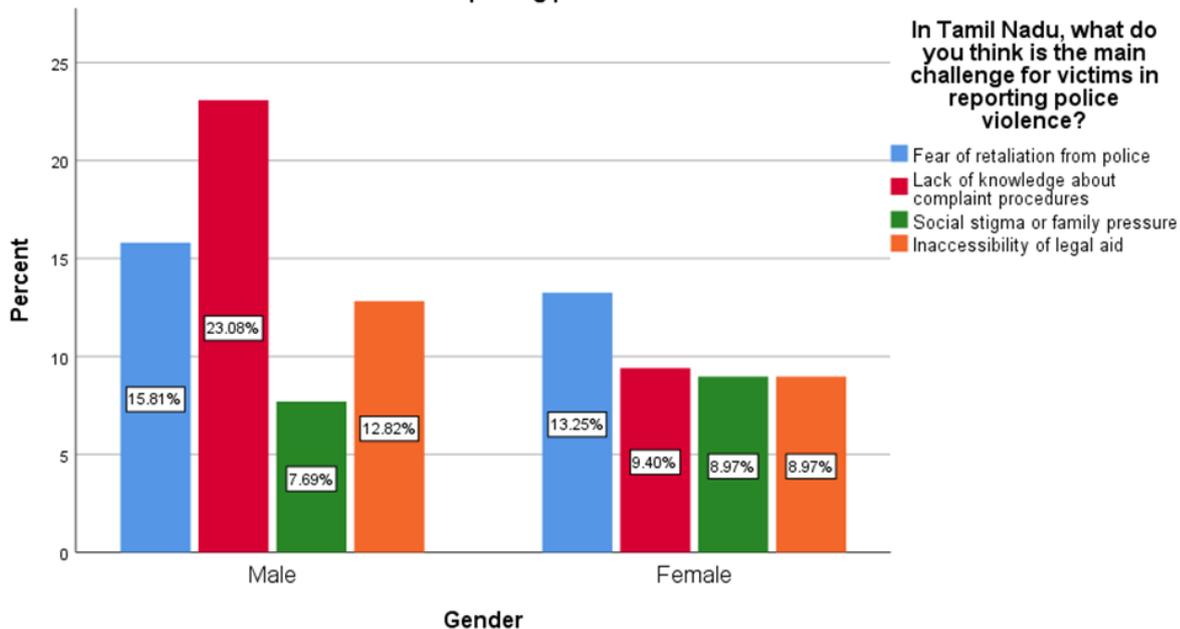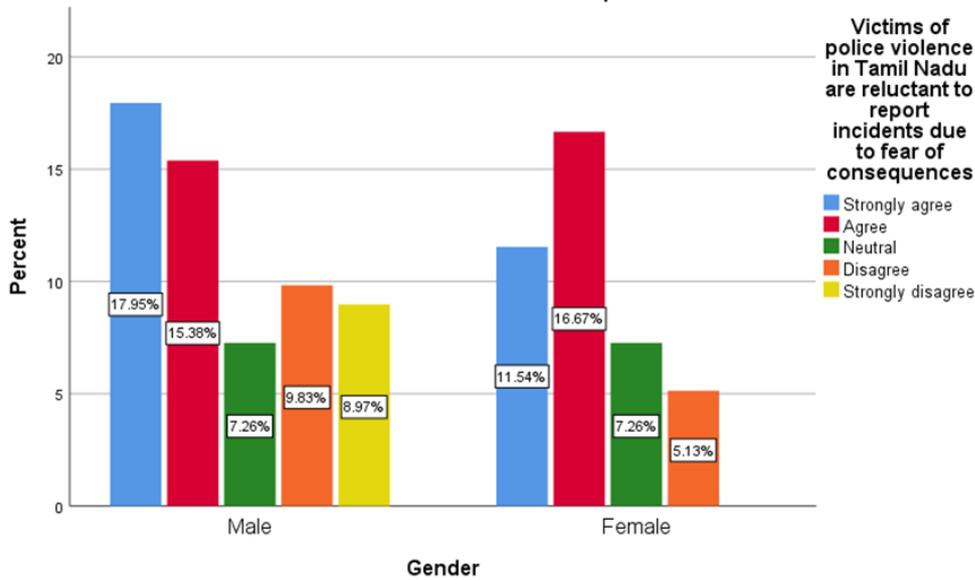Legend: This graph shows the percentage of Age of the sample population.

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Figure 3

Simple Bar Percent of Occupation

Legend: This graph shows the percentage of Age of the sample population.

Figure 4

Clustered Bar Percent of Gender by In Tamil Nadu, what do you think is the main challenge for victims in reporting police violence?

