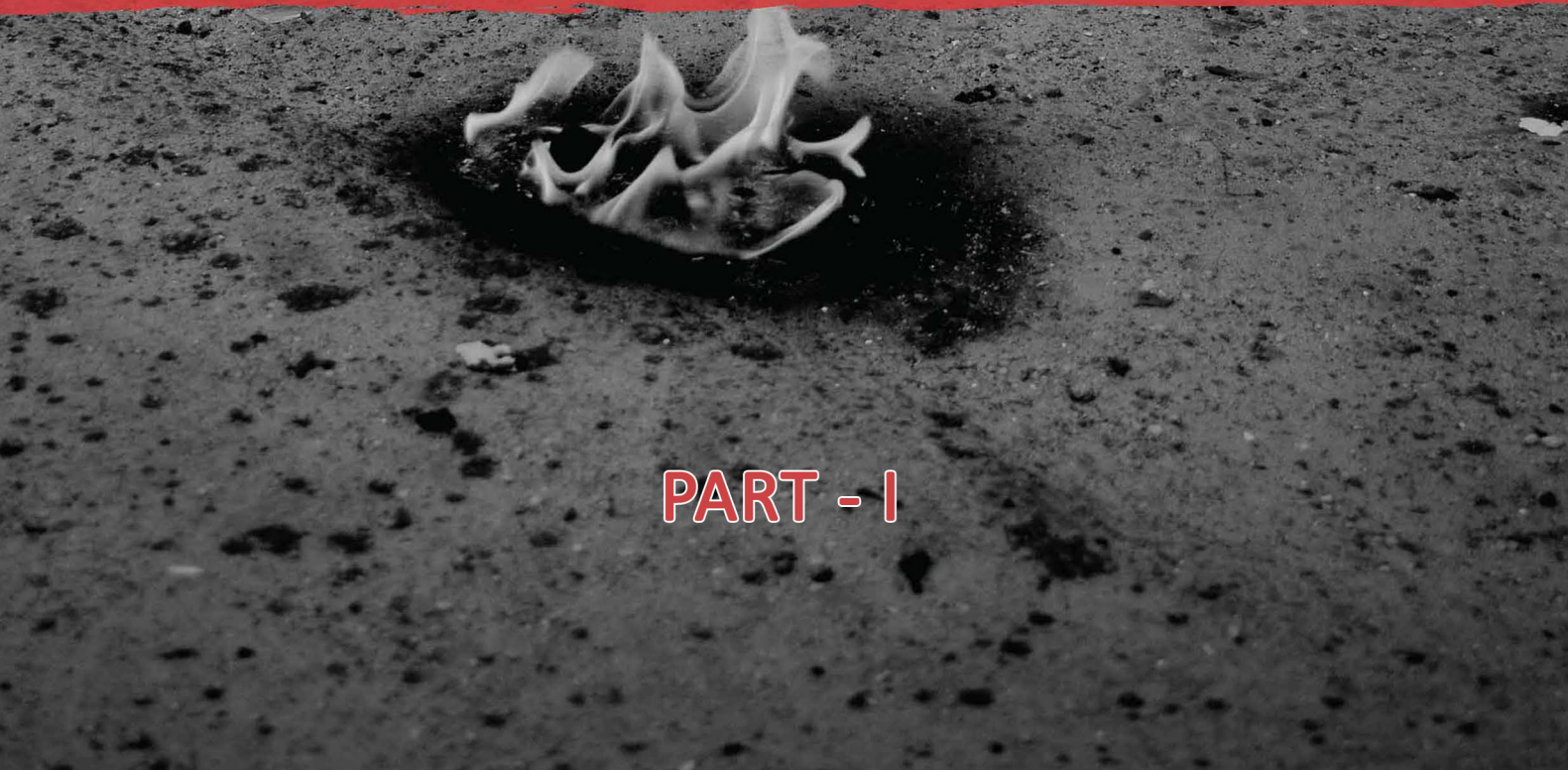




the day  
Tuticorin  
burned



PART - I

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25.	26.05.2018	Herald Scotland Samarendra Das	London Protests Condemn Thoothukudi Vedanta Massacre; Demand Action in India and UK	79
26.	26.05.2018 12:44	The News Minute TNM Staff	Sterlite Protest: 'Delist Vedanta from London Stock Exchange': UK's Labour Party on Thoothukudi Killings	84
27.	27.05.2018	Indian Express S Godson Wisely Dass & C Shivakumar	Thoothukudi Turmoil: Heart of Darkness	86
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30.	30.05.2018	The Hindu Rajeev Bhargava	Subjects, Citizens and Maharajas	89
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**Sample of Writ Petitions filed before the Madras High Court related to the  
Thoothukudi incident of 22 May 2018**

52.	<b>W.P. (MD) No. 9283 of 2018</b> , filed by Vaiko, General Secretary, Marumalarchi Dravida Munetra Kalagam (MDMK), No. 12, Rukmani Lakshmpathisalai, Egmore, Chennai 600 008, dated 23 <sup>rd</sup> April 2018, before the Madurai Bench of the Madras High Court	235
53.	<b>W.P. (MD) No. 11391 of 2018</b> , filed by K. Kathiresan, M/48/2018, S/o Karrupiah, 101, Cholan Cross Street, Pulithevan Street, Maruthupandiar Street, Meenambalpuram, Madurai-625 002, received 23 <sup>rd</sup> May 2018, before the Madurai Bench of the Madras High Court	250
54.	<b>W.P. (MD) No. 11396 of 2018</b> , filed by A. Syed Abdul Kader (M-34/18), S/o. Abdul Rasheedh, No.23A, Sungam Pallivasal Street, Madurai-01, received 24 <sup>th</sup> May 2018, before the Madurai Bench of the Madras High Court	264
55.	<b>W.P. (MD) No. 11397 of 2018</b> , filed by S. Muthukumar, Advocate, S/o (Late) K. Sankaran, Plot No. 430, S.L.C.5, L.I.G. Colony, Anna Nagar, Madurai-625 020, received 24 <sup>th</sup> May 2018, before the Madurai Bench of the Madras High Court	275
56.	<b>W.P. (MD) No. 11398 of 2018</b> , filed by M. Alagarsamy, S/o. K.Manohar, No. 96/4, Sethu Palace, 1 <sup>st</sup> Floor, Main Road, Kovilpatti, Thoothukudi District, received 24 <sup>th</sup> May 2018, before the Madurai Bench of the Madras High Court	286
57.	<b>W.P. (MD) No. 11399 of 2018</b> , filed by C. Ezhilarasu, S/o. A. Chandrasekaran, Deva Padmavathi Illam, Mass Line, Melur Main Road, Y. Othakadai, Madurai District, received 24 <sup>th</sup> May 2018, before the Madurai Bench of the Madras High Court	302
58.	<b>W.P. (MD) No. 11400 of 2018</b> , filed by K. Rajkumar, S/o Kumariah, No. 12/5 Ezhil Street, Indu Nagar, S. Kodikulam, Madurai-7, received 24 <sup>th</sup> May, before the Madurai Bench of the Madras High Court	308
59.	<b>W.P. No. 11401 of 2018</b> , filed by Kavin Malar, D/o. Jareen Kanthan, Aged 20, 14/1, Navarath Colony, Second Street, Kalakshethra Colony, Besant Nagar, Chennai-19, received 25 <sup>th</sup> May 2018, before the Madras High Court	321

60.	<b>W.P. (MD) No. 11502 of 2018</b> , filed by Kanthakumar, S/o of Mr. Ramakrishnan, Door No.4/316, Main Road, Pudukottai, Pin – 628103, Tuticorin District, received 28 <sup>th</sup> May 2018, before the Madurai Bench of the Madras High Court	334
61.	<b>W.P. (MD) No. 11661 of 2018</b> , filed by N. Muthu Amuthanathan, General Secretary, All India Lawyers Union, Tamil Nadu State Committee, 4/412, College Street, Tahsildar Nagar, Madurai – 625 020, received 5 <sup>th</sup> June 2018, before the Madurai Bench of the Madras High Court	349
62.	<b>W. P. (MD) No. 12297 of 2018</b> , filed by Henry Thomas, (M/A – 54 years), S/o. E.R.Rajaiah, Door No. 13/1, Vathiyar Street, Thoothukudi – 682 001, received 7 <sup>th</sup> June 2018, before the Madurai Bench of the Madras High Court	357
63.	<b>W.P. (MD) No. 13417 of 2018</b> , filed by AWD Tilak, S/o Late V.Antonysamy Pillai, 52, S.M.Puram 2 <sup>nd</sup> Street, Thoothukudi-628003, dated 21 <sup>st</sup> June 2018, before the Madurai Bench of the Madras High Court	370

# **THE SUMMER THAT SHOOK THOOTHUKUDI**

*The Anti-Sterlite Demonstrations and Police Firings*

Findings, observations and demands of the 'Coordinating Committee  
for People's Inquest into Thoothukudi Police Firing'

# 1. Introduction

On May 22, 2018, around noon, media reports started coming in from Thoothukudi (also referred to as Tuticorin), about police firings on those who had gathered at the Thoothukudi District Collectorate to mark the 100<sup>th</sup> day of peaceful demonstrations against the proposed expansion of Vedanta's Sterlite Copper.

Over the previous 99 days people across Thoothukudi, including residents of villages situated close to the plant, had staged protests against expansion and had submitted petitions on the issue to the DC, Mr N. Venkatesh, IAS. In the absence of any response from the district administration, they had planned to march towards the Collectorate on the 100<sup>th</sup> day.

According to the Government of Tamil Nadu, by the evening of May 22, eleven people were killed in police firings. The government claimed that the firings were in response to the marchers resorting to violence. Those who were associated with the demonstrations of May 22, comprising local residents, political parties and activists, denied this allegation.

The evidence gathered from eye-witness accounts, images and videos caught on cameras and contemporaneous reports in both national media and social media about the manner in which the police were said to have attacked the demonstrators and resorted to firing live ammunition into the crowds, raise several disturbing questions about the modus operandi of the district administration and police, prior to May 22, on May 22 and in the days that followed. The internet shutdown until May 25 and the imposition of Section 144 until May 27, were also questionable decisions since they restricted the gathering and flow of information from Thoothukudi.

To date, the administration has not made clear the decision-making process behind the order to fire into the crowds, and there is still no clarity on the authority, person/persons responsible for arriving at that fatal decision.

Evidence that came up before the fact-finding team<sup>1</sup>, between May 28 – June 1, in Thoothukudi, also revealed a slew of extremely important issues that went much beyond questions restricted to the firing on May 22 which were also duly monitored with prior intimation<sup>2</sup>.

Given the important ramifications that these findings had for Indian democracy and the functioning of the Indian state, a coalition of civil society organisations and individuals, under the banner of 'Coordinating Committee for People's Inquest into Thoothukudi Police Firing', was set up. It organised an independent People's Inquest (PI) on June 2-3, 2018, at Thoothukudi<sup>3</sup>. The mandate of the PI was specifically to look at the events that led to the 100 days of peaceful protests in Thoothukudi; the rally to the Collectorate on May 22; and killings, arbitrary detentions, cases of torture and police intimidation on May 22 and thereafter.

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<sup>1</sup> A team of 69 members comprising of lawyers, academics, researchers and activists visited Thoothukudi between May 28 – June 1. This team gathered close to 217 statements relating to the deaths in police firings, deaths due to police torture, illegal detentions and arrests, midnight knocks by police, detention in hospitals, gaps in post-mortem etc. This team also gathered First Information Reports, medical reports and other relevant documents. The composition of the team is detailed in Annexure 1 of Part I on Pg A-1.

<sup>2</sup> Intimation sent to District officials by e-mail about the human rights monitoring team of People's Watch dated 21.05.2018. Annexure 3 of Part I on Pg A-9.

<sup>3</sup> Intimation sent to District and State officials by e-mail about the People's Inquest team visit dated 31.05.2018. Annexure 4 of Part I on Pg A-11.

The objectives of the PI were:

- To ascertain the facts that led to the continuing protests by residents of Thoothukudi and surroundings over the years and particularly in the last 100 days.
- To ascertain from eye witness accounts the immediate facts and circumstances preceding the rally in which police actions, including lathi charge and firing on the rallyists, took place.
- To meet with officials in the police, administration and the health sector, as well as local organisations.
- To ascertain the lead up to the police firing through the gathering of statements from eye-witnesses; families of the deceased; officials from district administration; the district police department; representatives of the anti-Sterlite protest committee.
- To ascertain the circumstances in which police firing was authorised to take place and the person or persons who authorised the same.
- To ascertain details of the police actions in Thoothukudi immediately after the police firing on May 22.
- To ascertain and gather information about the actions taken on May 22 by the state government, district administration and police department, in preparing for the response to the people's rally, including whether measures if any were taken to ensure the safety and security of the demonstrators, many of whom were expected to be women and children.
- To analyse the available documents, evidences from various government departments, the Tamil Nadu Pollution Control Board, petitions, affidavits, evidences, and judgments of the High Court and Supreme Court vis-a-vis the firing incident and the Sterlite Copper plant in Tuticorin, and the compilation of the same.
- To suggest ways for legal intervention in all the courts, national and state; human rights institutions; and other relevant national and international forums.

