



IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No. 6 of 2026

Sarat Majhi

....

Petitioner

Mr. Asutosh Rout, Advocate

-versus-

State of Odisha and others

....

Opposite parties

Mr. Kailash Chandra Kar, Government Advocate assisted by
Ms. Aishwarya Dash, Additional Standing Counsel

CORAM:

HON'BLE THE CHIEF JUSTICE

AND

HON'BLE MR JUSTICE MURAHARI SRI RAMAN

ORDER

29.06.2026

Order No.

03.

1. Pursuant to the order dated 18th May, 2026, the Superintendent of Police, Bhadrak has produced the CCTV footage of 2nd November, 2025 between the period from 8 PM to 12 Midnight and the IIC, Pirahat Police Station, the Child Welfare Police Officer of the same police station and the Superintendent of Police, Bhadrak are personally present before this Court.

2. We perused the excerpts of the CCTV footage which is forwarded by Mr. Kailash Chandra Kar, learned Government Advocate appearing for the State-opposite parties and after perusal thereof, we noticed certain discrepancies, violations and non-adherence of the statutory provisions.



3. Though the instant writ petition in the nature of the *habeas corpus* is in relation to an independent judicial inquiry for illegal detention and torture of a minor child, but we do not find from the CCTV footage that there was any physical assault being inflicted. Even apart, the medical document produced by the petitioner in the instant writ petition does not corroborate the same except that the child was admitted on 4th November, 2025 and discharged on 5th November, 2025.

4. Be that as it may, since the child who was brought to the police station at 7:52 PM and left the police station with his father at 12:04 AM on 2nd November, 2025, the question of illegal detention does not appear to have been made. However, it raises a serious concern when in pursuit of determining the cause, we noticed that the said child was treated differently than what is warranted under the Odisha Juvenile Justice (Care and Protection of Children) Rules, 2018 and the parent Act. There is a complete apathy which is shown by the Police Administration in inculcating the sense of responsibility while treating the child whether in conflict with law or otherwise.



5. We, therefore, feel that the instant writ petition should be converted into a regular Public Interest Litigation, so as to deal with the cases where there has been rampant violation and/or implementation of various provisions of the Act concerning children.

6. The Registry is directed to register a separate Public Interest Litigation and the documents and records pertaining to the instant writ petition be included therein.

7. Since the larger issue shall be dealt with by this Court in a Public Interest Litigation, there is no point in keeping the instant writ petition pending and the same shall be treated to have been disposed of.

8. Personal appearance of Mr. Manoj Kumar Rout, Superintendent of Police, Bhadrak, Ms. Rojalin Behera, IIC, Pirahat Police Station and Mr. Shyamsundar Nayak, SI, Pirahat Police Station is dispensed with.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge