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In Franz Kafka's novel *The Trial*, Josef K is a bank employee and a man without definitive qualities or abilities. Josef could be anyone. You and me for that matter. In the novel, Josef is arrested one fine morning and charged with a crime. Josef is not sure what crime he has committed as it is a secret. To make it worse, he is not even sure whether he has a lawyer. The bottomline of this novel is that law is a secret and the might of the state is unparalleled. Josef keeps on asking questions in the novel but receives no answers that could bring clarity.

Josef's plight was almost replicated recently in Pune. It was a routine story that I was chasing. On August 31, 2007, an information technology professional, Lakshmana Kailash K, had been carted from his city Bangalore to Pune by the Pune police and was put behind bars for 50 days for a crime which he had not committed and was not even aware that he had committed. He was later told that he had defamed Chhatrapati Shivaji Maharaj on a networking site.

It was one small two-paragraph story filed by a news agency that caught my attention. The news item dryly said that a young IT professional mistakenly picked up for posting obscene images of Shivaji on a networking site had been released after 50 days behind bars.

It took a bit of sleuthing to get Lakshmana Kailash K's number. Nobody in Bangalore had it and the police in Pune were reluctant to part with it. I managed to get a lead on Lakshmana with the help of local Pune politicians who had filed a case against the alleged defamation of Shivaji Maharaj on the website. Here was a case of an information technology official working with a leading company—HCL—who had been thrown behind bars because Bharti Airtel—the internet service provider—bungled about the IP address. What could have happened if it was an ordinary person with little or no knowledge of IT? The very thought makes me shudder.

Lakshmana's life changed overnight because of the brute force of the Indian state. He had been packing his bags in the middle of August last year as he had been selected by his company for their branch office in Singapore and life was looking up for their family. His elder brother had got married just about six months earlier and the 25-year-old Lakshmana, a native

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of Tirunaveli in Tamil Nadu, was looking forward to his stint abroad.

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THE MIDNIGHT KNOCK

apartment watching a cricket match. "I went to sleep late. So when the next morning when the Pune police started pounding at my door, it took me some time to open the door. I was absolutely drowsy and could not even understand when the police told me that I was under arrest for defaming Shivaji," recalls Lakshmana. There was no question of having any lawyer either. Within hours, he was on his way to a jail in Pune.

The sad part is that India has very few lawyers who are well versed with information technology laws. And to get one in

Pune was very difficult. Life along with other jail inmates for this techie was tough. And what's worse, Lakshmana could not even tell them about his alleged crime. "I was told that I might be beaten up if I mentioned that Shivaji Maharaj had been insulted. So when someone asked me why I was in jail, I fobbed them off with some theft story," says Lakshmana.

His initial bail plea was rejected and it was only after 50 days that he was let off. "I pray to god that even my worst enemy should not go through what I have gone through. Here I was,

a middle-class person in a Bangalore apartment one day and the next day in a queue along with hardened criminals awaiting my turn for the toilet and for food, incidentally using the same vessel," he recalls.

Almost two-and-a-half months after being

released from the jail, Lakshmana has yet to recover physically and has not rejoined his company. Skin rashes, liver enlargement and stress caused by the 50 days in jail have physically hit him hard. His family and his company have been a source of support though both Airtel and the Pune police have started the passing-the-buck game.