The PI team was composed of:

1. Justice (Retd.) B.G. Kolse Patil, Former Judge, Bombay High Court
2. Justice (Retd.) Hariparanthaman, Former Judge, Madras High Court
3. Mr. M.G. Devasahayam IAS (Retd.) Former Chief Secretary Haryana
4. Dr. Christodoss Gandhi IAS (Retd.), Former Additional Chief Secretary, Tamil Nadu
5. Mr. Kamal Kumar IPS (Retd.), Former Director, National Police Academy, Hyderabad
6. Mr. R.B.S. Sreekumar IPS (Retd.), Former Director General of Police, Gujarat
7. Mr. Jacob Punnose IPS (Retd.), Former Director General of Police, Kerala & Former Special Rapporteur, NHRC
8. Prof. Dr. K. Mathiharan, Forensic medicine expert & formerly with University of Malaya, Malaysia
9. Ms. Geetha Ramaseshan, Advocate, Madras High Court

10. Dr. Usha Ramanathan, Legal Researcher, New Delhi
11. Ms Maja Daruwala, Senior Advisor – Commonwealth Human Rights Initiative, New Delhi
12. Prof. Kalpana Kannabiran, Director – Council for Social Development, Hyderabad
13. Prof. Shiv Visvanathan, Professor, O.P. Jindal Global University, Sonapat, Haryana
14. Ms. Pamela Philipose, Senior Journalist, New Delhi
15. Mr. Amit Sengupta, Senior Journalist, New Delhi
16. Ms. Kavitha Muralidharan, Journalist, Chennai
17. Dr. Savior Suresh, Forensic Medicine Expert, Chennai
18. Dr. V.A. Ramesh Nathan, Advocate & General Secretary, National Dalit Movement for Justice, New Delhi
19. Mr. Tom Thomas, Convenor, Corporate Responsibility Watch
20. Ms. Kavitha Gajendran, Social Activist, Chennai
21. Dr. T.M.N. Deepak Nathan, President, December 3 Movement
22. Mr. T. Peter, National Fishworkers Forum, Trivandrum
23. Mr. Jasaiah Joseph, National Fishworkers Forum, Kanyakumari

This is the final report of the PI team. It follows the interim report which was released to the public on June 3, 2018, in Thoothukudi.

## 2. Conclusions

Based on people's testimonies, eyewitness accounts, documents and records available in the public domain to date, the People's Inquest finds that the following circumstances deserve the fullest administrative and criminal investigation in order that responsibility can be fixed at the earliest possible time and recompense provided to those who have suffered death injury or rights violation.

We find that:

- Well before the May 22 rally, the administration had full knowledge of the year - long preparations being made for it, its scale and intention, as well as full knowledge that there would be a large number of families, ordinary men, women, children and older people present, but deliberately neglected to arrange for the safety of the rallyists.
- The administration did little or nothing to ensure that people were made aware of any last-minute Section 144 orders.
- By deliberately absenting themselves from the vicinity on May 22 the entire administration abnegated its duties in a cowardly manner and ceded all civilian authority and power to the police. This in our view amounts to dereliction of duty of public servants and was strongly contributory for the violence of May 22 and for the deaths that occurred.
- The police, in its turn did not reach out to the rallyists nor make arrangements to accompany the peaceful march so that rallyists could exercise their fundamental right to peaceful protest in an orderly manner without fear of harm or disruption.
- The police did not follow standard operating procedures to disperse the crowd.
- The police used excess force in many separate places and at many different times against the marchers often without provocation. Eye-witness accounts strongly suggest police violence was not with the intention of dispersing the crowd but intended to intimidate, hurt and panic them.
- The presence of sharpshooters/snipers placed strategically on rooftops and able to target the crowd who are widely believed to be policemen in plain clothes, is either evidence of unprecedented pre-meditated police planning with a view to maim and kill or it is a grave dereliction of duty on the part of the police and administration to allow the crowd to be prey to such 'disruptors'. Either way given the video footage and police movement and communications the truth is easily investigated and established. Consequently, there is sufficient cause to ground investigations into murder which must be initiated forthwith.
- There is sufficient preliminary information and eye-witness accounts to merit investigating the allegation that stone-pelters and arsonists may have been from within the police itself. Even if untrue and exaggerated, in order to re-establish the communities' trust the government and the police establishment must hold independent publicly accessible inquiries into these allegations.



- Given that it is widely believed to have been the handiwork of the police, there is sufficient cause to initiate a murder investigation into the killing of Ms. Jansy, a well-known anti-Sterlite organiser at Therespuram which is several miles away from the site of the rally as well as those of many others.

Police on the ground do not act without sanction from seniors. In the wake of 14 deaths and multiple injuries and assaults on women and children, an administrative inquiry must be initiated into the role of superior officers in relation to the many negligent or illegal actions of the police in the run up to the rally, during the rally and after it.

There is unequivocal evidence that immediately after May 22 in the aftermath of the rally police powers apparently unsupported by valid authority are being abused to conduct searches, make unjustified spot arrests, and hold people in custody in denial of their rights to be arrested for valid reason, be provided with representation and be brought before a judicial magistrate at the earliest. Widespread accusations of such repeated illegalities we believe amount to abuse of power and serious crimes under the IPC and amount to obstruction of justice as they prevent victims from accessing justice without fear or favour.

The use of 'open FIRs' lends itself to being used as a device to threaten, intimidate and entrap people at will and prevent victims, eyewitnesses and concerned citizens from filing complaints against the police in relation to the same and related incidents.

In the absence of any law and order problem in the area there is no need for continuing an enhanced police presence at Thoothukudi. Its continuation affirms public fears that the police and the administration are motivated in their actions by an intention to break the movement against polluting industries wherein Sterlite is a prime contributor.

### 3. Observations

- The last 99 days of the Anti-Sterlite Protest in and around Thoothukudi, commencing on February 11, 2018, with the traders' association and other bodies taking the initiative, including the one-day dharna of March 24, 2018, ending with a candlelight ceremony and spontaneous and continuous sit-in struggles in several villages as well as different parts of the city had been totally peaceful. Neither the public nor the district administration has maintained that they were not peaceful.
- The PI team observes from testimonies that *pandals* came up in different neighbourhoods in the city like, Millerpuram, Third Mile, Fathima Nagar, where people took turns to stage sit-ins. Simultaneously, protests took place in several villages near the Sterlite plant. People testified that they have gathered under trees, pasted posters on their walls and that family members would even have school children participating after classes. It became obvious to the PI team that this was a very organized, peaceful, well thought-out protest covering the urban and rural populations, which had sustained itself over the years and had grown out of the personal pain, suffering, loss of life and loss of livelihood of the local people. They were convinced that it was only a peaceful struggle that will realise their dreams of living in a clean and toxin-free environment.
- The PI team further observes that after a number of failed attempts to try and meet the DC to submit a memorandum demanding the permanent closure of Sterlite, people from close to 18 villages, wards and about 15 unions held a meeting at Pandarampatti where it was decided that on May 22 -- the 100<sup>th</sup> day of the protest -- they would stage a march to the Collectorate demanding that the Sterlite Copper Smelter Plant be permanently shut down.
- The PI team notes that the present campaign was a grassroots one and arguably the first of its kind in post-independence India on the issue of corporate control and environmental safety. Four aspects were striking about the mobilisation. One, that public enthusiasm for resistance to the growing presence of Sterlite never waned during this period that spanned a little over three months, in fact it only grew. Two, it emerged as a broad coalition of people from varying backgrounds that included different religions, castes, classes and location. Interestingly, many otherwise marginalized groups like dalits and transgenders came to play important leadership roles in these protests. Three, it was completely peaceful. Everybody resolved to go ahead and drive Sterlite out, but in a totally non-violent way. Four, it was the women – often women with young children – who took the lead in several pockets and occasionally led the charge fearlessly, confronting policemen and public functionaries. They saw this as having a crucial bearing on their health, livelihoods and the future of their children.
- The PI team observes that on May 20 'peace talks' were called for by the District Administration and that this meeting was chaired by the District Superintendent of Police (SP), while the District Magistrate (DM), who is responsible for the law and order and who should have led the meeting and reached out to people, was absent. The PI team observes his absence seems to indicate that he was willingly leaving the handling of a large civilian gathering to the police and treating it as a 'disruption' that needed 'police action' rather than as a 'citizen's movement reflecting concern for the future of the land and its people'.

- The invitations for the 'peace meeting', the PI team observes, have been sent to "23 selected organisations". Leaders of some selected organisations, which are now being named by the State and District Administration, police authorities and some political leaders as being responsible for organising the rally to the Collectorate, such as Makkal Athikaram, Puthiya Jananayagam, Revolutionary Student and Youth Federation and the Human Rights Protection Center, were conspicuous by their absence at the 'peace meeting' because they were not officially invited. The PI team observes that not extending an invitation to the leaders of the said organisations and others -- who were in constant communication with the police and District Administration on earlier occasions in Thoothukudi -- was intentional and done by design.
- The PI team observes that District Administration's suggestion to hold the 100<sup>th</sup> day rally in a small school ground suggests that it had not grasped the level of people's concern for protecting their environment and health, nor indeed the depth of their long-standing sense of grievance against Sterlite. This indicates a deliberate refusal to comprehend the degree of public support or to 'manage' it by framing it as an event of short duration in a contained area, for the convenience of the administration.
- The PI team observes that allowing an assembly in one place and prohibiting it in another area close by, despite knowing that the rally participants wanted to march towards the Collectorate, appears to have been a strategic blunder which made Section 144 practically unenforceable. The PI team further observes that, if the District Administration was serious about imposing Section 144, it would have prevented even small groups from forming in the entire city of Thoothukudi. Waiting for a crowd to gather before thinking of dispersing it was a gross error on the part of the District Administration and led to an avoidable loss of lives.
- The PI team observes that the police made claims about extremists having infiltrated the anti-Sterlite movement. Had this been so, they had 99 days to isolate them, expose them or to take them into preventive custody. It is to be specially observed that there were no preventive arrests made by the administration in spite of the fact that they now speak of extremists having infiltrated the peaceful movement. This further leads to questions of intelligence failure.
- The PI team observes several gaps in the imposition of Section 144. The District Administration was fully aware of the rally, its route and its proportions as well as its participants well in advance. Nevertheless, they moved to discuss the potentially massive rally only the day before and this in a selective fashion as mentioned above. It was not until Sterlite had moved the Madras High Court did the District Administration seek to impose Section 144. It waited till the eve of the rally to impose Section 144.
- The PI team observes that the imposition of Section 144 at 8 pm on May 21, 2018 was not made known to the public in most areas of Thoothukudi and its suburbs. The channels of communication were therefore only the late-night television news on the May 21 and the newspapers the following day. People therefore had no way of knowing that there was any restriction being imposed. Given that Section 144 was imposed in only two police station jurisdictions, there was also no legal restriction on the protesters to walk for as many as 14 to 15 kilometres to enable them to reach and assemble at the Collectorate. There were also

no semi-permanent barricades posted along the entire route leading to the Collectorate. It is further observed that the gates of the Collectorate were not only opened but that there were no heavy, effective barricades at the gates or a larger contingent of policemen/women to effectively prevent the entry of people into the Collectorate campus.

- The PI team notes the deliberate absence of the senior administrative officers in the District Head Quarters when the DC had declared Section 144, who should have been in Thoothukudi to oversee its enforcement. This seems to indicate that they were of the view that it should be left to the police to deal with the rally participants. This also indicates that they had no intention to ensure the safety of the townspeople against anything untoward that may take place. This was a complete abrogation of duty which led to death, injury and destruction of property. Clearly the individuals who left their positions at the headquarters in a time of extraordinary risk to the population must be held liable for the consequences of their actions.
- The PI team further observes that the DM's order declaring Section 144 has till date not been made public, although under law the said order needs to be in writing, needs to be specific and definite in terms containing material facts. The prohibition has to be clearly stated and the said order has to be served under Section 144, is a matter known to law. It is further observed that two RTI petitions, one of May 31 and the other of June 6 under Section 7 (1) of the RTI Act of 2005, are yet to be responded to. The PI team therefore prefers to observe that the formal order under Section 144 had not been proclaimed as expected under the law of this country and everything else that follows from an improper promulgation of Section 144 is illegal and "non est" in law. The PI team further observes that the whole Executive Magisterial structure of Thoothukudi has manoeuvred to abdicate the duties vested in them by remaining absent from their headquarters which is a very serious dereliction of duty on their part. The DM was not in Thoothukudi but was away in a *jamabandhi* at Kovilpatti in the morning and Ottapidaram in the afternoon of May 22.
- The PI team is concerned that the magistracy in the state over the years has become a puppet in the hands of the police who sent officers in the rank of Additional Director General of Police and Inspector General of Police to overawe and subdue the DC who after all has sovereign authority and responsibility over law and order under the Criminal Procedure Code 1973 (CrPC). The police are bound to follow his directions only as the DM. The DM could at best be counselled by the police of whatever rank up to the Director General of Police. This statutory position has been upturned in Tamil Nadu mainly due to the cordial relationship that ruling regimes develop with the police for their own ends, as well as the recusing by DMs of the ultimate magisterial powers vested in them.
- The PI team observes from a variety of testimonies collected from the people that on the morning of the May 22, most of the participants in the rally were not aware of the imposition of an order under Section 144 and its limited imposition allowing people to march and gather at the Collectorate. Further, the District Administration had also not publicised the decision taken at the end of the 'peace talks' of May 20 to permit a demonstration in the SAV School grounds. The PI team observes that the main road from the city to the Collectorate and the lanes leading to the same were "traffic-blocked". Consequently there was free almost

unhindered movement of protesters marching towards the Collectorate. Though the PI team did hear testimonies of some people who were lathi-charged, it was also informed that the people were not prevented thereafter from moving forward to reach the Collectorate. The walk to the “Destination: Collectorate” was an almost peaceful yet long walk for most people who were determined to reach there.

