

Report on the Arbitrary Incarceration Luci Everylove (formerly Ryan Clayton) in India

Subject: The unlawful administrative detention and alleged torture of Mr. Lucifer Everylove (formerly Ryan Todd Clayton).

Current Status: Detained in the “Special Camp” for Foreigners, Trichy Central Prison, Tamil Nadu, despite being granted statutory bail.

Duration of Custody: Over 250 days (since March 30, 2025).

Summary

Mr. Lucifer Everylove, a U.S. citizen formerly known as Ryan Clayton, has been arbitrarily detained in India for over 250 days following his arrest on March 30, 2025, for entering the country from Nepal without a visa. Although granted "statutory bail" on August 19, 2025, due to the police's failure to file a chargesheet within the mandatory 60-day limit, state authorities immediately transferred him to the Trichy Special Camp under an administrative order, effectively nullifying his judicial release.

The legal basis for his continued incarceration is incoherent. He is charged with “abetting” his own illegal entry (Section 14C, Foreigners Act) and attempting to “depart” without a passport (Section 3, Passports Act), despite possessing a valid U.S. passport and being arrested while *entering* the country.

Conditions in detention are critical. Mr. Everylove alleges severe custodial torture, including flogging and beatings that resulted in unconsciousness,

alongside the denial of emergency medical care for head trauma. This indefinite administrative detention violates India's statutory bail provisions (BNSS §187), the ICCPR's prohibition on arbitrary detention, and the UN Mandela Rules regarding prisoner healthcare. Immediate diplomatic intervention is necessary to facilitate his deportation—the standard legal remedy for visa violations—rather than continued punitive confinement.

The Core Narrative: What Happened?

Mr. Lucifer Everylove, an American citizen from New Hampshire, entered India via the land border with Nepal in early 2025. Motivated by a spiritual intent to visit sacred Hindu sites, he traveled to the Kumbh Mela in Uttar Pradesh and subsequently to the Ramanathaswamy Temple in Rameswaram, Tamil Nadu. On March 30, 2025, while walking in Dhanushkodi—a sensitive coastal area—he was intercepted by the Marine Police.

Although Mr. Everylove possessed a valid United States passport, he did not hold a valid Indian visa for his entry from Nepal. He was arrested and charged with illegal entry. However, rather than processing him for deportation—the standard administrative remedy for such violations—the local authorities registered a criminal case invoking severe and legally incoherent charges, including “abetment” of his own entry and “attempting to depart” without a passport, despite having seized his passport upon arrest.

The legal process has since devolved into a Kafkaesque cycle of procedural abuse. The police failed to file a chargesheet (the formal accusation) within the mandatory 60-day legal limit. Consequently, under Indian law (Section 187 of the Bharatiya Nagarik Suraksha Sanhita), Mr. Everylove was granted “default bail” on August 19, 2025. This should have resulted in his release or deportation. Instead, the state authorities immediately invoked an administrative provision (Foreigners Act Section 3(2)(e)) to transfer him from a regular prison to a “Special Camp” located within a prison complex.

In this “Special Camp,” Mr. Everylove remains incarcerated indefinitely. He reports subjected to severe physical abuse, including floggings and beatings that have resulted

in unconsciousness and head trauma, for which he has been denied medical care. His detention is now “administrative” rather than “judicial,” meaning he is held not because he is serving a sentence, but because the state refuses to release him pending a trial that has no end in sight.

Key International Norms and Laws Violated

The treatment of Mr. Everylove constitutes a breach of multiple binding international and domestic legal standards:

1. **Freedom from Arbitrary Detention (ICCPR Article 9):**
The failure to release him after the statutory bail period, and his subsequent re-arrest under administrative “camp” rules, violates the fundamental right to liberty. The police failure to file charges within the deadline renders his continued custody unlawful.
2. **Prohibition of Torture and Inhumane Treatment (ICCPR Article 7 & CAT):**
Credible allegations of physical assault by prison staff (flogging with wooden sticks, beating into unconsciousness) and the use of solitary confinement without light or food constitute torture under international law.
3. **Right to Medical Care (UN Mandela Rules):**
The refusal to provide emergency medical treatment following head injuries and loss of consciousness violates the United Nations Standard Minimum Rules for the Treatment of Prisoners (Rules 24 and 27).
4. **Consular Notification and Access (VCCR Article 36):**
The authorities failed to provide prompt consular notification or access to the U.S. Embassy upon his arrest and subsequent transfer, hindering his right to diplomatic protection.
5. **Equality Before the Law (Indian Constitution Article 14):**
Mr. Everylove alleges discriminatory treatment compared to other nationals, describing the facility as a “slave colony” where foreign nationals, particularly those of African descent, are held indefinitely while others are repatriated.

