**REPORTABLE**

# IN THE SUPREME COURT OF INDIA

## CRIMINAL APPELLATE JURISDICTION

**SHEELA BARSE V. STATE OF MAHARASHTRA (1983)**

**BENCH:** Mr. Justice P.N. Bhagwati & Mr. Justice A.N. Sen **DECIDED:** February 15, 1983

***RATIO DECIDENDI & PRECEDENTIAL CRUX:***
***Supreme Court laid down landmark guidelines protecting women prisoners against custodial violence, mandating female police officers and legal aid.***

### 1. Factual Matrix & Background:

A journalist addressed a letter to the Supreme Court complaining of custodial violence and torture inflicted upon female prisoners in police lockups in Mumbai. The Court treated the letter as a public interest writ petition.

### 2. Substantive Legal Questions Framed:

What safeguards must be instituted to protect women prisoners and undertrials from physical abuse and custodial torture in police lockups.

### 3. Analysis & Ratio Decidendi:

The Supreme Court laid down historic directions: female suspects must be segregated in separate female lockups; female suspects cannot be interrogated except in the presence of female police officers; judicial magistrates must inspect lockups periodically; and legal aid organizations must be granted access to assist indigent prisoners immediately upon arrest.

### 4. Principles Enunciated:

- 1. Women suspects are entitled to heightened constitutional protections in police custody.
- 2. Male police officers are prohibited from guarding or interrogating women alone.
- 3. Immediate access to legal aid is an essential facet of fair custodial procedure.

### 5. Practical Litigation Implications:

- Any arrest or interrogation of female suspects conducted without female officers or outside daylight hours must be immediately challenged under Sheela Barse guidelines.

**.....J.**
**[SUPREME COURT BENCH]**

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