- People’s testimonies consistently stated that women and children participated in large numbers in the rally and even carried food and bedding with them, indicating that the rally was supposed to be peaceful and carried out with an intention to petition the DC and nothing else. It was also revealed that in spite of the presence of such large numbers of women and children, a commensurate number of women police were not deployed.
- The PI team was told that the total police strength on the morning of May 22, prior to the firing, was 1,900 personnel and our assessment from all versions that we heard is that the crowd around the vicinity of the Collectorate was definitely over 50,000 persons. The PI team observes that since most police stations’ jurisdictions were not covered under Section 144, protestors could freely and legitimately march forward to their destination, ie, the Collectorate.
- The PI team categorically observes from testimonies both from villages and the town that in the march towards the Collectorate, there were limited, mild lathi-charges, no permanent barricades. While there was limited use of tear gas, there was no use of water cannons at all anywhere in the city on that day. There were also no testimonies of public announcements or bugle calls asking protestors to either disperse, not to proceed to the Collectorate, or instead to move to “the assigned protest area” by the District Administration.
- The PI team, after a lot of verification, cross-verification and very clear testimonies obtained from the police as well as the firemen, observes that when the protestors reached the Collectorate, the gates of the Collectorate were open, there were no preventive barricades placed to prevent the entry of people into the Collectorate and, as the crowd trickled in, they observed that the vehicles parked in the compound were already set on fire. Witnesses said that they observed some persons wearing white shirts with khaki pants carrying stones who posed as protestors and pelted stones. Later, when identified by the protestors, they ran away.
- The PI team observes with deep concern the accusations of targeted killing. Several eye witnesses at the rally individually testified to seeing snipers climbing on to rooftop level vantage points, and on a police vehicle, to take aim at rally participants. As confirmed by organisers of the rally and the general public, there were attempts to target individuals who had organised the rally and the 100<sup>th</sup> day of protest. The weapon used in firing was 7.62 Self Loading Rifle (SLR), which should never advisably be used against unarmed people and should not have been used in crowd management. It is further reported that even the people who used the SLR were plain clothed men and hence cannot be said to be policemen. Plain clothed policemen should never have been used to maintain law and order. Only uniformed personnel should have been deployed so as to distinguish policemen from miscreants.

- The PI team observes that the Madras Police Standing Orders 692-703 (Volume I, 1999) that deal with the preservation of peace were completely ignored and not followed. The PI team observes that the non-implementation of processes such as the issuing of prior warnings, etc., was the main reason for the heavy death toll of May 22.
- The PI team also observes the need for closely examining all the intelligence reports about the planning, preparation and conduct of the May 22 protest action against the Sterlite Copper smelter plant by the organisers to find out the actionable prognostic condense of the report and examine the quality, prudence and efficiency of follow-up action by the law enforcement agencies and the Executive Magistracy in the affected region.
- The PI team observes that individual Executive Magistrates employed in the area of the clashes did not pass the orders as alleged. The first information reports filed in the cases of police firing reveal they had been filed by different Deputy Tahsildars who had no jurisdiction over the area. Mr. Sekar, Executive Magistrate in Fathima Nagar, Lions Town, was the complainant at SIPCOT Police Station in FIR bearing Crime No. 191/2018, stating he was on duty near the Collectorate complex and ordered the police to open fire. However, the team observes that it was Mr. Rajkumar, Executive Magistrate, who was actually appointed to monitor the law and order situation at that location. Similarly, Mr. Kannan, appointed as Executive Magistrate in the areas of the TNPCB Office was the complainant in FIR bearing Crime No. 219/2018 in Thoothukudi North Police Station, stating he was on duty in Teresapuram (12 kilometres away from where he was actually supposed to be, officially deployed). In FIR bearing Crime No. 302/2018 of Thoothukudi South Police Station, the order to open fire was given by the Police Inspector present there, since he claimed that the Executive Magistrate was not present here.
- The PI team observes that there are no indications in any official record available to the public, including the FIRs of the Executive Magistrates, that the Deputy Tahsildars had briefed their DM over the phone and sought his stand on the situation, or having sent him a dispatch immediately after the firing.
- The PI team observes that if Section 144 was not imposed as expected under law or imposed without valid grounds, the police excesses and atrocities on May 22, May 23 and the subsequent days, are all reduced to being grossly illegal, making the policemen who indulged in the firings, the authorities including the Executive Magistrate and the police higher-ups who ordered them, liable for prosecution and punishment under Section 300, 302 Indian Penal Code (IPC) and other relevant sections under the law. In addition, since the trigger for this was provided by either a non-existing or defective order promulgating Section 144, the plot and conspiracy behind the Sterlite Company obtaining an order on this from Madurai High Court and the subsequent behaviour of the DM and the police indulging in wanton killing and terror, needs to be investigated and punished severely.
- The PI team also observes that after the gruesome incidents of May 22, there is a proven case of illegal detention of 97 persons, one of whom was also a lawyer, 32 of whom were juveniles. The District and Sessions Judge of Thoothukudi has in her bail order, dated May 24, categorically held that the provisions of arrest contemplated under Section 41A, 41B, 41C, 41D, 50, 54, 55 and 60A of CrPC have not been followed, and they were found to be

kept in illegal detention in the premises of the Valanadu police firing range. In addition, a meticulous reading of the remand order by the Judicial Magistrate in the same case indicates that almost all the 65 accused were arrested on May 22 and not on May 23 as claimed by the police. They also had injuries on their bodies proving a clear case of not only illegal detention, but torture after the incidents of May 22. These categorically prove allegations of illegal detention and torture therefore lending credence to what the PI team heard over and over again about the incidents post-May 22, of midnight knocks, abuse of women in the household and arrest of young men without any respect for the provisions of arrest as contemplated under Sections 41A, 41B, 41C, 41D, 50, 54, 54A, 55, 55A, 56, 57 and 60A of the CrPC

- The PI team further observes that the Thoothukudi police had registered over 240 FIRs as follows: all over the district from May 22 to 28, all of them related to the incidents of May 22 and thereafter. The PI team further observes that at the time of the registration of a large number of FIRs, the city police was directed by an Additional Director General of Police, four Inspector Generals of Police, two Deputy Inspector Generals of Police and 15 Superintendents of Police. Almost all these FIRs are under provisions of IPC with offences punishable with less than seven years imprisonment. The above facts, read with the judgment of the Supreme Court of India in Arnesh Kumar vs. State of Bihar, makes it mandatory that special reasons and materials which necessitated the arrest are put forth by the police to ensure that persons are not automatically remanded in judicial custody. However, the PI team was told while we were there and repeatedly thereafter, particularly after June 6, that hundreds of people were taken into custody at midnight from their homes, tortured on the way, their family members abused, and kept in illegal detention. This time, not in police stations, not in the police firing range, but in the Armed Reserve police buildings at Millerpuram in Thoothukudi. Our conclusions are proved by the petitions that have been filed to this effect before the Madurai Bench of the Madras High Court in this regard.
- The PI team would like to believe that torture was prevalent in yet another case of Mr. Bharath and Selva Soundher who were taken into custody from their house at Annanagar, 12<sup>th</sup> Street Thoothukudi on May 23 and assaulted by the police officials at Thoothukudi South Police Station. However, on the same day, the inspection of the Judicial Magistrate at the police station led them to be transferred to the Thoothukudi Central Police Station and produced before the Magistrate on May 24 at 6:30 pm. This remand report of the Judicial Magistrate in No. 170/2018 indicates that all the 13 accused who were produced before him, including the said Bharath, were seen to have injuries caused by police assault with lathis and wooden rods. The above documented evidence, once again of illegal detention and torture taken place in Thoothukudi between May 23 and 24, brings much more credence for the team believing every complaint of illegal detention that were alleged to it. This case of the ultimate death of Bharth in the Palayamkottai Central jail, the team observes, is not a case of suicide as being alleged but arising out of the torture sustained in the police and subsequently in judicial custody just before his death.
- The PI team also observes that the categorical assurance of the SP made to the PI team members led by Justice (Retd.) Hariparanthaman and comprising Mr. Kamal Kumar IPS (Retd.) and Dr. Christodoss Gandhi IAS (Retd.), that there will be no further complaints of

illegal detentions and torture henceforth and that the procedures of the law would be strictly adhered to, was not observed. The PI team is pained to note that the denial of such allegations by the SP in the first place has now been proven to be wrong with evidence forthcoming from the Judiciary. Further, while it is true that from the June 2 there was a total lull in such activities of arrests, 'midnight knocks', illegal detention and torture, the PI team concludes that this was only due to the presence of the National Human Rights Commission's (NHRC's) investigation team, the State Human Rights Commission (SHRC) and the one-person Judicial Commission headed by Justice Aruna Jagadeesan, who were all crisscrossing the city of Thoothukudi and its environs with their visits/investigations. However, immediately thereafter, from almost June 6 onwards, these illegal activities of the police continued till almost June 18, when they were challenged through continuous presentations made, public meetings and legal challenges before the Madurai Bench of Madras High Court by Mr. A W D Tilak.

- The PI team observed further that, though the hospital authorities conducted all their postmortem and re-postmortem autopsies adhering to the NHRC guidelines and textbooks of forensic medicine, which were videographed and photographed, there was no evidence to conclude that the initial autopsies were performed unscientifically and inaptly. The team also observed that the autopsies in every case were performed in the presence of a Judicial Magistrate who conducted the inquest as provided for under Section 176 (1) CrPC. The PI team further observes that while the abovementioned standards were observed, the autopsy reports, videos and photos of the autopsy were not made available to the relatives, the families or the representatives of the deceased persons as late as July 9, 2018, 48 days after the 'killings.'
- The PI team strongly observes that a re-postmortem/second postmortem should have been preferably avoided when there was no evidence to show that the first autopsy was not done properly. Further, such re-postmortem should not be done just to satisfy the whims and fancies of public interest litigants who have no relation to the deceased. In this case, the team observes that the expert called to perform the re postmortem on the orders of the Madras High Court was actually much junior in experience compared to the two forensic medicine experts who actually performed the first autopsy.
- The team further observed, and was struck to notice, the influx of VIPs to the Thoothukudi Medical College Hospital, to the wards where the injured were undergoing treatment. They ranged from his Excellency, the Governor of Tamil Nadu, the Hon'ble Deputy Chief Minister of the Government of Tamil Nadu and Hon'ble Ministers, to the Hon'ble Opposition leader and the leaders of almost every political party in the state. They came, not alone, but with their complete paraphernalia, accompanied sometimes by the district officials with media persons, photographers and videographers. Not only do such continuous visits result in the spread of infections, the subsequent questioning, photographing and videographing of ailing patients in the hospital caused them trauma and grave disturbance. The PI team observes that these visits also serve as a convenient opportunity for these VIPs to avoid meeting the public and the families of the injured. Patients who in their pain asked unpleasant questions to those in governance were scorned, side-lined and ignored over subsequent visits. Patients and their families need their privacy and hospitals cannot be converted into a playground for



political leaders who refuse to interact with the public at large or with representatives of people's organisations and movements, but take refuge in the protected and secure environs of a hospital only for their public relations purposes.

- The PI team wishes to observe that many people have become persons with disabilities after the May 22 police firing and excesses. However, what was particularly reprehensible was the brutality shown by the police towards even persons living with disability who took part in the protest. They were subjected to police force, despite having revealed their disabilities. The team would like to bring into consideration the case of Arokia Pradeep who was beaten by the police -- after hearing his declaration of his disability -- on his left lower limb, causing him to be completely immobile, and the case of Mr. Prabhu, who was already amputated and was shot on his amputated upper limb and was subjected to lathi blows on his upper chest. These patients, the PI team observes, definitely have a higher probability of developing a further disability in the future if they are not given treatment under trained physiotherapists and occupational therapists. The PI team observed that at the Thoothukudi Medical College Hospital level, the team of doctors was not sure about prospective residual functioning disability and there was an absolute lack of awareness on their part of the prognosis and the implications of functioning disability. The onus of dealing with this, the PI team felt, was left on the patients themselves due to the lack of standard operational procedures based on medical and rehabilitation protocols.
- The PI team observes through a visit to the Collectorate campus during the preliminary fact-finding, which was assisted by two very senior lawyers who provided us the following detailed observations: a) though thousands of persons are reported to have entered the Collectorate with an intention to set vehicles on fire, damage the Collectorate and commit other acts of vandalism, our observations were that even as on June 2, in the large campus comprising the Collectorate where there are barbed wire fences protecting small parks/gardens, none of the barbed wire fencing seems to have been damaged, plants were not damaged and the team was unable to observe footprints in the garden; b) none of the flex or signboards on the Collectorate campus were damaged; c) the silver hand grills were seen to have been removed and kept safe within the Collectorate, and the team observed that the cement around the points where the grills were removed were also not damaged; d) some of the glass panes in front of the office of the Collectorate were however found to be broken; e) there were four CCTV cameras fixed in the Collectorate and all of them were found to be intact and in place. The above observations lead us to believe that not as large a crowd as claimed by the police in the FIRs had actually entered the Collectorate and even if they had, they were not as violent as they are now projected to have been. While vehicles may have been set on fire and glass panes damaged, the entire campus was not by any stretch of the imagination in such bad repair that it could have provoked the police to shoot dead almost six persons.
- The PI team also, after the visit to the Sterlite residential quarters, found that the car parks in the front section of the building were burned and the vehicles parked in the ground floor, torched. The team observed that the CCTV cameras were destroyed in the entire campus and were told that "petrol bombs" were hurled at vehicles parked in the front section of the campus. Nobody could confirm to us that on-duty private guards of the apartments and police

personnel were injured. The PI team also observes, after a careful visit to the District Fire Service office, that four self-sufficient firefighting units were stationed on May 22 at the Collectorate, the Madathur Junction, Sterlite Copper premises and Therespuram. Testimonies of the fire service team revealed that the first distress call for assistance was from the Sterlite residential quarters, enabling effective intervention on their behalf to prevent greater damage to property and injury to people. However, the call from the Collectorate was received after the government vehicles parked inside the Collectorate were completely gutted. The PI team is perplexed as to why senior police officers deployed inside the Collectorate did not summon the fire service. This leads us to view with credence the several testimonies received by the team that the vehicles parked in the Collectorate were set on fire and were burning even while the protesting crowd had reached the Collectorate in order to justify the brutal police action that followed. A close perusal of the 15 fire accident reports lends credence to the said observation.

