

Lost Fraternity - A Mob Lynching in Broad Daylight

A Betrayal of the Constitutional Promise

Fact Finding Report's Executive Summary

The report documents the brutal lynching of Mohammed Ashraf, a 39-year-old Muslim ragpicker, in Kudupu village, Mangalore, and critically examines the police and state complicity including the lapses in the investigation. The report places the lynching of Ashraf in the long yet systematic deterioration of the rule of law and the pervasive atmosphere of religious polarization in the Dakshina Kannada region, calling for urgent intervention from both the state, people of Dakshina Kannada and civil society to restore rule of law, protect fundamental right to life, and most importantly uphold the value of human life.

Two months after his lynching, the State has failed to appoint a Special Public Prosecutor, provide the family of the deceased with the post mortem report and have not disbursed victim compensation for the family as per Tehseen Poonawalla v UOI and GO Order Number: HD 01 CRR 2023, Bengaluru dated 27.09. 2023.

I. Introduction: A Betrayal of the Constitutional Promise

The report places the incident in the context of the escalating communal tensions in India, particularly following the Pahalgam terror attack in April 2025. The incident took place just five days after the Pahalgam attack wherein the communalized media landscape and political rhetoric had led to an environment of anti-Muslim sentiment. This fact-finding was undertaken by human rights organizations, namely, PUCL - Karnataka, APCR - Karnataka, and AILAJ - Karnataka to uncover and present the truth behind Ashraf's lynching amidst a backdrop of jingoistic media coverage, unfounded communal political rhetoric, and significant lapses in the police investigation. The report also draws attention to the endemic of hate and polarization in the Dakshina Kannada region, drawing connections to previously documented instances of cultural policing and communal policing that have, over the years, led to communal hate crimes.

II. Timeline of Events: A Delayed and Distorted Response

Just 5 days after the Pahalgam attack, on 27th April, Ashraf, a person was murdered in Kudupu, Mangalore. This timeline briefly traces key incidents that followed.

27 April 2025, Sunday

- 2:00 p.m. - 5:00 p.m. Ashraf lynched on the kachcha road between the Bhatarhalli Devasthanana and a cricket ground by a mob
- Around 5:00 p.m. - 5:30 p.m.
 - Police, SB Staff (Crime) was informed about the dead body.
 - DCP (L&O), Commissioner of Police along with local police station officials visit the spot of the crime the same day.
 - Mazhar, inquest conducted by the Police.
 - Lookout notice issued to identify the deceased.

Unnatural Death Report (UDR) filed.

Rumours about slogans of "Pakistan Zindabad" raised by the deceased start circulating.

→ Around 5:00 p.m. - 6:00 p.m

Local media came to know about the killing and the rumours of sloganeering.

At 7 PM the Commissioner of Police in a press statement to the media requested the media not to spread rumours.

28 April 2025, Monday

→ Morning

A group of local activists including ex-Corporator & Cong. leaders visit local P.S.

Media verifies that as per their sources it was a mob lynching

→ Evening post 6 PM

Lookout notice that was issued to identify the deceased reaches Media

→ 6:30 P.M.

The Police Commissioner informs activists that there does not seem to be grievous injury.

→ Late in the night on 28th April, the Mangalore Police Commissioner made a statement requesting the media to not spread rumours and informing that they do not know whose body it is.

→ 10:00 P.M. - 11.30 P.M

Post-mortem conducted at Wenlock District Hospital without the presence of the family.

→ 11:25 P.M.

FIR registered based on the complaint of Deepak Kumar

29 April 2025, Tuesday

→ 11:30 A.M

Commissioner's press meet after 19 arrested for lynching; body still unidentified

→ 2:30 P.M

Home Minister Dr. G. Parameshwar confirms mob lynching; says (unidentified) man allegedly shouted "Pakistan Zindabad" during local match; beaten by crowd, later died; 10-12 arrested; urges public to maintain peace and not take law into their hands

→ 4:00 P.M

Body identified as Mohammed Ashraf; Police informed family

→ 10:00 P.M. 6 more accused arrested by the Police

30 April 2025, Wednesday

→ 12:30 A.M

Mohammed Ashraf's family reached Mangalore.

→ 3:30 A.M

3 family members, including Ashraf's brother identified the body at Wenlock Mortuary, Mangalore. Body handed over to family after signing an acknowledgement.

- 11:30 A.M
Ashraf's funeral was held at Cholakkundu Juma Masjid, Kottakkal, Malappuram District, Kerala.
 - 3:00 P.M
Chief Minister Siddaramiah gives a statement to the media "If the Pakistan Zindabad slogan was shouted, it is wrong, whoever it is. Inquiry is still going on; a case has been registered. Let the report come, it will be clear as to what action should be taken against whom. If anyone speaks in favour of Pakistan, it is wrong, it is treason."
- The Police Commissioner states that 20 of 25 suspects arrested, including T. Sachin, Manjunath, Saideep, Nitesh Kumar, Dheekshith Kumar, Sandeep, Vivian Alvares, Sridatta, Rahul, Pradeep Kumar, Manish Shetty, Dhanush, Dheekshith, Kishore Kumar, Yathiraj, Sachin, Anil, Sushanth, and Adarsh
- Around 8:30 PM
Home Minister issues clarificatory statement

1 May 2025, Thursday

- Former Minister Ramanath Rai, senior Congress leader from Dakshin Kannada, demands SIT probe into mob-lynching.
- Police Commissioner suspends 1 inspector (Chandra) and 2 constables (Yellalinga, Shivakumar) for negligence and failure to report lynching; probe revealed that the police were alerted by a man named Deepak soon after the incident.