Legend: This graph shows the percentage comparison between Gender and In Tamil Nadu, the main challenge for victims in reporting police violence.
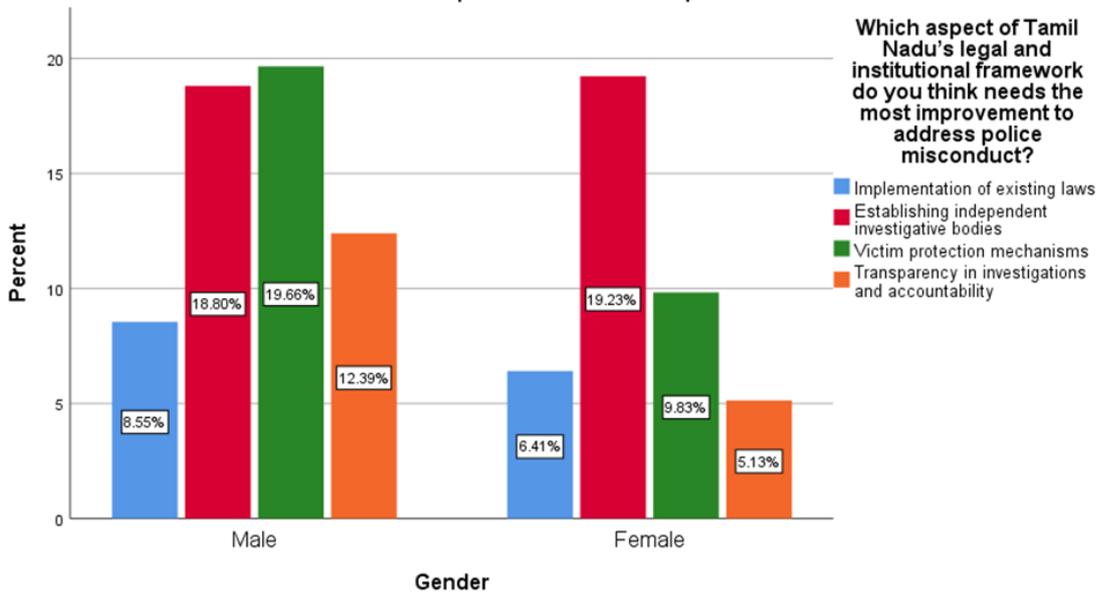
Figure 5

Clustered Bar Percent of Gender by Victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences

Legend: This graph shows the percentage comparison between Gender and Victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences.
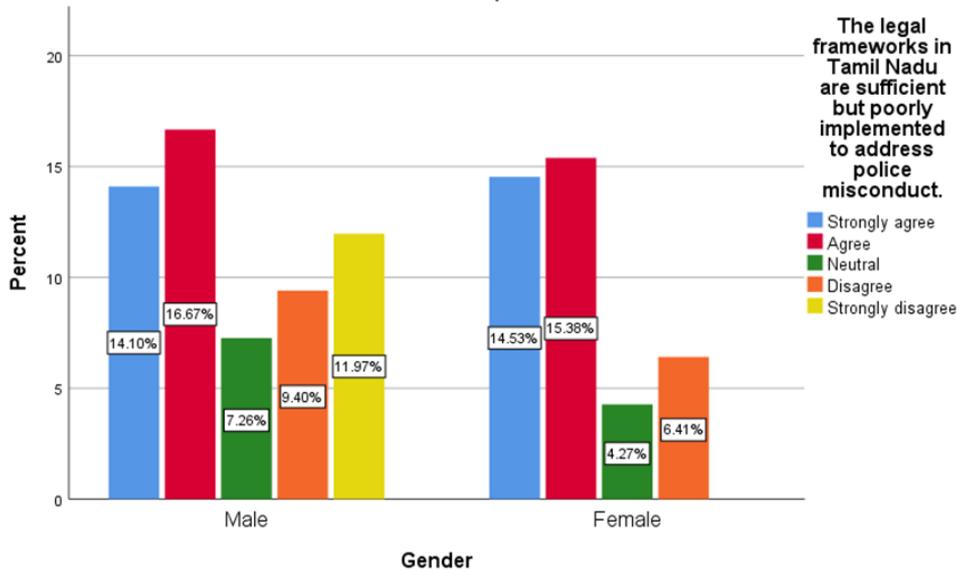
Figure 6

Clustered Bar Percent of Gender by Which aspect of Tamil Nadu's legal and institutional framework do you think needs the most improvement to address police misconduct?

Legend: This graph shows the percentage comparison between Gender and aspect of Tamil Nadu's legal and institutional framework do you think needs the most improvement to address police misconduct.