- The PI team is pleased to note the commendable role of the Thoothukudi District Legal Services Authority (DLSA). The testimonies, recorded both inside the district court buildings and heard by team members outside, revealed the speed, patience, prudence of documentation and actions undertaken by the DLSA in responding to the pleas for legal assistance from the members of the family of those in illegal detention. The DLSA, the PI team observes, possesses evidence of people rescued by the panel lawyers of the authorities from illegal police custody during the early days after the firing. The DLSA, the team observed, had also set up a special emergency counter to render legal assistance to the poor, in the government hospital (GH) as well as in the office of the DLSA itself, with panel lawyers, dedicatedly providing around the clock service, a model for the LSAs in the country to follow assisting people from the poorer sections of society at the time of their illegal detention in police stations.
- The PI team observes that many young men have been forced to leave their homes, as they fear arrest and torture at the hands of the police, even though they were not part of anti-Sterlite rally on May 22 or even before that. Those who took part in the protests apprehend arrest as police have filed open FIRs against thousands of unnamed persons. There have even been instances where all the members of a family have fled their home, fearing false cases by the police. The PI team witnessed a huge presence of police personnel and observed people living in terror even ten days after the rally. Testimonies also stated that the CCTV cameras in Thoothukudi South Police Station were covered with cloth when persons illegally detained were taken to its precincts.
- The PI team observes that from May 23 onwards, internet connectivity was cut off for 3 days in Tuticorin and in the adjoining districts of Kanyakumari and Tirunelveli and restored only after High Court order. This was an arbitrary restriction imposed by the Tamil Nadu Government which led to severe curtailment of the flow of information by the media and barring communication access by the people in most distressed time. Any restriction on fundamental rights must be proportionate to the threat posed, provided for by law, and strictly necessary to achieve a proper public purpose, such as public safety. It is up to the State to demonstrate that a network shutdown is proportionate to the threat proposed. In the case of internet shutdowns in Tuticorin, Kanyakumari and Tirunelveli, the 'threats

posed' is uncertain. internet shutdowns in critical situations tend to make people more vulnerable and they then unable to exercise any communication in cases of emergency. It also restricts the work of human rights defenders who are engaged in interventions, communication with families and providing relief in cases.

- The PI team observes that the response of the Thoothukudi Bar Association on the incidents from May 22 till date has been extremely encouraging for the pro bono services of the entire bar to anyone arrested and remanded as a result of the events of May 22, including paying of all costs. In addition, the Bar association generously came forward to bear the cost of court fee stamps, advocate fee stamps, etc. We understand, through testimonies of lawyers, of the long hours they worked on several days past midnight, moving bail applications for those remanded and waiting for the remand of many till as late as 4 am in the morning in the court premises. The team was shocked to receive testimonies from lawyers who were abused, who were detained illegally and who were tortured.
- The PI team wishes to appreciate every Judicial Officer in Thoothukudi and its environs who rose up to the occasion in their qualitative protection of persons in illegal custody at the time of their arrest, at the time of their remand, and their willingness to stand on the side of the law and not on the side of the police working long hours into the day and sometimes even into the night. If the DLSA succeeded and the bar association succeeded, it is only because the subordinate judiciary in Thoothukudi was willing to walk the extra mile.
- The PI team also observes the subsequent use of the preventive detention law against certain persons owing allegiance to certain specific organizations such as the Naam Tamilar Party, Makkal Athigaram etc. using provisions of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slum-Grabbers, Act, 1982 and the National Security Act, 1980. It has to be noted that these laws are mostly used to curb the movements and activities of human rights defenders and grossly violates the fundamental rights enshrined in the Indian Constitution and the same appears prima facie in the arrests made in Tamil Nadu.

## 4. Events from May 20 to May 23 and the aftermath

### Events leading to the May 22 rally

Unable to get any relief from the dangers to their health, well-being and habitat posed by the Sterlite plant, the residents of Thoothukudi planned a large demonstration on May 22 to mark the 100<sup>th</sup> day of their on-going protests against the expansion of the plant. The plan included a massive public march to the Collectorate in order to hand over a petition demanding the closure of Sterlite.

#### ***Peace Meeting***

On May 20, just two days prior to the 100<sup>th</sup> day rally on May 22, the Thoothukudi Administration called for a 'peace meeting'<sup>4</sup>, to which some of the participating organisations and village representatives were invited. The meeting was led by the Thoothukudi SP along with the Sub Collector. The DC was not present.

***The PI team observes with concern that as the head of the district administration, it was the DC who should have led the meeting and reached out to the people. It is he who has the duty to ensure public safety. This is all the more strange, if, as he alleges, he had advance information about infiltrators causing trouble or the local people themselves causing trouble. It was his duty then to inform the people of this danger to them and their families if indeed there was any. From his own absence it would appear that neither he, nor the police, anticipated any serious danger or problem. Only this can explain the DC's willingness to leave the handling of a large civilian gathering to the police and his juniors to handle. The willingness of the civilian administration to abdicate its role to the police is also indicative that right from its inception, the rally of townspeople was being looked upon as a law and order issue that demanded police action rather than as a citizen's movement reflecting widespread concern over the threat that the expansion of the Sterlite plant posed to the land and people.***

***The PI team also noted that the local authorities should have estimated that a large crowd would turn up for the rally given that the 100<sup>th</sup> day demonstration was announced during the protests of March 24. Furthermore, it had left discussions over arrangements for the rally to the very last minute, and neglected to inform the populace of these arrangements in time. In a little over 24 hours, it would have been practically impossible to reach out to, and hold discussions with, lakhs of protestors across the district. Despite Section 144 being imposed at the behest of Sterlite, consequent to a High Court direction, the local administration failed to come out with an independent assessment of the ground situation.***

People's versions point out that the administration used a selective approach in inviting the organisations and village representatives for the said meeting. People with whom the PI team interacted allege this to be a deliberate attempt on the part of the administration to divide the anti-Sterlite movement. They have also brought to the notice of the PI team that an invitation sent to one such organisation (Makkal Adhikaram) was given to an individual who had no association with that organisation, conveniently avoiding invitations to advocates Mr. Vanchinathan and K. Hariraghavan

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<sup>4</sup>Peace Committee meeting called for by Deputy Collector 20.05.2018. Annexure 13 of Part I on Pg A-39.

who are now portrayed by the police and administration in the media and courts as being the brain behind the events of May 22.

***The PI team believes that by not involving all organisations and reaching out to people in a timely manner in order to ensure nothing untoward would happen, the district administration failed in its duty to protect and secure the lives of the people of Thoothukudi. These multiple failures, including the failure to assess the number of demonstrators who would turn up, was reflected in the decision to assign the SAV School ground, which is of a modest size, for the May 22 rally while imposing 17 conditions. Further, this school ground is near the old bus stand situated within the town, which would have made managing any disruption extremely difficult for the district administration. To add to a potentially chaotic situation, no effective public announcements informing people about the assigned venue were made by the district administration which had actually negotiated this alternate venue through its peace meeting.***

***The PI team is of the opinion that allowing an assembly in a site that was clearly inadequate and prohibiting it in a larger and more suitable one near the collectorate, the district administration had made what appears to have been a major error of judgement which contributed to the tragic events that followed and made Section 144 practically unenforceable.***

***It is also not clear to the PI team as to how, if undesirable elements were believed to be active among the agitators, allowing them to be present in one place and prohibiting them at the other would enhance public safety. If the district administration was serious about imposing Section 144, it would have prevented even small groups from forming in the district. Waiting for a crowd to gather before thinking of dispersing it was a gross error and led to an avoidable loss of life.***

Section 144 was imposed only on May 21 in two police station (PS) jurisdictions, i.e. South and SIPCOT police stations, covering the Collectorate premises, the road leading up to it and the area around the Sterlite complex<sup>5</sup>.

On May 16, Sterlite had moved the Madurai Bench of the Madras High Court in W.P. (M.D) No 11190 of 2018 seeking imposition of Section 144. The petitioner prayed for orders 'to declare the area to the radius upto one kilometre from the periphery around the petitioner's factory premises (Copper Smelter Complex and Thermal Power Plant) and residential quarters premises (Thamira-I and Thamira-II) and warehouse as "Protest Free Zone"/"No Protest Zone".' The anti-Sterlite committee was not a party to this case. The High Court on May 18, passed a directive to the district authorities to pass appropriate orders regarding imposition of Section 144<sup>6</sup>.

According to the documents available, Sterlite states that they gave a representation to the DC and the SP, Thoothukudi District, to declare the area to the radius up to one kilometre from the periphery around their plant and residential quarters, and warehouse as a "No Protest Zone". As the officials

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<sup>5</sup> Press release by the District Collector of Tuticorin dated 22.05.2018 of the deployment of Sec.144 of CrPC Annexure 14 of Part I on Pg A-41.

<sup>6</sup> Order dated 18.5.2018 passed by Madurai Bench of the Madras HC in the Vedanta Writ on Section 144. Annexure 8 of Part III on Pg 278.

did not respond to the same, they filed a writ of mandamus before the Madurai Bench of the High Court seeking for the necessary directions and sought for a time stipulation by the Court.

It is seen from the order that Sterlite had given the representation on April 9 and April 16. The company relied upon some pamphlets and messages in the social media issued by an organisation, 'Makkal Athikaram', which, they claimed, was calling for a protest and closure of the factory.

***It was the company which first claimed the perceived threat on the basis of which state action followed. The company, instead of seeking protection for itself if it really apprehended danger, had instead sought the banning of the democratic right of people to protest in a public space. The PI team notes that strangely, none in the administration had pointed to the huge impropriety of a private company seeking a ban of any activity in the public space, so that its private interests are safeguarded.***

### **Section 144 Cr.P.C**

Section 144 provides wide powers to the executive to issue an order in urgent cases of nuisance or apprehended danger. It can at best be temporary with the Executive deciding on the need for it on the basis of facts. It is evident that until the representation was given on April 9 and April 16, the Executive had not considered the protests as coming under the purview of Section 144.

The Government in its arguments reportedly stated that no one from the public had approached the police on seeking permission for any protest and that if there is any illegal protest, stringent action would be taken against such violators in order to safeguard the general public. This argument ignores the fact that protests were going on from February 2018 and that the protests had throughout been peaceful and the Executive, on its own, did not think it fit to act against the protestors on the representation of Sterlite.

Powers under Section 144 are wide, as they affect the rights of movement and also personal liberty. Private persons generally approach the Executive Magistrate in cases of personal disputes for action and it is left completely to the discretion of the Executive Magistrate to decide on the course of action. The question whether a private company can seek the promulgation under Section 144 against the general public is unprecedented. The company moved the Court under Article 226 of the Constitution of India.

The High Court in its judgment conceded this by observing that ***“Nevertheless, this Court is also conscious of the fact that such a decision is within the scope and ambit of the first respondent herein. (The DC, Tuticorin)”***. But the Court went on to observe, ***“However, when a representation has already been made to the first respondent seeking for invoking Section 144 CrPC such a representation cannot be kept pending indefinitely, particularly, when there are sufficient materials to show that there is a possibility of a protest on 22.05.2018. Non-consideration of the representation would amount to a dereliction of the ordinary duties of the first respondent and in such circumstances, this Court would be justified in invoking its powers under Article 226 of the Constitution of India and direct the first respondent to consider the representation.”*** The Court orders thus caused the Executive to reconsider their earlier reluctance, on their own initiative, to impose Section 144.

The rally was scheduled on May 22. The PI team found that after having promulgated Section 144 on May 21 no steps for service were taken as contemplated under law. Section 144 was known to be imposed only at 8 pm on May 21, 2018. As the PI team gathered from people's testimonies, after the imposition of Section 144, announcements about this were not made by the administration in most areas. People got to know about it only through the late evening television bulletins on May 21 and through newspapers the next day

The PI team found that in villages situated near the Sterlite complex like Therku Veerapandiyapuram and Kumarettiyapuram, women left for the protest taking their children, baskets of food, refreshments and jamakalams (bedsheets), with the idea that they may have to stay for a long time. They told the PI team that they would not have risked their children's lives if they thought that there was going to be violence. They were unaware of the imposition of Section 144. No steps were taken under section 134, with not even a notice put up. The local people therefore had clearly no idea of what was going to happen.

Executive magistrates were appointed to monitor the law and order situation on May 21. Nine revenue department officials were appointed at the last minute as executive magistrates to work with the police, monitor the law and order situation and keep higher officials informed<sup>7</sup>.

The PI team took note of the fact that the order imposing Section 144 was not made available to the public. It has not been shared with the PI team to date (July 4), despite several efforts to procure it, including through RTI requests<sup>8</sup>.