1. Introduction: The Geopolitics of a Pilgrimage

The incarceration of Lucifer Everylove represents a collision between individual spiritual pursuit and the rigid, often draconian, machinery of border security in the

Indian sub-continent. To understand the severity of the legal response to what is ostensibly an immigration violation, one must contextualize the location and the timing.

Mr. Everylove was apprehended in Dhanushkodi, a ghost town on the southeastern tip of Pamban Island, Tamil Nadu. Geographically, this is the closest point in India to Sri Lanka—a mere 24 kilometers across the Palk Strait. Historically, this zone has been a theater of intense security scrutiny due to the Sri Lankan Civil War, refugee influxes, and cross-border smuggling. It is not a standard entry point for international tourists; it is a maritime border zone patrolled by the Q-Branch (Tamil Nadu’s internal security division) and the Marine Police.

When Mr. Everylove, an American citizen without a visa, was found “wandering” in this sensitive zone, the state apparatus did not view him merely as a visa violator. The reaction—charging him with abetment and blocking his release—suggests he was viewed through a security lens. However, the subsequent failure of the police to substantiate any security threat (evidenced by the failure to file a chargesheet within the statutory period) exposes the hollowness of these suspicions. The continued detention, therefore, is not a matter of national security, but of bureaucratic inertia and procedural malice.

This report serves as a comprehensive dossier for legal and diplomatic advocacy. It deconstructs the legal fallacies of the charges, documents the timeline of procedural lapses, and illuminates the humanitarian crisis unfolding within the walls of the Trichy Special Camp.

2. Reconstruction of Events

The following reconstruction is derived from a forensic analysis of the First Information Report (FIR), judicial orders from the Madurai Bench of the Madras High Court, and the detainee’s own correspondence.

2.1 The Interception and Arrest

On March 30, 2025, at approximately 11:30 AM, Sub-Inspector S. Kalidoss of the Rameswaram Marine Police Station was conducting a patrol near Pachabatti,

Dhanushkodi. The FIR records that the patrol team spotted a “foreigner” walking in a suspicious manner.

Upon interception, the individual identified himself as **Lucifer Everylove** (S/o Ryan Claton/Clayton), aged 44, a resident of Manchester, New Hampshire, USA.

- **Seizure:** The police seized his United States Passport and a “1+ Android” mobile phone.
- **Statement:** During on-site interrogation, Mr. Everylove was transparent about his movements. He stated he had flown from San Francisco to Delhi (via Bangkok), traveled to Nepal, and then entered India via the porous land border without a valid visa. He claimed his purpose was purely spiritual: to attend the Kumbh Mela in Uttar Pradesh and worship Lord Ramanathaswamy in Rameswaram.
- **The Documentation Gap:** Mr. Everylove possessed a visa application but admitted he did not hold a valid visa for India.

Despite the voluntary disclosure and the possession of a valid US passport (which establishes identity and nationality, negating the risk of statelessness), he was arrested. The formal FIR (No. 21/2025) was registered at the Dhanushkodi Police Station at 14:00 hours on the same day.

2.2 The Judicial Custody Phase

Following his arrest, Mr. Everylove was remanded to judicial custody. He was initially transferred to **Puzhal Central Prison** in Chennai, a facility known for housing foreign nationals in its “High Security Block.”

- **April 2025:** Correspondence from Mr. Everylove indicates he was held in conditions he described as a “slave colony,” observing the indefinite detention of numerous African nationals (Nigerians, Angolans, Ethiopians) who had finished their sentences or were awaiting trial for years.
- **Bail Rejection (July 2025):** On July 9, 2025, Justice P. Vadamalai of the Madurai Bench of the Madras High Court dismissed his bail petition (Crl.O.P(MD)No.9047 of 2025). The court cited the “preliminary stage” of the investigation and the fact that reports were still being awaited from other states regarding his travel route. Crucially, the prosecution argued that he had traveled “more than 5000 kms in India” and posed a high flight risk.

2.3 The Statutory Bail and Transfer to “Camp”

The turning point in the legal narrative occurred in August 2025. Under Indian procedural law (specifically the Bharatiya Nagarik Suraksha Sanhita, 2023), the police have a fixed time to complete an investigation.

- **The Default:** The police failed to file a chargesheet within the mandatory 60-day window following his remand.
- **The Consequence:** On **August 19, 2025**, the Judicial Magistrate at Ramanathapuram granted Mr. Everylove “Statutory Bail” (also known as Default Bail).