Figure 7

Clustered Bar Percent of Gender by The legal frameworks in Tamil Nadu are sufficient but poorly implemented to address police misconduct.
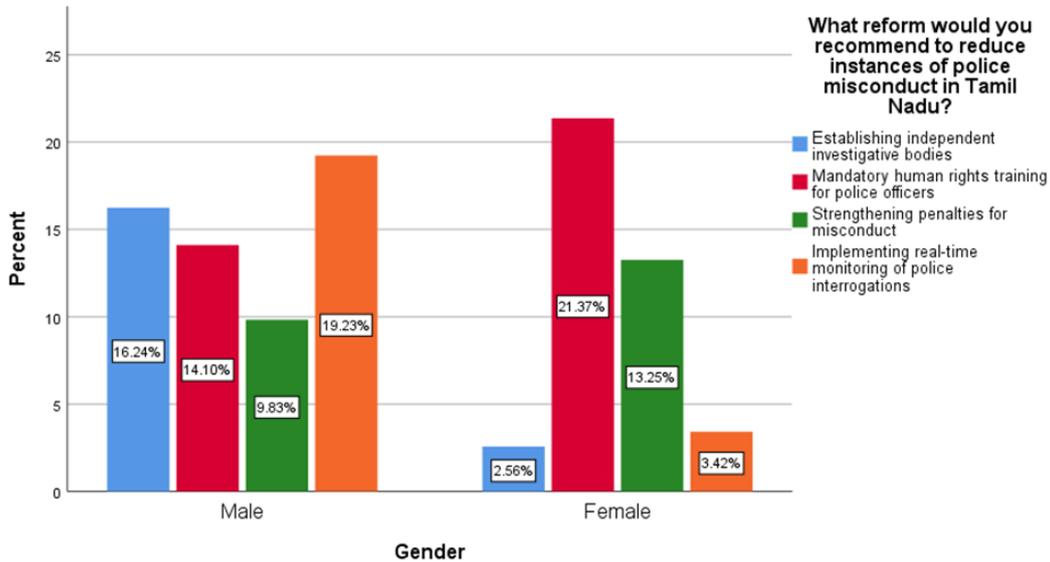
Legend: This graph shows the percentage comparison between Gender and The legal frameworks in Tamil Nadu are sufficient but poorly implemented to address police misconduct.

Figure 8

Clustered Bar Percent of Gender by What reform would you recommend to reduce instances of police misconduct in Tamil Nadu?

Legend: This graph shows the percentage comparison between Gender and reform recommended to reduce instances of police misconduct in Tamil Nadu.

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Figure 9

Clustered Bar Percent of Gender by In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.
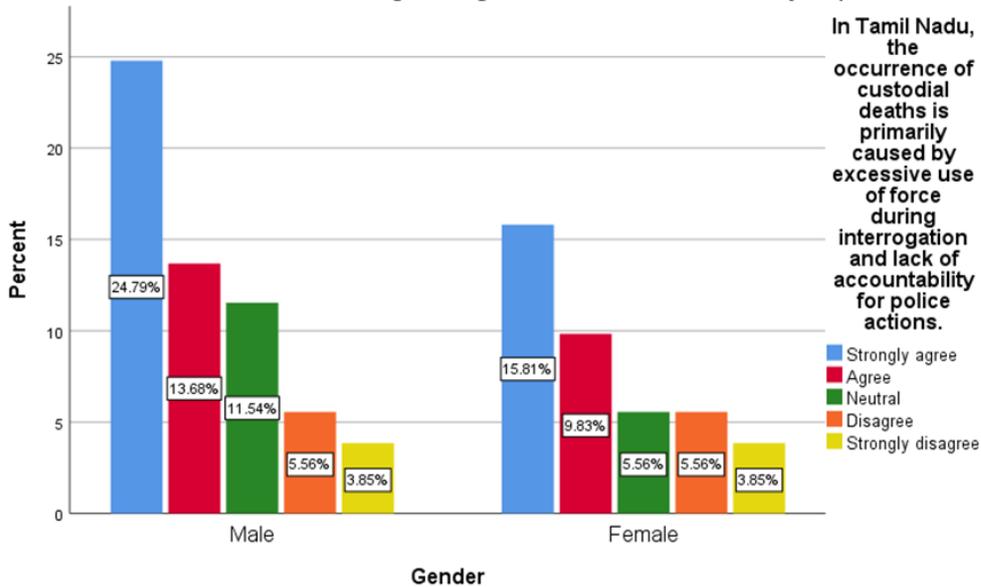
Legend: This graph shows the percentage comparison between Gender and In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.
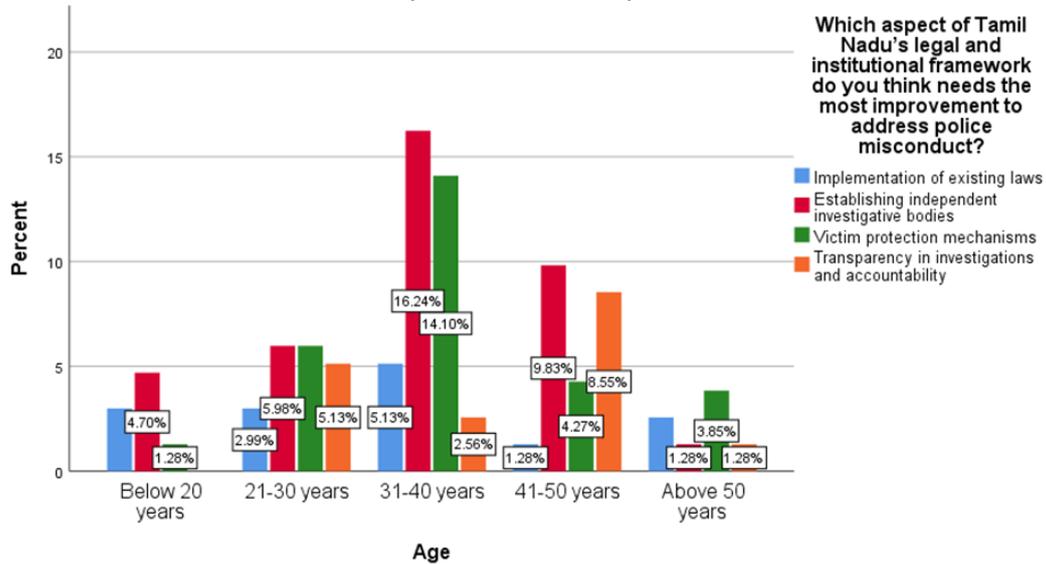
Figure 10