*The PI team points out that it is inherent in the nature of Section 144 that the public know about it. In the absence of knowledge there can be no disobedience to the order. However, as mentioned above, no attempt was made to make it widely known and no notices were put up. In the wake of what followed on May 22 not informing about the prohibitory order smacks of entrapment. Section 144 is declared when there is grave and imminent danger. If violence was anticipated so strongly as to warrant prior promulgation of Section 144, it is surprising that not even tahsildars were deployed as executive magistrates.*

There are unsubstantiated media reports which quote the district police claiming the presence of extremists in the rally. ***The PI team observes that the police made claims about extremists having infiltrated the anti-Sterlite movement. Had this been so, they had 99 days to isolate them, expose them or to take them into preventive custody. This points to intelligence failure or was an afterthought. The PI team observes several gaps in Section 144 imposition. The administration was fully aware about the rally, its route as well as its potentially huge size well in advance, yet it imposed the section only on the eve of the rally and failed to publicize it adequately. News reports on tv channels and morning newspapers would have been far too late for any impact. It is important to note, given that Section 144 was imposed in only two police station jurisdictions and that there was no legal restriction on the protesters***

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<sup>7</sup> Executive Magistrate's Deployment Order by the Sub-Collector Mr. M.S.Prasanth IAS dated 21.05.2018 (Translation) Annexure 15 of Part I on Pg 42.

<sup>8</sup> Application sent to the PIO, Collectorate filed under RTI Act seeking "Imposition of Sec 144 CrPC on 21.05.2018" by Adv. AWD Tilak, dt June 06, 2018, an appeal sent to the First Appellate Authority by Adv. AWD Tilak dt June 20, 2018 & application filed under RTI Act seeking Imposition of Sec 144 CrPC on May 21, 2018 by Saptarshi Bhattacharjee, Journalist, The Hindu, Chennai dt May 31, 2018 (Annexures 18 (a), (b) & (c) of Part I on Pgs 51- 56.)

**walking for as many as 15 kilometres within the city. It is also to be noted that there were no restrictions on assembly at other places for purposes of protest.**

Some questions that have emerged before the PI team raise concern over the conduct of the police and district administration before, during and after the imposition of S 144. While Section 144 was imposed at such a late stage, it is also important to point that no persons were taken in preventive custody by the police.

**The PI team observes that there has been clear irregularity in the process through which Section 144 was imposed and implemented. The DC has abdicated all his responsibilities. The PI team observes that the Madras Police Standing Orders - Volume I (1999), the Orders 698-703 that deal with the preservation of the peace were not followed.**

Some specific aspects from the Standing Orders that the PI team observed are given below -

- 2(j) of Order 703 states that the officer in-charge of the police is responsible for deciding the amount of force to be used, the manner of using it, and for setting the operation of use of force, bearing in mind that *no force more than necessary should be used*. 2(k) of Order 703 states that if any or all methods fail and the Executive Magistrate is of the opinion that nothing short of firing can disperse the crowd, he will order fire to be opened. The manner, type of ammunition used and method of firing are the individual responsibilities of the senior most police officer. In the case of the Thoothukudi incident, as recorded in the FIR, three Deputy Tahsildars had given the shooting orders (who clearly were not officer incharge or the Executive Magistrates, as can be interpreted from the order of the DC dated as on May 21, 2018).
- 2(l) of Order 703 states that the police used to disperse mobs must wear uniform including boots, putties, and helmets and riot shields. In the case of the Thoothukudi incident, as seen in media footage and testified by people, at least some of the policemen involved in firing were plain clothed and not in uniform.
- 2(i) of Order 703 states that if the crowd refuses to follow instructions, riot flag is to be raised. Bugle call should be used to give warning through microphone. None of the people spoke about any of these procedural warnings used by the police in the case of the Thoothukudi incident.
- 4(a) of Order 703 lays down the guideline on the use of tear-gas. In the case of the Thoothukudi incidents, as mentioned in the above section, the people said that tear gas was used sparsely. It appears that the police abstained from effectively using the tear-gas to control the protestors.
- 4(b) of Order 703 states that water jets can be used in cases where the mob is not armed and is not very violent, either before or after the use of tear gas. It further lays down the guidelines for the use of water jets. In the case of the Thoothukudi incident, water jets were not used at all as confirmed from people's versions and media sources.
- 4(e) of Order 703 states that if water jet or tear gas fails to disperse the crowd, lathi cane charge should be ordered (only if police force is adequate to create an effect on the crowd and crowd is not likely to overwhelm the police party easily). In the case of the Thoothukudi



incident, this was violated and lathi charge was the first response the police resorted to. Further, as mentioned in the above section, the number of protestors clearly outnumbered the police and in no way would this have an adequate effect on the crowd.

## **The Day of the Rally**

### ***Absent administration***

The PI team found it incomprehensible how the entire senior administration chose to be absent from the area on May 22. This against the overarching obligation on the part of the senior officials to be present in the area.

The DC, the Tahsildar and the Deputy Tahsildar had left the area to participate in the *Jamabandhini* a programme where the DC visits various places in the district and collects petitions of grievances from the public. The revenue officer and sub-divisional officer were also not available. Yet, this was the day on which the High Court had directed them to consider imposition of Section 144, and on which Section 144 was indeed promulgated as they know well. This was the day on which it was the administration's paramount duty to ensure the safety of the public at large, whether they were rallyists or ordinary people in the vicinity. It was the day on which the administration had to be in command of the situation and prevent any potential threats to public peace, all the more so since it was claimed that violent elements had infiltrated the agitation.

The PI team found it hard to believe that, with advance communications, senior executives such as the DC and the tahsildar were not aware of the Section 144 proclamation. In the absence of senior magisterial officials, it seems the stage was set for a free-for-all. There was also failure of duty on their part to come to the city immediately after the shooting and not leave it in the hands of lesser officials. All four senior officials were not present in the city. Their absence is equivalent to abdicating their responsibility as a civilian administration left in the hands of the police unsupervised by civilian oversight. The FIR version<sup>9</sup> of deputy tahsildars ordering firing is highly unnatural in a much anticipated, planned deployment for handling a probable law and order situation.

***The PI team notes the wilful absence of the senior administrative officers and indicates that they had no intention to ensure the safety of the townspeople against anything untoward that may take place due to the involvement of possibly violent elements that they themselves now suggest, after the fact, might have been present. There was a complete abdication of the duty of supervision, protection and avoidance of precipitate actions.***

***The PI team firmly believes that the individuals who had left their posts at this crucial time must be made accountable for the loss of life that took place as a consequence of their desertion of duty.***

On the morning of the rally several thousand people came out of their homes and walked through the small streets toward the broader arterial roads leading to the Collectorate. Right opposite the Collectorate, on the other side of the main road, the lanes going towards the villages witnessed free movement and were not barricaded or controlled by police. People who came across occasional

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<sup>9</sup> Police firing order given according to the Cr.No.191 of 2018 of SIPCOT PS, Cr.No.219 of 2018 of North PS, Cr.No. 298 & 299 of 2018 of South PS, Cr.No.302 of 2018 of South PS and Cr.No.312 of 2018 of South PS. (Annexures 6 to 10 of Part I on Pgs 17-36.)

barricades at certain spots could easily use other lanes to reach the Collectorate without hindrance. Even those who were moving towards the SAV School ground were stopped from getting there, thereby diverting them to move towards the Collectorate. People's testimonies consistently affirmed that women and children participated in large numbers and some came as families with their elders and children. Many carried food packets and beddings indicating that the rally was intended to be peaceful, with the sole intention of presenting a joint petition to the DC. Right opposite the Collectorate, on the other side of the main road, the lanes going towards the villages witnessed free movement and were not barricaded or controlled by the police. These lanes connecting the main road to the villages served as arteries for the protesters to march on towards the Collectorate. A large number of the demonstrators were women – something that must have been known to the District Administration, yet a commensurate number of women police were not deployed.

### ***Police actions at Collectorate***

The District Administration claims that ten persons were killed due to police firing in the course of the May 22 rally<sup>10</sup>. Persons whom the PI team met categorically averred that the firing took place without any provocation. There was universal agreement that that no warnings were issued to disperse the crowd and neither were water cannons used. On the other hand, Government officials whom PI team members met insisted that firing started only after the crowd turned violent.

The PI team did find evidence of vehicles having been burnt in the Collectorate. There was also evidence of vehicles having been set on fire in the parking area of the residential quarters of the Sterlite management. But this does not explain how in many places where firing took place, there were no signs of any destruction.

*Given below are some witness statements, with names withheld:*

- “In Facebook Live, I saw two jallikattu bulls being brought into the crowd to disperse it. They were not brought in by the protestors.” “There are generally no Jalikattu bulls in Thoothukudi, only in Madurai. The bulls were brought in especially from Madurai by the police. We have never seen something like this” (several voices concurring with the first speaker). “One of the bulls attacked me and I got thrown off and fainted.” “Police were violent from VVD bridge, and then they released two Jalikattu bulls to injure the crowd. I saw two persons being beaten very badly. At Three Mile Bridge they also started using teargas”
- “Stone pelters were not protestors. Policemen wearing white shirts and khaki pants, who were not from our group from Madikeli, were carrying big stones in their hands. There are no stones on the road there, so where did the stones come from? I feel that the entire attack was pre-planned and pre-meditated” (Name Withheld).
- “At 12 noon there were no officials in the Collectorate.” (Name withheld).
- “Most of the policemen who stopped us and were beating us were not from Tuticorin. They were also wearing a different kind of uniform and did not speak Tamil but were more comfortable speaking in Hindi. They were not Tamil Nadu Police” (Name withheld)

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<sup>10</sup> Details of 15 persons died in Thoothukudi police firing and action. (Annexures 17 of Part I on Pgs A-47)

As gathered by the PI team, the total police strength was around 1900 personnel and rallyists around the vicinity of the Collectorate were over 50,000. Most of the PS jurisdictions were not covered under Section 144 and this enabled rallyists to march forward legitimately and freely from all directions across the town. Some persons from villages near the Collectorate did mention the limited use of tear gas without any warning around 11 am, but no one confirms the use of water cannons as a means to restrict the protestors. No version confirmed any public announcement or bugle call asking the protestors to disperse or move to the assigned rally area, i.e. SAV School ground.

- Different versions state that when the protestors reached the Collectorate, there were vehicles in the compound already on fire. Other versions also reveal that some policemen wearing white shirts with khaki pants carrying stones posed as protestors and pelted stones and when they were identified by some of the rallyists, they quickly ran away. “The police did not barricade us at VVD or the GH. They allowed us to go further. And at one place, while we were marching further, the police came from one side and shot us... I was hit by two bullets. One went through my leg. Another one is still in my chest. I have been asked to wait since it is at a critical location; I have been advised not to undergo a surgery unless there is a problem” (Name withheld).
- “During the protest on May 22, I saw a policeman lifting and throwing a large stone on the chest of an old person. It appeared to be a fatal attack. I even saw a young boy being shot down by police in the neck; he might have died. He was quickly packed into a small ambulance by the police and driven away. However, I did not see the photograph of that boy or the old man in the list of the 13 dead persons released nor could I find them at the GH when we went to check for him among the injured and dead persons. I have heard such stories from others also and feel there may have been more people who died and got injured than are being reported” (Name withheld).
- “On May 22 morning, people from 16 locations across the town merged and went together. Until VVD Signal, there was no problem. We started from our area at 10 am. The police stopped us for the first time at VVD signal. Transgender persons protested asking why they were being blocked. When we were getting down from 3 Mile Bridge, the police fired the first tear gas/water guns. There was no Section 144 in the areas from where we came marching. Near the four-way track bridge, just 100 metres from the DC’s office, 6 of us moved ahead. Along with me, there were 3 women and 2 transgender persons. Under the bridge we saw some vehicles and bikes burning...[there was a] lot of smoke around a few vehicles. As we entered the Collectorate, a few policemen came from inside and started to lathi charge us; we tried to escape, other people tried to enter inside. This time the police started shooting at them. In the first attack itself, my wife, was badly injured and bleeding from her stomach. She was hit with the butt of the rifle by the police. In the shooting by the police, I saw at least one person shot dead. Many people were seriously injured. We went to help them. We could not recognise the police. Some of them were wearing helmets. At least two of them were not in uniform” (Bhagyaraj, 43 years).

People’s accounts confirmed the use of lathi charge on protestors in certain parts of Thoothukudi. Medical records, fatalities and injuries tend to show that the attacks were far in excess of the standards of minimal and proportionate force laid down as principles relating to mob dispersals.

Injuries on women, children and elderly people as well as on the disabled that were shown to the PI team, including medical records in some cases, indicate excessive use of force. By way of illustration, a woman victim, whose house the PI team visited, testified that she was badly assaulted with the butt of the rifle on her stomach, resulting in serious injury. Several witnesses deposed on being beaten ruthlessly by the police. A polio-affected man, who was beaten, testified that he had even informed the police of his disability, but was beaten on his legs. (A detailed assessment of his case is made in the Disability section). Versions were also received which revealed that children who were part of the rally were attacked by the police and several children were detained. Further, versions also show several instances of brutalities towards children and youth in the aftermath of the firing, during the searches being conducted by the police.

### ***Police brutality on the disabled***

The PI team observed that excessive police force has led to serious injuries to multiple persons in the crowd. Of special concern is the uncalled-for brutality meted out to the disabled. It is important to note that our concern should not be limited to those who have become persons with disabilities after the Tuticorin firings, but also about the police excesses on persons living with disability who all took part in the protest in a democratic manner. A person by the name of Arokia Pradeep, with 60% disability due to polio paralysis, was beaten with lathis by police on his lower limbs despite his clearly visible disability. He was left completely immobile and in tremendous pain. When he tried to tell the police that he was a disabled person, the police got even more infuriated and yelled, "Should a person who is disabled come to protest? Is protest a dire need for you?"

The PI team took note of the verbal and physical assaults by police on this victim, and many other persons with disabilities, who had been part of the protest. It showed the callous and indifferent attitude of the police towards persons with disabilities, so much so that "by the very virtue of being persons with disabilities, they are not recognised as members of human community with inherent dignity". The police action is also against the principle of full and effective participation of persons with disabilities in society. Section 7 of Rights of Persons with Disabilities Act 2016 (RPWD act), clearly mandates the revenue administration of any given state to protect the persons with disabilities from violence. Clearly, here the state failed to do so. No special measures were taken to secure the protection of persons with disabilities from the use of force. The measures espoused in the general law cannot suffice in dealing with situations such as violence, as these measures such as announcements made over the microphone are inaccessible to the speech- and hearing-disabled.