Legally, this order commanded his release from judicial custody. However, the state executive machinery immediately intervened. Invoking the Foreigners Act, the state transferred him from Puzhal Prison to the **Trichy Special Camp** on September 1, 2025. While technically “on bail” regarding the criminal case, he remains physically incarcerated under administrative orders, effectively nullifying the judicial relief.

2.4 Timeline of Events

Date	Event	Location	Legal Significance
30 Mar 2025	Arrest by Marine Police.	Dhanushkodi	FIR 21/2025 registered u/s 14C Foreigners Act.
08 Apr 2025	Alleged assault (flogging).	Puzhal Prison	Violation of custodial integrity (D.K. Basu guidelines).
30 May 2025	60-Day investigation limit expires.	–	Right to Statutory Bail accrues (BNSS §187).
09 Jul 2025	High Court denies regular bail.	Madurai Bench	Court cites flight risk; ignores statutory default.

11-22 Jul 2025	Solitary confinement.	Puzhal Prison	Alleged torture; denial of food/light.
19 Aug 2025	Statutory Bail granted.	Ramanathapuram	Judicial recognition of police failure to charge.
01 Sep 2025	Transfer to Special Camp.	Trichy	Transition from Judicial to Administrative Detention.
02 Sep 2025	Assault upon entry to Camp.	Trichy Camp	Severe head injury alleged; medical care denied.
19 Nov 2025	Second assault in Camp.	Trichy Camp	Repeated custodial violence; unconsciousness.
Dec 2025	Continued Detention.	Trichy Camp	Duration exceeds 250 days without trial.

3. Analysis of Charges and Procedures

The legal peril facing Mr. Everylove is constructed upon three specific statutory pillars: two criminal charges and one procedural mechanism. A forensic analysis reveals that the criminal charges are legally incoherent, likely applied strategically to prevent early release, while the procedural mechanism is being misused to effectuate indefinite detention.

3.1 The “Self-Abetment” Fallacy (Foreigners Act, Section 14C)

The FIR charges Mr. Everylove under **Section 14C of the Foreigners Act, 1946**. This

section deals with the “Penalty for abetment.”

Section 14C: “Whoever abets any offence punishable under section 14 or section 14A or section 14B shall, if the act abetted is committed in consequence of the abetment, be punished with the punishment provided for the offence.”

Legal Analysis:

Abetment, by definition under Indian law (Section 107 IPC), requires the involvement of more than one person: an abettor and a principal offender. One cannot abet oneself.

- **The Absurdity:** Mr. Everylove is accused of entering India illegally. He is the *principal offender*. The appropriate charge for illegal entry is **Section 14A(b)** (“Penalty for entry in restricted areas, etc... enters into or stays in any area in India without the valid documents”).
- **Strategic Overcharging:** Why charge Section 14C? In cases like *Sanjay Sarkar v. State of West Bengal*, Indian courts have clarified that Section 14C requires evidence of instigation or conspiracy with others. By invoking 14C, the police imply a conspiracy. This allows them to argue for a more complex investigation, justifying longer remand periods and opposing bail on the grounds that “co-accused are at large.”
- **Conclusion:** The application of Section 14C to a solo traveler is a legal nullity. It is a “padding” charge designed to inflate the severity of the file.

3.2 The “Departure” Anomaly (Passports Act, Section 3)

The FIR further charges Mr. Everylove under **Section 12(1)(a)** read with **Section 3** of the Passports Act, 1967.

Section 3: “No person shall **depart from, or attempt to depart from, India** unless he holds in this behalf a valid passport or travel document.”⁵

Legal Analysis:

- **Factual Disconnect:** Mr. Everylove was arrested for *entering* India from Nepal and being found in Tamil Nadu. While the prosecution vaguely argued in the High Court that he “attempted to exit,” the FIR states he was found “wandering” on the road.

- **Possession of Passport:** The FIR explicitly records the seizure of his “United States of America Passport.” Section 3 criminalizes departure *without* a passport. It does not criminalize departure without a *visa* (which is a Foreigners Act issue). Since he held a valid passport, he cannot be in violation of Section 3 of the Passports Act, even if he *were* trying to leave.
- **Conclusion:** The invocation of Section 3 is factually and legally erroneous. It conflates “visa violation” (Foreigners Act) with “passport violation” (Passports Act). This error further demonstrates the mechanical and potentially malicious nature of the FIR framing.

3.3 The Violation of Statutory Bail (BNSS Section 187)

The most egregious procedural violation concerns the denial of statutory liberty. The **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023**, which replaced the Code of Criminal Procedure (CrPC), mandates strict timelines for investigation to prevent indefinite pre-trial detention.