Clustered Bar Percent of Age by In Tamil Nadu, what do you think is the main challenge for victims in reporting police violence?
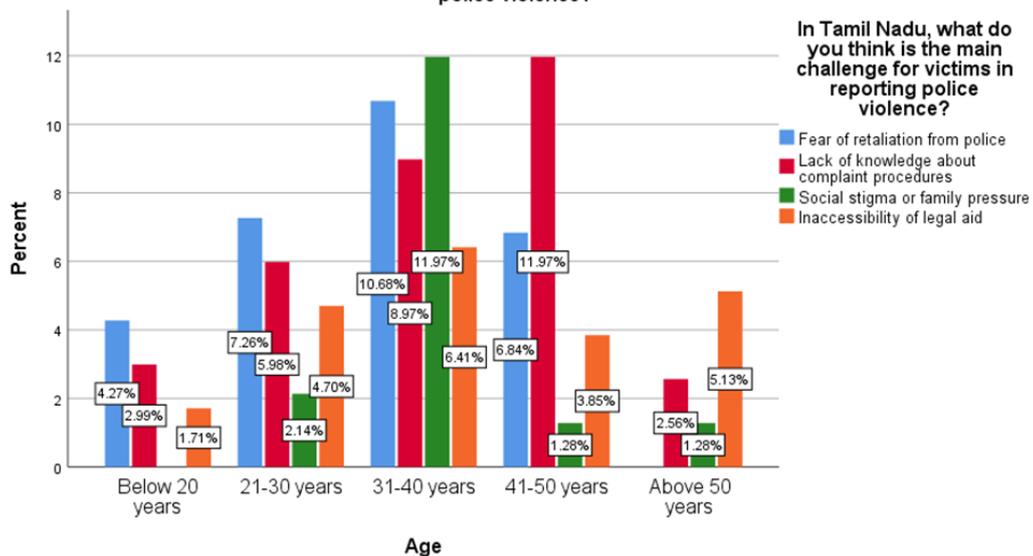
Legend: This graph shows the percentage comparison between Age and In Tamil Nadu, the main challenge for victims in reporting police violence.
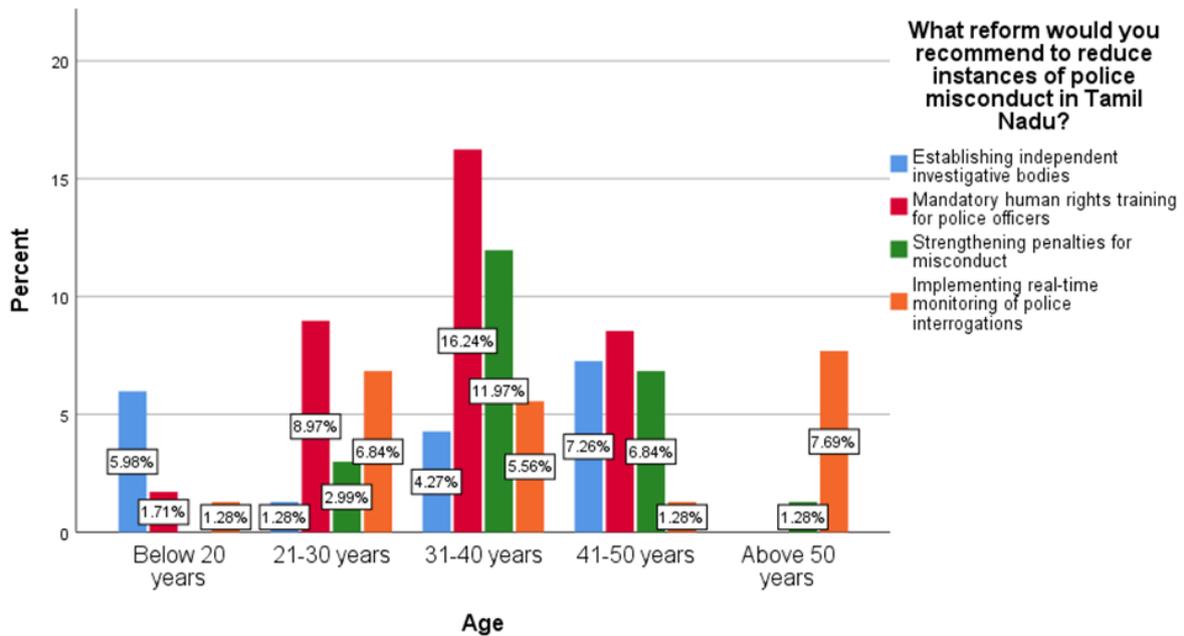
Figure 11