It is also alleged that police from the intelligence department had set out Jallikattu bulls around VVD signal, which had the potential and very high probability of killing locomotor disabled people who could not have been able to run and therefore would succumb to injuries leading to death.

The PI team was also acquainted with the case of another victim of police firing, Mr. Prabhu, who is already an amputate and suffered disabilities. He was shot on his amputated upper limb, an action which actually had a higher probability of taking away his life. He also bore lathi blows on his upper chest.

The PI team also visited the GH and observed a young man, Mr Princeton, who was amputated above the knee in his right lower limb. He had not taken part in the protest and had originally set out

to go to his duty station at Tuticorin. When he came near the government polytechnic at the 3<sup>rd</sup> mile bus stop, he witnessed a large posse of police personnel and had tried to avoid the unrest. But he was shot nevertheless – more evidence that the police were firing at random. He was given some relief at the GH, but in no way was helped in terms of coping with the trauma along with difficulties due to the loss of a limb and residual disability.

The PI team observes that since Mr. Princeton, having accrued residual disability has an increased probability of undergoing psychological stress, he should be provided with psychotherapeutic support in particular grief or supportive psychological counselling. None of which has been done. A psycho-social rehabilitation program has not been planned or put in place by a medical or psychiatric social worker from the hospital administration.

It is again to be noted that despite the news having been published in the print and visual media, the differently able welfare department officer present in the Collectorate, has not taken cognisance of this case and provided the requisite psychological, physical or any other rehabilitation action, such as Princeton is entitled to.

Standard operating procedure in dealing with the incidence of new residual disabilities from tertiary/secondary or primary care centres to rehabilitation departments of any given government tertiary care hospital, is absent. This clearly came out when the PI team had a detailed discussion with the Director of Medical Education, who was present at the GH.

Most of the patients in the hospital admitted and those victims who have not approached the hospital due to fear of a police case are certainly going to develop some amount of inability in functioning, if not properly treated by a multidisciplinary approach adopted team. These disabilities could be a specified disability or otherwise, anywhere ranging between 0-40 percent, which could come under the category of “persons with disabilities” in the RPWD act, as against “persons with bench mark disabilities”, which is any specified disabilities having percentile of 40% or more.

*(s) “person with disability” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;*

Lathi charge on such individuals, along with gun shots on many, have left them with different kinds of fractures in knees, limb bones and ankles. These patients definitely have a higher or at least one fold probability to develop some kind of disability in the future, if they are not given treatment under trained physiotherapists and occupational therapists. These disabilities will have a painful bearing on their functioning at a day to day level.

***The PI team strongly recommends that a multidisciplinary biopsychosocial model approach be adopted in addressing the situation of those who have been left with serious, possibly life-long disabilities, as a result of police action. This requires the urgent and concerted attention of the Commissioner for the Welfare of Differently Abled in Chennai.***

### ***Use of fire arms***

State Police Regulations categorically delineate the course of sequential action to prevent and contain crowd violence. These directives assert that police response to normalise the situation should be directly proportionate to the extent, intensity and ferocity of law breakers.

***The PI team concluded after speaking to victims, eye witnesses and the police, that Standard Operating Procedures (SOPs) regarding use of fire arms by police for crowd disposal were not followed. The non-implementation of processes like issuing prior warnings, use of tear gas, water cannons, lathi charge, before lethal fire was resorted to, seems to be the reason for the heavy death toll of May 22.***

***The PI recommends that a team of senior officers from police and Executive Magistracy to be set up in order to investigate to what extent SOP was violated by the relevant government functionaries in the Thoothukudi firing and the subsequent human rights violations that took place, in order to fix liability of those responsible for specific delinquent acts. This should also include both acts omission and commission.***

## ***Killings***

### ***Testimonies that the PI team heard:***

“On May 22 Morning, we started from Madha Kovil at 10 am. We were approximately 10,000 people from Madha Kovil when procession started. There was no disturbance until VVD signal. At VVD signal, we were stopped but we coaxed the policemen to let us go ahead and they obliged so we started proceeding ahead. It is only people behind us who were lathi-charged at VVD signal...Police were not moving forward but actually receding with arms, encouraging us to get into the enclosure around the Collectorate. It appears they wanted us to reach the Collectorate in order to attack us there with lathis and fire arms... There were 3 vans with approximately 10 police men each, who were firing the shots”

“My brother’s son....., who is disabled, was beaten badly by police. We ran away because of the physical attack. Halfway home, we came to know that my brother Gladson was shot by the police at the Collectorate. So we went back. My brother was lying on the ground in a pool of blood. When we burst out crying, they police ordered us to leave. They pulled a gun on us and threatened to shoot if we cried near the dead body. They even beat us, so we left, but we hid behind the mortuary.”

***The PI team could confirm 14 deaths since May 22 directly resulting from police firings and violence. Post-mortem reports indicate that each of these has occurred because of gunshot wounds and lathi charge. It is important that the circumstances of each of these deaths be individually investigated and accountability fixed.***

People’s versions alleged targeted firing at them outside the Collectorate. Several eye witness accounts and videos, some of which were shown on national television, testify to the presence of gunmen firing with assault rifles having climbed on top of police vehicles and also from the upper floors of the Collectorate, in order to shoot at the rally participants. The images in the media also confirm the same. Some of the testimonies allege that those wearing black clothes were particularly targeted since they were identified as rally leaders. ***The PI team is deeply disturbed by credible eye-witness accounts of targeted killing that are borne out by TV and videos. Several eye witnesses at the rally individually spoke about seeing snipers climbing on to high-level vantage points and taking aim at the rally participants. As confirmed by organisers of the rally and the general public, there were attempts to target individuals who had organised the rally and the 100 day protests. The weapon used in firing was 7.62 Self Loading Rifle (SLR),***

***which should never advisably be used against unarmed people and should not have been used in crowd management. Such a weapon allows repeated firing by merely pressing the trigger repeatedly without conscious reloading. This makes fire control by the senior most officers present very difficult as there is no time gap for reloading. It is further reported that some of the people who used the SLR were plainclothes- men and hence cannot be taken to be policemen. As visible display of uniformed authority is crucial to crowd control, plainclothed policemen should not normally be employed to use force; only uniformed personnel must be deployed for use of force; otherwise it would be very difficult to distinguish policemen from miscreants. The PI team believes it is vital that there be an investigation into the placement of police sharpshooters or snipers at vantage points. The duty of the police during rallies is to disperse a violent mob with minimum and proportionate force. It has no authority to provoke panic or deliberately target certain people on a shoot to kill basis. The actions of snipers must be investigated to ensure that their actions were not indiscriminate, disproportionate or deliberately precipitate but necessary to disperse the rallyists and protect their person or property. They cannot go unquestioned.***

During the visit of some members of the PI team to the North Police station, a sub-inspector, who was not on duty on May 22, characterised the protesting community as illiterate and ignorant and led astray by some people who had to be dealt with. She suggested that they posed an imminent threat to the police station and police quarters. ***This comment, the PI team believes, was offered by way of justifying police excesses post facto, because the same sub-inspector could not offer any evidence of police property or personnel coming under such attack.***

**The killing of Jhansi of Therespuram :** The PI listened to several testimonies from the relatives of those killed in police firing during the rally. There were also instances of police firing at other sites. There was the killing of a 40-year-old woman, Jhansi, in **Therespuram** at 2 pm on May 22 that requires particular attention and investigation. **Therespuram** is 10-13 km. from the Collectorate and comes under the jurisdiction of the North PS where Section 144 was not imposed there<sup>11</sup>. The woman was a well-known leader of the movement but was not part of the rally on that particular day. She was reportedly on her way to her daughter's house in the same vicinity to deliver fish. She was shot in the head in such a manner that her face collapsed.

Jhansi's relative recounts: "We did not go to the protest on May 22. We got to know that something was happening and offered food to the protestors. Around 2 pm [after the police firing in the Collectorate], Jhansi went to her daughter's home, which was nearby, to give her some fish. Around 2.30 pm we heard a lot of noise and realised there had been shooting by the police in **Therespuram**. Immediately after the shooting the police had wrapped a dead body in a banner and taken it away. Nobody knew who had died. At around 3 pm, when Jhansi did not return from her daughter's home, her husband across and found her missing. They thought Jhansi may be hiding and her daughter cautioned her father not to go out since it was not safe. When Jhansi had still not returned by 5 pm, we started searching for her; we went to the North PS. The SP denied that there was any shooting at Therespuram and asked the family to enquire at South PS. When we enquired at South PS by 6

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<sup>11</sup> 144 imposed areas and police firing areas in Thoothukudi, Sec 144 imposed areas in SIPCOT Police Station and Thoothukudi South PS jurisdiction Police Firing Area. (Annexures 23 of Part I on Pgs A- 106 - 108)

pm, we were asked to go and look at General Hospital. We found her dead body in the mortuary at hospital at 7 pm. Her name was registered as 'Unknown'. She had been shot in the head and face – her entire face had collapsed and we could only identify her through her necklace and bangles. Only one person was allowed to see her body...The body was not given to us. We were told it will be given on May 30. However, the police kept calling and forcing us to sign on various documents. They harassed us constantly for signatures and we were told that the body would not be handed over unless signatures were given. The police went to the extent of threatening us with false cases if signatures were not given. Finally, they conducted the post mortem, but the report falsely stated that Jhansi was 'stoned to death' when she was actually shot by the police."

The allegations relating to the killing of Jhansi, in isolation from events that took place at the rally, merit an individual FIR and an investigation into the culpability and the accountability for murder of a woman by, as is alleged, a policeman. If there was, as has been suggested, a necessary cordon and search operation in the area of Therespuram, the police must produce the operation order. If not, then the police must establish what they were doing in Therespuram; the transport logs and phone communications will indicate time and place of whereabouts. If necessary, the complicity of the supervisory cadre can be established. ***The PI feels duty bound to raise these questions in the public interest and asks for an internal inquiry which is public and also the filing of an FIR in relation to Jhansi's killing. The other killings that took place at the Food Corporation of India Round and Third Mile also need similar action.***

### ***Attacks at Sterlite Residential Quarters***

It was reported in the newspapers that the protestors attacked the Sterlite residential quarters. The PI team visited the quarters and could see the car parks in the front section of the building were burnt and the vehicles parked in the ground floor of the buildings, torched. The two respondents at the quarters, stated that the protestors -- around 200 in number -- barged into the quarters' campus after the firing at the Collectorate. According to them, the protestors were armed with petrol bombs and wore helmets and therefore could not be identified by CCTV cameras installed all over the premises. The Sterlite employees claimed that all the CCTV camera were destroyed before the petrol bombs were thrown in the car parking area. However, the PI team points out that it seems a strange coincidence for *all* cameras throughout the premises being destroyed or out of commission before any disruption took place in an admittedly sparsely populated area. ***The PI urges the authorities to verify the number of cameras operating in the premises in the ordinary course, their location and the timing at which the cameras stopped or became dysfunctional and call for the tapes just prior to that time, in order to understand why so secure a facility could malfunction so completely and if there was any deliberate hand behind such a sudden malfunction.***

PI team's interaction with the fire department revealed that fire control room did not get any call when the fire started during the rally. By the time they received the relevant information everything was gutted. Meanwhile during the fire at Sterlite quarters later in the day, the fire control room was provided immediate information and could arrive there and could effectively control the fire<sup>12</sup>.

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<sup>12</sup> Consolidation of Fire Accident Reports (Annexures 240 of Part II on Pgs 488 – 490.)



## ***Intelligence Failure***

The pattern, course and intensity of use of force against the crowd of unarmed local people by police taken together indicate that those responsible for collection, collation, analysis and dissemination of preventive, actionable, advance real time intelligence, had failed to provide specific and pinpointed information to District Police. Even in his report to the DC which is quoted in the Section 144 order, the SP does not make any reference to any external extremist or violent organisation being active in the area. No preventive infrastructural arrangements viz creation of crowd-segregating barricades; parking of govt vehicles and property in secured locations; positioning of patrolling parties with adequate women police at vantage points, etc. were done. The possibility of agent provocateurs and lumpen elements or extremist elements infiltrating demonstrating crowd, if at all, was not detected by Intelligence personnel. Consequently, police did not reportedly resort to any purposeful preventive arrests or effective pre-event vigilance. Timely intelligence tips would have prompted authorities to keep constant liaison with influential leaders, among demonstrators, from top to ground level for monitoring and moderating the degree of belligerency of those in the crowd.

***PI strongly feels that the presence of disruptive elements was not anticipated because there was no real danger from them and the notion has been put about as an afterthought to justify police actions at the rally and in its aftermath which sadly continues to date. If on the other hand there was an honest apprehension of danger during the rally it was left neglected and the administration's failure to recognise it contributed to loss of life in the events that followed.***

***The People's Inquest (PI) recommends to authorities to closely examine intelligence reports about the planning, preparation and conduct of the May 22 protest action against Sterlite Copper by organisers of demonstrators, to find out the actionable prognostic contents of the reports and thereafter examine, the quality prudence and efficiency of follow-up action by law-enforcing wing of police and Executive Magistracy, in the whole the affected region.***

## ***Fire service provisions***

Some members of PI Team held discussions with Shri Kumareshan, Assistant District Fire Officer and his staff. The Fire Service Team informed the team that being apprehensive of violence and arson in the city, they had positioned four self-sufficient fire-fighting units on the forenoon of May 22 at 1. Collectorate, 2. Madathur Junction, 3. Sterlite Copper premises, 4. Therespuram. According to them the distress call for assistance for containing arson was received from residential area of Sterlite staff and the fire unit could effectively intervene and prevent greater damage to property and injury to people. But from the Collectorate the request call was received after the government vehicles were nearly completely gutted. It is a mystery as to why the police official deployed for *bandobust* duties did not summon the five units immediately after those in the crowd had reportedly thrown petrol bombs on government vehicles. This inexplicable negligence of duty by relevant officers may give credence to allegations by some activists that the government vehicles were burnt to justify excessive police action. (See Fire accident reports.<sup>13</sup>) ***The PI team recommends a deeper probe into the use of the fire services on May 22.***

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<sup>13</sup> Fire accident reports of May 22, 2018 (Annexures 241 to 256 of Part II on Pgs 491 – 548.)