- **The Law (Section 187 BNSS):** If the investigation is not completed within **60 days** (for offenses punishable with imprisonment of less than 10 years), the accused has an “indefeasible right” to be released on bail.⁷
- **The Calculation:**
 - Maximum punishment for Foreigners Act §14A is 8 years.²
 - Maximum punishment for Passports Act §12 is 2 years.⁹
 - Therefore, the **60-day limit** applies.
- **The Breach:** Mr. Everylove was remanded on March 30, 2025. The 60-day period expired on **May 29, 2025**. By July 9, 2025 (High Court hearing), he had been in custody for 101 days without a chargesheet.
- **Judicial Failure:** The High Court dismissed the bail on July 9 based on “merits” (flight risk), completely overlooking the “default bail” right which had already accrued. Supreme Court precedents (*M. Ravindran v. Intelligence Officer*) hold that once the period expires, the court *must* grant bail if applied for; it has no discretion to look at the merits or flight risk. The detention from May 29 to August 19 (when bail was finally granted) was strictly illegal detention.

4. The “Special Camp” Phenomenon: Administrative Detention Disguised

The transfer of Mr. Everylove to the Trichy Special Camp on September 1, 2025, represents a shift from judicial custody (governed by criminal law) to administrative detention (governed by executive order). This mechanism effectively renders the grant of bail meaningless.

4.1 Legal Basis: Section 3(2)(e)

The state relies on **Section 3(2)(e) of the Foreigners Act, 1946**, which empowers the Central Government (delegated to State Governments) to make orders requiring a foreigner to “reside in a particular place” and imposing “restrictions on his movements”.⁰

- **The Pretext:** The state argues that a foreigner without a valid visa cannot be set free in society as they have no legal right to residence. Therefore, the “Special Camp” is designated as their place of residence.
- **The Reality:** Physically and operationally, the Trichy Special Camp is a prison. It is located within the Trichy Central Prison complex, guarded by police, and inmates are not free to leave.

4.2 Historical Context: The “Rajiv Gandhi” Precedent

To understand the severity of the Trichy Special Camp, one must look at its most famous inmates. Following their release by the Supreme Court in 2022, the Sri Lankan nationals convicted in the **Rajiv Gandhi assassination case** (Robert Payas, Murugan, Santhan, Jeyakumar) were immediately moved to the Trichy Special Camp.²

- **Inmate Accounts:** Robert Payas and Jeyakumar filed petitions describing the camp as “worse than prison” because, unlike prison, there is no sentence expiry date.⁴ They reported being confined to rooms, denied interaction, and subjected to indefinite waiting periods for deportation.
- **Implication for Everylove:** By placing Mr. Everylove in this specific facility, the state has categorized him alongside high-security individuals, subjecting

him to a regime designed for former militants and “threats to national security,” rather than for visa violators.

4.3 The Legal Grey Zone

While the Madras High Court has upheld the use of Special Camps for foreigners who pose a flight risk (*Suresh Raj v. State*), it has also clarified that such confinement cannot be indefinite. However, the operational reality is that inmates often languish for years. In November 2025, Nigerian inmates at the Trichy camp staged protests and hunger strikes demanding deportation, citing the indefinite nature of their confinement even after acquittals.⁵ This corroborates Mr. Everylove’s description of the facility as a warehouse for the unwanted.

5. Human Rights Crisis: Torture and Neglect

Beyond the legal violations, the reports from Mr. Everylove suggest an active humanitarian crisis involving physical torture and gross medical negligence.

5.1 Allegations of Custodial Torture

Mr. Everylove has detailed specific, dated incidents of violence that meet the international definition of torture:

- **April 8, 2025 (Puzhal Prison):** Flogged repeatedly with a large wooden stick by a prison officer. This violates the Indian Supreme Court’s *D.K. Basu* guidelines which strictly prohibit the use of third-degree methods.
- **July 11–22, 2025 (Puzhal Prison):** Rigorous solitary confinement without food, medical care, or sunlight.
- **September 2, 2025 (Trichy Camp):** Upon transfer, he was allegedly thrown to the ground by police; his head struck the concrete, rendering him unconscious.
- **November 19, 2025 (Trichy Camp):** Dragged, kneed in the head, and hit in the face with a wooden stick, leading to a second episode of unconsciousness.

These acts violate **Article 7 of the ICCPR** (“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”) and **Article 21 of the Indian Constitution** (Right to Life and Dignity).