Clustered Bar Percent of Age by Which aspect of Tamil Nadu's legal and institutional framework do you think needs the most improvement to address police misconduct?

Legend: This graph shows the percentage comparison between Age and aspect of Tamil Nadu's legal and institutional framework do you think needs the most improvement to address police misconduct.
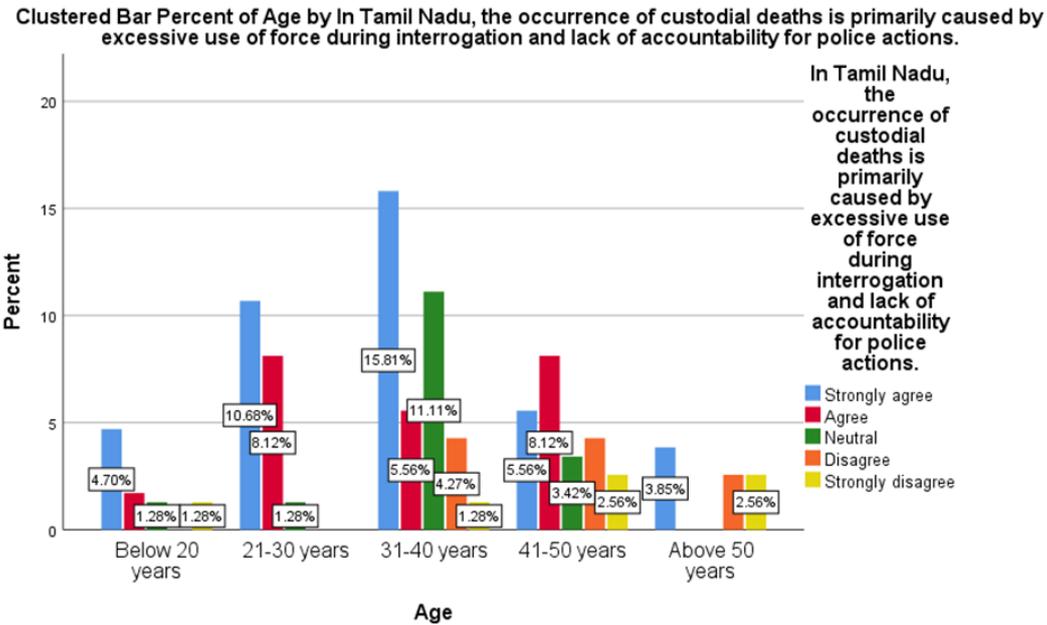
Figure 12