## ***Situation at the Government Hospital and Mortuary***

It was reported by several witnesses that even after the firing and attacks on the people on May 22, when injured people reached the GH for treatment, the police arrived there and attacked several injured and their families. People and families going to the mortuary to identify the dead were lathi-charged by the police outside the mortuary. A testimony was also received by the PI team, alleging that payment of Rs. 500 was demanded by the GH for conducting CT scans on about 60 injured people. PI team observed that families were upset on account of the court order delaying the release of the bodies. This compromised the dignity of the dead.

Testimonies also revealed that 108 ambulance services were not made available. None of the people with whom the PI team interacted confirmed the presence of public ambulances at any point of the rally or at the Collectorate. As per the accounts of the people, the 108 ambulance services were "ordered by the police not to attend" to the people who were injured during the rally. Accordingly, people had to avail of the ambulances provided by private entities and hospitals, such as Jeyanth Nallathambi Hospital and the Tamil Nadu Muslim Munnetra Kazhagam [TMMK].

Versions received by the PI team revealed that the GH doctors provided support and treatment to the innumerable people who were injured.

***The PI team observes that there can be no justification for the violence reported at the GH or the mortuary. Police personnel who allegedly assaulted patients must be identified and brought to book.***

***Testimonies of fearfulness attest to the situation on the ground. Several witnesses opted to go to private hospitals with their injuries because they feared being identified and harassed by police. Several of them feared arrests and false charges.***

***A fear of reprisal came across in many testimonies. Initially the several persons who were injured did not go to the GH for fear of arrest and many left before getting the full course of treatment in spite of going there, on account of the increased police presence. There were also cases reported of injured who did not want to be discharged fearing police reprisal after leaving the protection of the hospital. People who had been detained and had their properties taken into custody are scared to go and collect their articles for fear of arrest. People have testified credibly that the police are continuing with harassment and the threat of being implicated in open FIRs which provide space for picking up 400 to 7000 unnamed accused persons under various sections, has left them terrorised. Such omnibus FIRs are a recipe for misuse by the police.***

When a PI team of medical practitioners visited the GH on June 2, there were 56 in-patients (2 were in Intensive Care Unit -ICU). According to the doctors, on May 22, 63 of the 155 patients (including 23 police) who came to the Casualty left against medical advice. All the police personnel were shifted to Tirunelveli Medical College Hospital. On May 23, 16 patients (including 2 police) attended the Casualty. On subsequent days, patients again started trickling in. The initial voluntary discharge by the patients might have been due to the fear of police harassment.

***The PI team found that the standards followed in the government teaching/tertiary hospitals of India were observed by the medical professionals of Thoothukudi Medical College Hospital***

***while treating the victims. In fact, the clinical reports of the medical officers helped many victims to get the compensation granted by the Government of Tamil Nadu. We want to put on record the commendable role of Prof. Dr. A. Edwin Joe, Director of Medical Education (DME), Government of Tamil Nadu in coordinating the efforts of medical professionals of Thoothukudi Medical College Hospital.***

### ***Autopsies performed on the bodies***

When the PI team visited Thoothukudi Medical College Hospital on the evening of June 2, there were 7 bodies of victims from the rally and the day after; 7, autopsies were completed and 6 were waiting to be autopsied (autopsies were not performed on these bodies because the families had not given their consent to be present at the time of the autopsy). We were also informed that 6 other bodies had already been released to the relatives of the deceased. This takes the total number of bodies of victims brought to the Thoothukudi Medical College Hospital mortuary to 13.

On May 22, 10 bodies were brought to the mortuary and on May 23, one body was brought. On May 24, 2 more bodies of the victims who died during treatment at the Thoothukudi Medical College Hospital were brought. Thoothukudi Medical College has two mortuaries – one at Thoothukudi Medical College and another at Thoothukudi GH. Thoothukudi Medical College Mortuary has 21 freezer chambers. On May 22 and 23, when the bodies of the victims were brought in, the freezers at Thoothukudi Medical College Mortuary were closed for maintenance which was subsequently put back to regular service. Only 12 freezer chambers of Thoothukudi GH Mortuary were available and to create more free chambers, 6 unclaimed/unknown bodies that had been brought to the mortuary earlier were shifted to Tirunelveli Medical College Hospital to accommodate the bodies of the victims. Additionally, a freezer box was also made available for the 13<sup>th</sup> victim.

This shifting of 6 unclaimed/unknown bodies might have caused misunderstanding among the general public about the number of victims.

The autopsies of the first 7 bodies were conducted in the presence of the jurisdictional Judicial Magistrate and a representative of the family of the victims by the forensic medicine experts, Department of Forensic Medicine, Thoothukudi Medical College.

The first autopsies performed by the forensic medicine experts of Thoothukudi Medical College on the bodies of 7 of 13 victims adhered to the NHRC guidelines and textbooks of forensic medicine. They were videographed and photographed. There is no evidence to conclude that the first autopsies were performed unscientifically and ineptly. Of the seven bodies, six died of firearm injuries and the remaining one died of thoracic injuries caused by blunt force.

***The PI team also found that appropriate procedures were followed in preserving the bodies. The ideal temperature to preserve a dead body is 4°C. This was available in all the freezer chambers of Thoothukudi Medical College Mortuary and Thoothukudi GH Mortuary on June 2. We found the facilities at Thoothukudi adequate.***

The ideal practice is to complete the autopsies at the earliest, given weather and mortuary conditions. Otherwise, the bodies may start decomposing obliterating the vital autopsy findings. For instance, interpreting the age of injury - whether it is ante mortem or postmortem - becomes more difficult. In the case of firearm injuries, loosening of tissues due to decomposition will obliterate the

path traversed by the bullet in the body. Moreover, tissues collected for histopathological examination will not give any results due to autolysis of tissues due to decomposition. Some chemicals like alcohol, insulin show altered results due to decomposition.

To avoid any misgivings of the relatives of the deceased, the autopsy reports, video and photos of the autopsy must be made available to them at the earliest. In cases where the reports may be pending due to the delay to toxicology/histopathology reports, an interim report detailing the injuries and findings of organs can be given to the relatives. Similarly, re-post-mortems/second post-mortems should be preferably avoided especially when there is no evidence to show that the first autopsy was not done properly.

During an autopsy, the organs are exposed to the resident pathogens/bacteria of the mortuary and also to the gut flora (bacteria living in the intestines) of the individual which are released during the autopsy. So, even when the autopsied bodies are kept in freezers at 4°C, the decomposition starts because of the above said bacteria. The decomposition may not be fast but significant decomposition occurs. This decomposition becomes marked as the days advance. Moreover, in deaths due to firearm injuries, displaying the path that the bullet traversed within the body is important. It is possible to have done this a large extent (with some exceptions) in most of the cases in the first autopsy. But during re-postmortem/second postmortem tracing the pathway of the bullet may not be possible because of decomposition changes causes loosening of body tissues. So, second autopsies cannot be the solution to solve the doubts of relatives/judiciary. Only well-documented (with photographs and video) first autopsies by qualified Forensic Medicine experts can help.

***The PI team recommends that copies of autopsy reports should be handed over to the legal heirs at the earliest. In order to avoid any misgivings of the relatives, videos and photos of the autopsy should also be made available to them.*** In cases where the reports may be pending for some reason, an interim report detailing the injuries and findings can be given to the relatives. Unfortunately, in cases of police firing and custodial and jail deaths, autopsy reports are not given to the legal heirs by the hospital. Only through judicial intervention are relatives able to access such reports, causing them great mental agony as well as raising suspicions over the nature of the autopsy conducted. In these cases even till date (July 9) the families of the deceased have not received their post mortem reports after almost 48 days of the incident.

### **May 23 and the aftermath**

#### ***Allegations of Torture, Arbitrary Detentions and Fabricated Charges***

Since the morning of May 23, there has been a sudden and massive deployment of police personnel in Thoothukudi district, consisting of an Additional Director General of Police, two Inspectors General of Police, four Deputy Inspectors General and 15 SPs. This sudden increase of police officers lends credence to allegations of continuing reprisals and actions against the local people which appear to have no sanction in law.

People's testimonies revealed that on the morning of May 23, groups of people along with the families of those who were dead and injured due to police firing and lathi-charge, gathered in front of the GH and demanded action against the police. The police resorted to lathi-charge to disperse the crowd in front of the GH. Even the family members and patients inside the GH were attacked

with lathis by police who were present on every floor. The crowd in order to escape from police brutality had to flee from that area and ran to the neighbourhood areas and sought refuge in Anna Nagar.

As soon as this happened, a large posse of police personnel were deployed in Anna Nagar. They entered houses and other properties in that area apparently on a search mission. The residents of Anna Nagar were in great shock to see this sudden commotion and locked themselves inside their houses. The police also opened fire at residents of Anna Nagar, and many of them who were just standing near their houses received bullet injuries. Mr.Kaliappan died on the spot from the police firing. Women were also beaten up when the police entered their houses and an instance was reported of a 5-year old boy being stamped on the stomach and his 2-year old sister being assaulted by the police.

The PI team found in some of the villages that many people who had nothing to do with the protests but just went to watch, or were having tea at wayside shops, were also lathi-charged. They showed their injuries to the PI team but were not willing to go the GH out of fear of arrests. Lathi charges had also taken place in villages near their homes and huts. The PI team was also informed that the police particularly targeted young people and those who wore black shirts as a mark of protest or a rosary around their neck indicating they were Roman Catholic Christians. Many young men were not going home out of fear and were living in hiding. The PI team met a very young boy of 13 years who barely looked 10, who was beaten by the police and who showed them his injuries. The injured had open wounds which required immediate treatment but they were afraid of seeking medical attention because of their deep fears. They also lost their daily earnings as they were not able to go to work. Most of the men were involved in farming.

Witnesses have confirmed that there were massive and unwarranted door-to-door searches in several areas. Police personnel forcefully entered homes, damaging property. According to people's testimonies. Many young men picked up, were taken neither to police stations nor produced before judicial magistrates. All the testimonies indicated that they were beaten up and taken to unknown locations. Some of them were kept in the police station for hours, and in some cases they went without food, water or medical attention for more than one and a half days. Some of the accounts also stated that young men were illegally detained at the Varusanadu Firing Range. This has been documented by the Judicial Magistrate in his remand orders and the District and Sessions Judge in her bail orders as well as the petition for cancellation of bail of the 65 persons field in the Madurai Bench of the Madras High Court by the state.<sup>14</sup> Later, 30 of them were found to be minors. Several others who were not detained, across various locations in Thoothukudi, confirmed that they were rounded up and beaten by the police. The same can be proved through the injury marks they recorded on their mobiles after being beaten.

The PI team also recorded violence after May 23. In one case, on the early morning of May 31 at around 3 am, in village Meelavittan, which is barely 1.5 km from Sterlite and has a history of relentless struggle against Sterlite, three young men were picked up and detained by the police in mufti. The women in this and other villages around the area, who are in the forefront of the struggle, went the next day to the DC to petition for their release. The DC assured them that they will be

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<sup>14</sup> Remand orders of 65 persons indicating their illegal arrest and torture sustained, with the orders of bail of the District Judge and the petition for cancellation of bail in the High Court. (Annexure 25 (a) (b) & (c) of Part I on Pgs A – 120 to 146.)

released in one hour. However, it is learnt that the young men were for long in Palayamkottai Central Prison.

All persons whom the PI team met, including members of civil society named one Inspector Hariharan, the SHO of SIPCOT Police Station, of being particularly violent towards the people and also indulging in 'vulgar' casteist comments especially of a large section of people from Pandarampatt village who were of SC origin. No complaints were preferred since he was there jurisdiction officer.

From the testimonies, police had filed FIRs on unknown persons regarding the incidents on May 22 and 23, most of which appear to be done deliberately to remand more unspecified people belonging to the anti-Sterlite campaign. According to one testimony, a person who was already in police custody on May 23 since 1 pm, has been falsely charged for having torched a police bus in Anna Nagar, although the torching of the police bus had occurred at 2.30 pm. The police have followed the modus of registering one FIR in all police stations for every vehicle that has been registered to have been burnt. A perusal of the FIRs will reveal the same. This has enabled the local jurisdictional police to still keep out of the investigation of the few FIRs related to the firings and deaths caused that have been transferred to the crime branch CID and yet have several hundred FIRs some of which are open FIRs with over 1000 unnamed accused persons to harass innocent persons. ( The following documents documenting a few sample cases registered by the police against a few persons will indicate the same.<sup>15</sup> ) There are several instances of persons who have applied for official police permission to organise events after one month of the 'killings', who were refused the same and then moved the Madurai Bench of the Madras High Court and who have now thereafter been included in not one but over 11 cases. The classic case is that of human rights defender and advocate Mr. Vanchinathan, the State Organiser of the Human Rights Protection Centre who was initially arrested by the Thoothukudi police at the Madras Airport as he was returning from New Delhi by a late night flight after appearing before the Supreme Court of India in a public interest matter. This was in a case in FIR bearing Crime No. 190 of 2018 of the SIPCOT PS where though the petition for anticipatory bail was dismissed by the Madurai Bench of the Madras High Court, the formal order of the Court was not available on the day of the arrest and for more than a week later. When the bail petition was filed for Mr. Vanchinathan there were over nine criminal cases registered against him.