5.2 Medical Neglect and the Mandela Rules

The refusal to provide medical care following the head injury on September 2, 2025—where Mr. Everylove was left vomiting in the dirt while unconscious—is a grave violation of the **UN Nelson Mandela Rules**.

- **Rule 24:** “The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community.”.⁶
- **Rule 27:** “All prisons shall ensure prompt access to medical attention in urgent cases.”.¹⁷
Vomiting after head trauma is a neurological red flag indicating potential brain injury. The denial of hospitalization in such a scenario constitutes “deliberate indifference” to a life-threatening condition.

5.3 Discrimination and “Slave Colony” Conditions

Mr. Everylove’s correspondence highlights a racial disparity in the detention regime. He notes that the “High Security Block” and the camps are populated disproportionately by African nationals (Nigerians, Angolans) who remain detained long after their sentences, while other nationals are repatriated. This systemic delay in processing African detainees creates the “slave colony” atmosphere he describes, raising issues under **Article 26 of the ICCPR** (Equal Protection) and **Article 5 of the CERD** (Convention on the Elimination of All Forms of Racial Discrimination).

6. Diplomatic and Strategic Implications

The continued incarceration of a U.S. citizen under these conditions represents a failure of diplomatic protection and a potential friction point in U.S.-India relations.

6.1 U.S. Government Obligations

Under 22 U.S. Code § 1732, the President of the United States (and by delegation, the State Department) has a statutory duty: “...whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of

the President forthwith to demand of that government the reasons of such imprisonment...”.¹

The procedural illegality (101 days without chargesheet) and the torture allegations clearly qualify this case as “unjust deprivation of liberty,” triggering this statutory duty.

6.2 The Consular Failure

The Pre-Action Letter lists the U.S. Embassy and Consular Section as recipients, implying they have been notified. However, the lack of movement suggests a breakdown. Under **Article 36 of the Vienna Convention on Consular Relations (VCCR)**, India was obliged to inform the consulate “without delay.” If Mr. Everylove is being held incommunicado or if consular access is being restricted under the guise of “Special Camp” rules, this is a treaty violation.

6.3 Strategic Path Forward

The legal battle in Indian courts is slow. The “Abetment” charge, while legally weak, is designed to drag on. The most effective resolution is likely **diplomatic pressure aimed at deportation**.

- **The “Deportation Solution”:** The state has no interest in keeping a destitute foreigner indefinitely. The obstruction is the *pending case*.
- **Mechanism:** The prosecution can withdraw the case under **Section 360 BNSS (formerly 321 CrPC)** in the “interest of justice” or diplomatic relations. Alternatively, a “Plea Bargain” (accepting the 14A charge for time served) could clear the legal hurdle, allowing the Foreigners Regional Registration Office (FRRO) to issue a deportation order immediately.
- **Urgency:** Given the allegations of head trauma and torture, the priority must be *physical removal* from the Trichy Camp to a hospital or repatriation, rather than exoneration.

7. Conclusion

Mr. Lucifer Everylove is currently a victim of a legal system that has weaponized administrative procedure to bypass judicial liberty. What began as a visa violation—a regulatory offense committed by a pilgrim—has been escalated by the state into a

security case through the use of incoherent “abetment” charges and indefinite “camp” detention.

The evidence points to a tripartite violation:

1. **Procedural:** The failure to file charges within 60 days violated his statutory right to liberty.
2. **Substantive:** The charges of “abetting oneself” and “departing without a passport” (while holding one) are legally unsustainable.
3. **Humanitarian:** The physical abuse and medical neglect alleged are violations of fundamental human rights that transcend his immigration status.

This report concludes that Mr. Everylove’s continued detention serves no penal or security purpose and persists solely due to bureaucratic inertia and the lack of high-level diplomatic intervention. The path to his release lies in exposing the legal fragility of the charges and elevating the humanitarian urgency of his condition to the highest diplomatic channels.

Summary Data: Violations Checklist

Category	Specific Violation	Legal Basis	Evidence
Liberty	Illegal Detention (>60 days w/o charge)	BNSS §187(2)	FIR Date vs. Bail Date
Due Process	Misclassification of Charges (Abetment)	Foreigners Act §14C	FIR Narrative
Due Process	Misclassification of Charges (Departure)	Passports Act §3	Passport Seizure Record
Human Rights	Torture (Flogging, Beatings)	ICCPR Art 7 / CAT	Personal Statement

Health	Denial of Medical Care (Head Injury)	Mandela Rules (24, 27)	Personal Statement
Diplomacy	Failure of Consular Notification	VCCR Art 36	Pre-Action Notice