Clustered Bar Percent of Age by What reform would you recommend to reduce instances of police misconduct in Tamil Nadu?
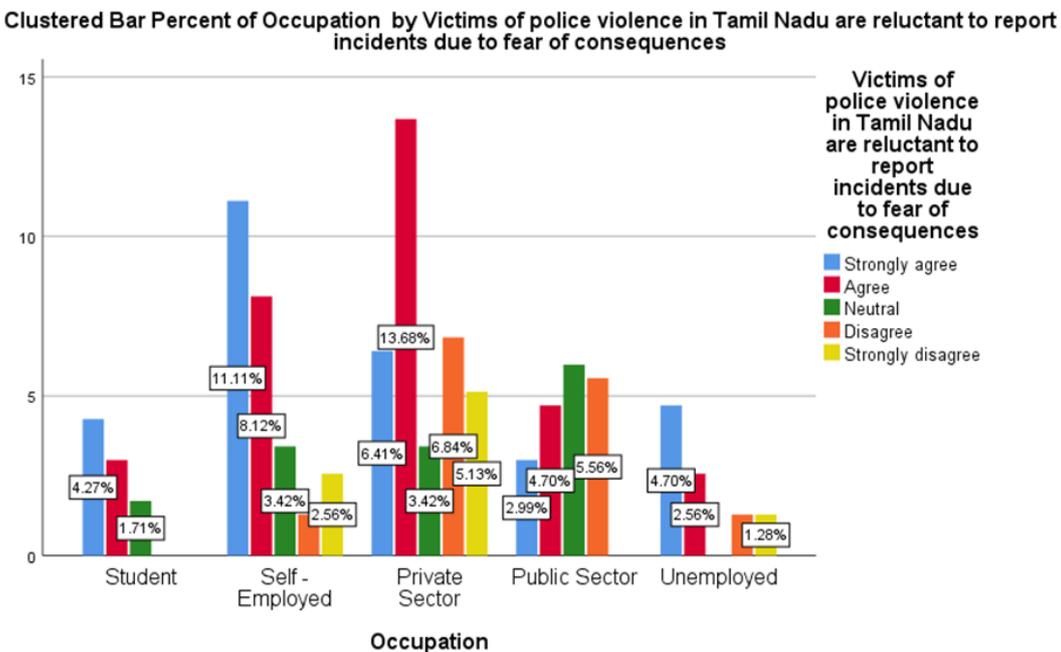
Legend: This graph shows the percentage comparison between Age and reform recommended to reduce instances of police misconduct in Tamil Nadu.

Figure 13

Clustered Bar Percent of Age by In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.
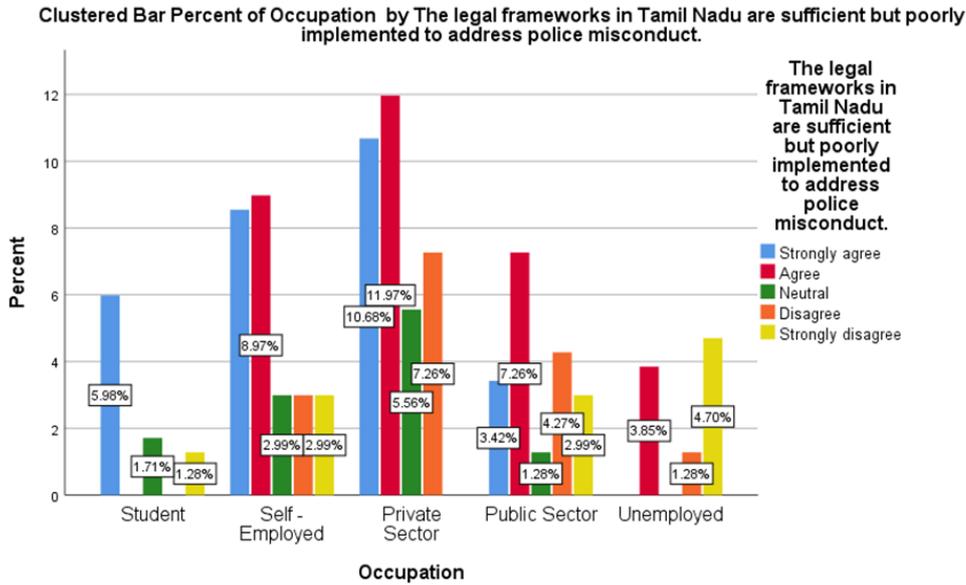
Legend: This graph shows the percentage comparison between Age and In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.