III. Alarming Findings

The fact-finding team noted the following particularly alarming findings:

1. Public Indifference: While 20 people have been named in the FIR and a cricket match was ongoing when the incident took place, it is alarming that none on the spot made any attempts to either stop the lynching or to call the police.
2. Climate of Fear: Although it was people at the spot of the crime who had tipped off local activists about the lynching, bringing the issue to light, none of the attempts made by the fact-finding team to talk to them yielded results. This indicates a pervasive atmosphere of hate in the region, where speaking out the truth can prove to be costly.
3. State-Sponsored False Narrative: The unverified claim that Ashraf had shouted 'Pakistan Zindabad' - initially aired by the Home Minister of the state himself with scant respect for the rule of law and then widely peddled by the media - is deeply concerning.
4. Police Complicity: The presence of the Deputy Commissioner of Police (Law and Order) and the Commissioner of Police at the crime scene, yet their failure to immediately register an FIR, highlights a significant lapse in duty and potential complicity.

IV. Issues in Investigation: A Systemic Failure

The fact-finding team identified several critical failures in the investigation:

1. **Delayed FIR Registration:** Despite clear evidence of a violent death, the police initially registered an Unnatural Death Report (UDR) instead of an FIR. This delay allowed crucial evidence to be destroyed and provided time for the mob members to abscond. The UDR was also not sent to the Magistrate as legally mandated under Section 174 of the Code of Criminal Procedure.
2. **False Narratives and Media Complicity:** The Home Minister propagated the unverified and distorted claim that Ashraf shouted "Pakistan Zindabad." This narrative, amplified by certain media outlets, diverted attention from the crime itself and instead focused on demonizing the victim, adding immense distress to Ashraf's family.
3. **Lack of Diligence at Crime Scene:** Anonymous Eyewitness accounts and photographic evidence collected by the fact-finding team reveal that police found cricket players and two-wheelers near the body at the scene. Yet, no immediate action was taken to secure the area, call upon for investigation all present on the spot or to track the vehicles, [CCTV] all of which is indicative of a deliberate laxity in investigations.
4. **Missing Documentation and Information Sharing:** The family was not provided with copies of the UDR or the post-mortem report. The police's assertion that senior officers were unaware of the lynching sounds suspicious given that senior officials of the city were at the spot alongside the inspector, who as per the suspension orders, was aware about the lynching. This raises questions about accountability and potential cover-ups.
5. **Absconding Key Figures:** Ravindra Nayak, husband of a former BJP corporator and supposedly, one of the key organizers of the cricket match, was reported to be present at the crime scene, yet, he absconded and was not immediately named in the FIR, despite police allegedly seeking his whereabouts. Police has not sufficiently investigated his role.
6. **In Contempt of the Supreme Court Directives:** The Deputy Commissioner of Police (Law and Order), designated as the nodal officer for implementing the Supreme Court's Tehseen Poonawalla judgment on mob lynching, exhibited a lack of knowledge about the judgment itself, indicating a systemic failure in adhering to critical legal precedents for preventing and addressing mob lynching.
7. **Bail on Technicalities:** Several accused were granted bail on grounds of their names not appearing in the initial FIR, delay in filing, or perceived lack of motive. This outcome is directly linked to the police's investigative failures, including insufficient evidence collection and a lack of urgency in building a cohesive case.

V. Larger Implications: Erosion of Fraternity and Rule of Law

The lynching of Mohammed Ashraf is not an isolated incident but a chilling symptom of a deeper malaise in Dakshina Kannada:

1. **Dehumanization of Minorities:** The incident starkly reveals the extent of dehumanization of hate communities, fuelled by pervasive hate propaganda. The mob's casual return to playing cricket after the lynching underscores a chilling absence of remorse and a breakdown of public conscience.

2. **Collapse of Rule of Law:** The state's institutions, particularly the police, have shown a clear failure to uphold the rule of law. The delay in FIR, the misdirection of investigation, and the judiciary granting of bail on technicalities indicate a system that is either unwilling or unable to protect its citizens and hold perpetrators accountable.
3. **Impunity and Social Apartheid:** The fact that lynchers acted with such impunity, and that onlookers did not intervene or report, signifies a societal acceptance of violence and a deep entrenchment of social apartheid, where religious minorities are denied equal citizenship rights through the actions of vigilante groups and complicit state behaviour.
4. **Political Impunities for Hate:** The report suggests that such acts of communal violence enjoy overt or covert political impunities, wherein accountability for hate crimes. The Home Minister's initial unverified statement further stands as a prime example for the same.
5. **Consequences of Hate Speech:** The two subsequent murders in Dakshina Kannada, fuelled by widespread hate speech on social media, demonstrate a dangerous communal continuum where inflammatory rhetoric directly leads to violent crimes. The police's inaction against such hate speech, despite Supreme Court directives, is a grave concern.

VI. Recommendations: A Call to Humanise and Rebuild

The report concludes with a call for immediate and long-term actions to restore justice, human dignity, and the rule of law in Dakshina Kannada:

To the State Government

1. Ensure that the order of the Supreme Court in *Tehseen S. Poonawalla v Union of India* [AIR 2018 SC 3354] is strictly enforced and all preventive, remedial and punitive measures required thereunder immediately enforced.
2. Transfer the Investigation of the case to the CID immediately.
3. Immediately appoint a Special Public Prosecutor for the prosecution of Crime No. 37/25 of Mangaluru Rural Police Station.
4. Disburse compensation to the family of Mohammed Ashraf as per the Supreme Court decision in *Tehseen Poonawalla* and GO Order Number: HD 01 CRR 2023, Bengaluru dated 27.09.2023.
5. Call for a consultative meeting with civil society in Dakshina Kannada to understand concerns related to communism, hate speech and fake news and how best the newly set-up Anti-Communalism Force can operate.
6. Set-up fast-track courts for the trials regarding the mob-lynching of Mohammed Ashraf.
7. Ensure that the following are implemented: Directions issued by the Supreme Court in *Shakti Vahini vs Union of India* [AIR 2018 SC 1601]
8. Ensure that the Guidelines on Communal Harmony, 2008 issued by the Ministry of Home Affairs are strictly enforced
9. Ensure that the police force is representative of the social structure of the region and further that the police and administrative officials are of proven integrity,

efficiency, impartiality and non-partisan outlook. It is necessary to further ensure that review of the training program of the police force is conducted to inculcate attitudes of secularism and communal harmony in the police force, including conducting special training and orientation as mandated by the Guidelines on Communal Harmony, 2008 issued by the Ministry of Home Affairs cited with approval by the Hon'ble Supreme Court in *Pravasi Bhalai Sanghatan v. Union of India* AIR 2014 SC 1591.

10. Ensure that there is no parallel administration to the Government of Karnataka and in particular take stern action as per the provisions of the *Bharatiya Nyaya Sanhita* against members of all Hindutva organizations engaged in communal violence.

To the District Administration

1. Establish a District Communal Harmony Cell with representatives from Police, Civil Society, Student Unions and Women's Groups.
2. The Deputy Collector should initiate confidence building measures through regular interactions with members of the minority community and set aside specific days to listen to and redress grievances.
3. Work with the Press Club to encourage media houses and journalists to ensure broadcast guidelines under the Cable Television Network (Regulations) Act are followed.
4. Work with all ULBs and Panchayats in the district to organise peace meetings in their jurisdictions

To the District Police Administration

1. Public online tracker of (a) number of communal-tension FIRs filed, (b) investigations pending, (c) prosecutions under hate-speech/lynching provisions—so civil society can monitor follow-through.
2. Ensure suo-moto registrations of FIR as directed by the Supreme Court in *Shaheen Abdullah vs Union of India* (Order dated 28.04.2023 in W.P. (Civil) No. 943/2021).
3. Ensure that an FIR is registered in every single case of hate crime, communal policing or communal violence, and in cases where the victims are in fear to file a complaint, register a suo-moto complaint in that regard. A circular to this effect should be issued.
4. Publicize a single number/app to report rumours, hate speech, suspicious gatherings—automatically alerting both police control room
5. Ensure that investigation is conducted in regard to all cases of hate crime and communal policing expeditiously.
6. Ensure that the police are trained and sensitized to safeguard Constitutional governance in the State with particular reference to concerns of hate crimes and communal policing.
7. Ensure that all citizens are able to exercise their fundamental rights without fear and take effective action to dispel the climate of fear that has gripped Dakshina Kannada and is preventing its citizens from exercising their fundamental rights
8. Issue a SOP to implement the Tehseen Poonawalla judgement of the Supreme Court on Mob-lynching, similar to what has been done by the Puducherry Police.

At such times of heightened communal divide, we call upon the civil society at large and concerned citizenry to build bridges, and hold both, the state and police administration responsible for their actions/inactions and uphold the spirit espoused in the constitution.

This fact-finding report is an endeavour to hold those responsible for the lynching of Mohammed Ashraf accountable. The report brings to fore the extent of dehumanisation of the Muslims in the region and the continued communal propaganda leading to a “Lost Fraternity”. It also reveals the complicity of the State in this hate crime.

In the words of the Jabbar, Mohammed Ashraf's brother, *“This should be the last lynching. No one ever again should be lynched. All those who lynched him should pay the price for their crime. True justice for Ashraf would be when a strong message is sent against lynching and hatred.”*

You can read the full report at: <https://pucl.org/wp-content/uploads/2025/06/Lost-Fraternity-A-Mob-Lynching-in-Broad-Daylight-PUCL-June-2025.pdf>

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