Figure 14

Clustered Bar Percent of Occupation by Victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences
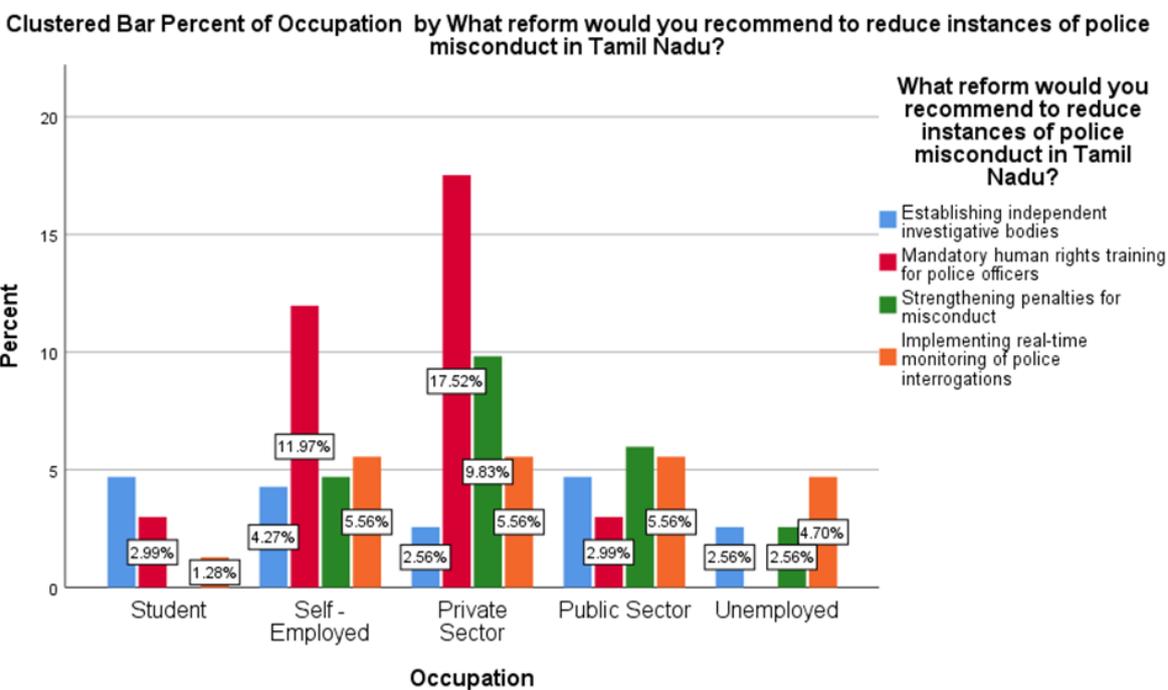
Legend: This graph shows the percentage comparison between occupation and Victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences.

Figure 15

Legend: This graph shows the percentage comparison between occupation and The legal frameworks in Tamil Nadu are sufficient but poorly implemented to address police misconduct.

Figure 16

Legend: This graph shows the percentage comparison between occupation and reform recommended to reduce instances of police misconduct in Tamil Nadu.

Figure 17

Clustered Bar Percent of Occupation by In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.
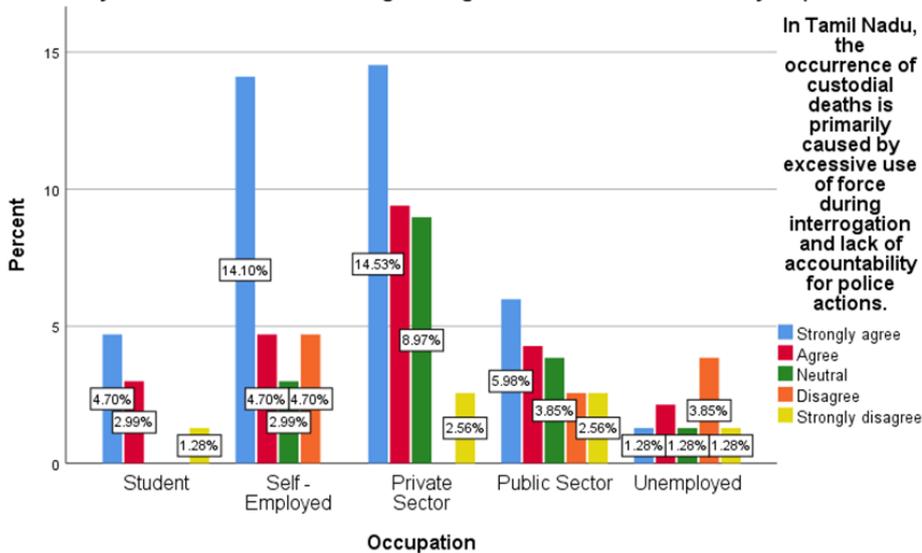
Legend: This graph shows the percentage comparison between occupation and In Tamil Nadu, the occurrence of custodial deaths is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.

Table 1

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	2.842[a]	4	.585
Likelihood Ratio	2.842	4	.585
Linear-by-Linear Association	.729	1	.393
N of Valid Cases	234		

a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.31.

Table: This table shows the percentage comparison between Gender and the occurrence of custodial deaths in Tamilnadu is primarily caused by excessive use of force during interrogation and lack of accountability for police actions.

Results and Discussion :

Gender Male have shown a higher preference of 59.40% in responding to the study (fig.1). Age group of 31-40 years have shown a higher preference of 38.03%, whereas Age group above 50 years with 8.97% (fig.2). Private Sector respondents have shown a higher preference of 35.47%, whereas self-employed with 26.50% (fig. 3). Male have stated lack of knowledge about complaint procedures with 23.08% and Females

have stated fear of retaliation from police with 13.25% is the main challenge for victims in reporting police violence (fig. 4). Male and female Strongly Agree with 17.95% and 16.67% that victims of police violence in Tamil Nadu are reluctant to report incidents due to fear of consequences (fig. 5). Both Male and female have shown higher response with 18.08% and 19.23% that Establishing independent investigative bodies is the aspect for Tamil Nadu's legal and Institutional Framework for improvement to address police misconduct (fig. 6). Male and female Agree with 16.67% and 15.38% that the legal frameworks in Tamil Nadu are sufficient but poorly implemented to address police misconduct (fig. 7). Females have given Higher preference of responding that Mandatory human rights training for police officers would reform to reduce instances of police misconduct in Tamilnadu (fig.8). Male and female Strongly Agree with 24.79% and 15.81% that the occurrence of custodial deaths in Tamilnadu is primarily caused by excessive use of force during interrogation and lack of accountability for police actions (fig.9). Age groups 21 - 30 years state that Fear of retaliation from police with 7.26% is the main challenge for victims in reporting police violence whereas 41-50 years with 5.13% state that Inaccessibility to legal aid is the main challenge (fig. 10). Age groups 31 - 40 years with 16.24% of response state that Establishing independent investigative bodies is the aspect for Tamil Nadu's legal and Institutional Framework for improvement to address police misconduct (fig. 11). Age groups 31 - 40 years with 16.24% of responses state that Mandatory human rights training for police officers would reform to reduce instances of police misconduct in Tamilnadu (fig. 12). Age groups 21-30 years & 31 - 40 years with 10.68% & 15.81% Strongly Agree that the occurrence of custodial deaths in Tamilnadu is primarily caused by excessive use of force during interrogation and lack of accountability for police actions (fig. 13). The Private sector and self-employed with 11.11% & 13.68% Strongly Agree that victims of police

violence in Tamil Nadu are reluctant to report incidents due to fear of consequences (fig. 14). The Private sector and self-employed with 11.97% & 8.97% Strongly Agree that The legal frameworks in Tamil Nadu are sufficient but poorly implemented to address police misconduct (fig.15). The Private sector and self-employed with 17.52% & 11.97% state that Mandatory human rights training for police officers would reform to reduce instances of police misconduct in Tamilnadu (fig.16). Students(4.70%), self-employed(14.10%), private sector(14.53%) and public sector(5.99%) Strongly Agree that the occurrence of custodial deaths in Tamilnadu is primarily caused by excessive use of force during interrogation and lack of accountability for police actions (fig. 17). Chi square between two variables: Gender and the occurrence of custodial deaths in Tamilnadu is primarily caused by excessive use of force during interrogation and lack of accountability for police actions, where the asymp value is more than 0.05 alternate hypothesis rejected, thus there is significant difference (table 1).

Limitations :

The limitations of this study is the use of sampling as a source for data collection. Random sampling is a more efficient way to collect data for the research study, collection of random samples is made by questionnaires that are online surveys and also collected by directly posting questions to the general public. The sample population collected (233) is not sufficient to know about the awareness of the entire population of India as it is sample data collected. There are limitations to conducting a thorough analysis of the result.

Suggestions :

In Tamil Nadu, various reforms are required to overcome barriers to prosecution of police personnel for excessive use of force. For example, amending legislation covering areas such as Section 218 of the BNSS requiring government sanction for prosecution will help reduce barriers of accountability. Ongoing

human rights-related training for police personnel and sensitization workshops can promote ethical policing. Witness and victim protection programs and public awareness campaigns will ensure reporting of any misconduct without fear. In the end, establishing independent oversight mechanisms—like police accountability commissions—and giving organizations like the State Human Rights Commission legally binding authority can help to ensure that investigations are impartial. The CBI will play a key role in promoting an accountable culture in the fulfillment of citizens' rights.

Conclusion :

Based on the Research study done, people are well aware of the current situation in our society relating to prosecution of Police Officers for excessive use of force. There is a lack of response due to illiteracy and technological defects. The aim of the research is to study the Challenges in prosecuting Police Officers for excessive use of force with reference to Tamil Nadu. The result observed from the study is that Fear of retaliation from the police, Inaccessibility of legal Aid are the main challenge for victims in reporting police violence. Strengthening accountability procedures and Improving transparency in investigations are two important aspects to resolve police misconduct. Instituting Independent oversight departments for police accountability and initiating Compulsory Human rights training for police officers are basic recommendations to decrease the instances of police misconduct. However, as the overview of the present instruments indicated that it is in many parts of India, excessive use of force by police officers in Tamil Nadu has its own unique slew of systemic challenges that need to be contended with: institutional biases, lack of accountability mechanisms, legal hurdles, and societal pressures. The need for such accountability and justice remains paper-thin in the absence of comprehensive reforms. Addressing these challenges will entail systemic reforms, a firm enforcement of laws, and societal commitment

to ensure justice for victims of police officers' excessive use of force. Only then can Tamil Nadu move towards establishing a forte between law-and-order maintenance and the acknowledgement of the fundamental rights of its citizens.

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