The PI team also observes the subsequent use of the preventive detention law against certain persons owing allegiance to certain specific organizations such as the Naam Tamilar Party, Makkal Athigaram etc. using provisions of the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slum-Grabbers, Act, 1982 and the National Security Act, 1980.<sup>16</sup>

***The PI team observes that many young men have been forced to leave their homes, as they fear arrest and torture at the hands of the police, even though they were not part of anti-***

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<sup>15</sup> Chart indicating cases registered against a few person as an example of false cases being registered against a large section of people. (Annexure 27 (a) to (e) of Part I on Pgs A – 147 to 185.)

<sup>16</sup> Preventive Detention orders of Kottaiyan, Mohammed Irsath, Mohammed Anas, Kaliloor Rahuman & Velmurugan @ Murugan dated June 10, 2018. (Annexure 28 of Part I on Pgs A-186 to 190)

***Sterlite rally on May 22 or even before that. Those who took part in the protests apprehend arrest as police have filed open FIRs against thousands of unnamed persons. There have even been instances where all the members of a family have fled their home, fearing false cases. There are also several injured people who have not availed medical treatment or reported their injury out of fear of being targeted by the police. The PI team witnessed a huge presence of police personnel and observed people living in terror even ten days after the rally. Testimonies also stated that the CCTV cameras in Thoothukudi South Police Station were covered with cloth when persons are illegally detained were taken to its precincts.***

The tabular columns attached as well as an analysis of the total number of the 240 FIRs that this PI team has analysed indicate that in most of the cases there is no name of the accused while in others there are un-named accused, comprising of 400 to 1000 or 2000, or 5000 and in one case even 7000 persons. The offences range from rioting, unlawful assembly, hurt with dangerous weapons, wrongful restraint, mischief by fire, criminal intimidation, house trespass and attempt to murder, under the IPC besides offences under the Explosives Substances Act and Tamil Nadu Public Property Prevention, Damage and Loss Act. While some FIRs have been registered on May 22 some of them have been registered on May 23 and even thereafter. While an FIR can be against unknown persons, having them against 400 to 7000 persons only means that provision is being made to add names at any point of time. This was a major fear operating in the minds of the people whom the PI team met.

This fear has reportedly been proved right from the versions given by those who were monitoring events that have taken place in Tuticorin after the PI team's departure. Representatives of a team led by Justice Hariparanthaman met the new SP of the District, along with Mr. Kamal Kumar IPS (Retd.) and Dr. Christudoss Gandhi IAS (Retd.), on June 3, when they were assured that the 'midnight knocks' would come to an end. Team members mentioned this assurance at the press conference held on June 3, however, what has been observed thereafter, is reported as follows:

- that the midnight knocks, followed by abuse of women folk and arrests did gradually stop for a few days after June 3;
- these were exactly also the days that the teams from the SHRC, NHRC and the Judicial Commission of Enquiry headed by Justice Aruna Jagadeesan were visiting Thoothukudi town and undertaking interviews with victims and their families from June 2 to June 6;
- however pursuant to that, large scale arrests preceded by breaking open doors, abuse of women in homes, torture of suspects, mainly youth, commenced in both the villages and Thoothukudi town in larger numbers than had existed when complaints of this had been made to the District SP by the members of the team;
- when the SP was met by leaders from political parties who made representations to him on these large scale arrests, the standard reply of the SP was that he had instructions from above and he had to do justice to the police who had been beaten by the protestors and sustained injuries and further since a lot of property was also damaged by these protestors during the march to the Collectorate on May 22;
- in fact the SP was quoted saying to the leaders of political parties who met him including the veteran political leader of the Communist Party of India (CPI), Mr. R. Nallakannu and represented this phenomenon of midnight arrests, that he has arrested over 800 people and have another 5000 more who need to be arrested;

- in fact in each of arrest narratives that were shared, the PI team was informed that a greater sense of fear was present once again in a town that had not yet completely mourned the deaths of 15 of its citizens. The same continues till date forcing even bodies like the traders' association to pass a unanimous resolution as late as on July 9, condemning this action and threatening a shutdown of shops if the same continued;
- it was also brought to the PI team's notice that since illegal detentions and torture had already been proved by the combined exemplary actions of the local bar associations offering free legal services, the sub-ordinate judiciary ensuring all Supreme Court and High Court judgments and guidelines relating to arrests were to be meticulously adhered to, the illegal detentions were no longer taking place in the Vallanadu police firing range. But now the venue has shifted to the armed reserve compound located in Millerpuram (within Thoothukudi town limits), and further that the main road leading to this armed reserve buildings was also blocked with no access to anyone except the police; and,
- the above illegal arrests also followed with political leaders addressing public meetings on the same issue, human rights organisations issuing public statements on the same' specific writ petitions also being filed in the Madurai Bench of the Madras High Court in relation to the same<sup>17</sup>, and even a one day symbolic fast being held by the members of the Tuticorin Bar Association.
- the latest is an allegedly confession statement from one Mahesh of Madathur village this statement speaks volumes about how the statement is now willing through its investigating agency to implicate persons who had participated in Peace Committee 20 May 2018 and agreed to protest at SAV grounds. This is conclusive proof of the design to implicate anyone who speaks about Sterlite.

From an analysis of the FIRs, is the PI team notes that barring a few, the FIRs concerning attacks on police were not registered under IPC sections such as Section 326 or Section 307, indicating that the claim of the police that they were excessively attacked and suffered injuries at the hands of protestors, appears to be largely unfounded. Even from the testimonies presented before the PI team and visits to police stations, cases of excessive injuries suffered by the police have not been made out, in comparison to the massive numbers of civilian injuries and deaths. While several FIRs have been registered against unknown persons/protestors, no FIRs have been filed by people or on their behalf against the police or even unknown persons, in the case of those who have died or have been injured in the police firings and lathi-charge. This clearly indicates that people are totally frightened to seek recourse under the law. Also, even before the firing at the Collectorate, no FIRs are noted to be filed in respect of the incidents that have taken place on the way to the Collectorate.

The police terror and repression continue even as on date in Thoothukudi with police officers from several other districts still manning police stations without knowing who the locals are and their antecedents. National and regional political parties and local leaders have also not been granted permission to conduct meetings to publicly mourn the deaths in the city and publicly condemn the killings. Permission was sought for the same by the Communist Party of India (Marxist) (CPM) and

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<sup>17</sup> Writ petitions filed in the Madras High Court on the Thoothukudi incident in public interest. (Annexure 52 to 63 of Part V on Pgs A – 235 to 403)



the Viduthalai Chiruthaigal Katchi [VCK] for such meetings and both were refused permission<sup>18</sup>. Both the parties approached the Madurai Bench of the Madras High Court. It is interesting to note how the court responded to this application for exercising the right peaceful assembly, protest and expression. The court granted permission but with conditions stating how many hours the meeting should be held, how many persons should attend, who should welcome the meeting, who were to be the two speakers, who was to deliver the vote of thanks and that the police would be free to videograph the proceedings. The police not only regulated the entry to the said meeting when it was finally held on July 18, but also videographed every person who came to attend the said meeting. In the prevailing climate at Thoothukudi one can very well understand the purpose in videographing every participant at the meeting. The irony was that instead of 1000 persons, 1726 persons attended the meeting and hence the police thereafter also registered an FIR under Section 188 IPC against the meeting organisers and the 1726 participants of the said meeting. The Madurai Bench of the Madras High Court had to quash this FIR subsequently.

Similarly, the VCK organised its meeting where the Madurai Bench of the Madras High Court had permitted only 4 speakers to participate. One Mr. Paul Prabhakar who attended this meeting as the State Propaganda Secretary to the Dravidar Viduthalai Kazhagam is now before the Madurai Bench of the Madras High Court for an anticipatory bail due to harassment that he and his family members are facing from the police stating that he has criminal cases pending against him.

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<sup>18</sup> Order of police declining permission to CPM and VCK and order to conduct meeting to CPM dt June 16, 2018. (Annexure 19 (a) & (b) & 20 of Part I on Pgs A – 57 to 69)

## 5. The Thoothukudi Tragedy: A Background

### **Policy Violations, Dilutions, Nexus between a large Corporate and the State**

Sterlite Copper is a unit of Vedanta Limited, one of the world's largest mining and metals company and it accounts for 36 per cent of India's total copper output. Founded by Anil Agarwal, its current chairman who is currently based in the U.K., Vedanta set up the Sterlite Copper Plant in 1996. It consists of a smelter, refinery, acid plant, and copper rod plant, in the land allocated to it by State Industries Promotion Corporation of Tamil Nadu Ltd. (SIPCOT) in Thoothukudi. The plant has the capacity of producing 4,38,000 tonnes of copper terminals per annum, or 1,200 tonnes per day. Sterlite plans to double its production and emerge as the world's second largest copper smelting units in the world. Sterlite is located in a thickly populated zone with more than 4.6 lakh (46 million) people living in 8 towns and 27 villages inside a 10-km span of the plant.

From its inception, the plant has been wracked with controversy. Numerous court cases and refusals of permission to produce are witness to this. Most especially there have been numerous complaints against the company for harming the environment and breaking environmental regulations. Several reports suggest that the company, given its monetary and political clout (while it remains one of the ruling Bhartiya Janata Party's biggest donors the former Union finance minister of the previous Congress-led UPA government was a paid non-executive director of the group), has been able to break laws with impunity. Numerous reports that have examined the working of Sterlite suggest that the company has been able to continue to function and expand, despite continuously violating environmental laws and regulations. The fact that it has been able to transgress the limits of permissions accorded to it is suggestive of the power it wields and the influence it is able to muster.

In 1992, Sterlite was allotted 500 acres of land by Maharashtra Industrial Development Corporation (MIDC). The land was allotted to it for setting up a 60,000-ton per year copper smelter in Ratnagiri. The people of the area around the plant, who feared the impacts the pollution caused by copper smelting would have on their lives, were successful in stopping the construction of the proposed plant after a year-long agitation.

### **Original Plant**

In 1994, Vedanta, after being unable to set up the copper plant in Goa, Gujarat and Maharashtra, came to Tamil Nadu (TN) and was successful in getting a no objection certificate from the Tamil Nadu Pollution Control Board (TNPCB) to set up the Sterlite Copper Plant in Thoothukudi. The Ministry of Environment and Forests (MoEF) had issued an Environmental Clearance (EC) for the plant in 1995 without waiting for the Environment Impact Assessment (EIA). In 1996 the TNPCB granted Vedanta a licence to operate, violating its own condition that the plant should be located at least 25 kilometres away from the Gulf of Mannar. The plant was allowed to come up within 14 km from the Gulf of Mannar. Although the Environmental Clearance (EC) granted in 1995 was challenged by National Trust for Clean Environment before the Madras High Court, the plant began operations on January 1, 1997, even as the matter remained pending at court. Just after the plant started operating, local residents complained against it, but TNPCB did not take any action and in fact defended the owners of the plant. In just four months, in the year 1997, the Tamil Nadu Electricity

Board (TNEB) and its manufacturing unit near the plant, complained about a gas leak. Nevertheless, Sterlite was given a clean chit.

The National Environmental Engineering Research Institute (NEERI), on the directions of the Madras High Court, submitted studies on pollution being caused by the plant. While NEERI had initially reported the violations of the plant – which forced the plant to shut down operations in 1998 for a short spell – it was allowed to restart and NEERI was asked to carry out another investigation. In its subsequent report, NEERI changed its earlier stand and argued that the plant should be allowed to run at full capacity. It is speculated that NEERI revised its position and gave a clean chit to Sterlite after being awarded projects worth Rs 1.27 crore between the period 1999-2007.

In 1999, 11 staff members of All India Radio, working in the vicinity of Sterlite, had to be hospitalised because of a gas leak and in 2001, toxic wastewater released from the plant, polluted water flowing in an area close by. It also appears that although TNPCB had limited production to 70,000 tonnes per year, Sterlite manufactured 1,75,242 tonnes of copper anode in 2004. In 2004, the Supreme Court Monitoring Committee (SCMC) team inspected Sterlite and recommended that environment clearance for expansion from 391 to 900 tonnes per day be given. However, even before this clearance was procured, the new production facilities had already been built, indicating that Sterlite had expanded its production capacity without the necessary licences. Within a day of the SCMC's inspection, MoEF issued an environmental clearance to Sterlite for the plants it had already begun to construct – which only indicated the extent of government support it was receiving. This despite the reports of TNPCB which accused Sterlite of indulging in unlicensed production by pointing to an entire factory complex where none of the plants had the necessary construction licences from TNPCB.

### **Expansion in 2009**

In 2008, the company proposed expansion of its daily production from 900 tonnes per day to 1200 tonnes per day of copper by putting up Unit-II and obtained environmental clearance for the same on January 1, 2009.

The process by which environmental clearance was granted to Vedanta remains controversial. It dispensed with the mandatory requirement of a public consultation process, justified on the company's representation that Unit-II was located inside a notified area of SIPCOT industrial park, which had already received environmental clearance. Under clause 7 (i) 3 Stage (3) (i) (b) of the EIA Notification, 2006, projects located within industrial parks that have received EC (under item 7 (c) of the Schedule to the Notification are not required to conduct public hearing prior to issuance of EC. However, the original Phase II of SIPCOT, where Unit-II was located, had itself not received environmental clearance. Therefore, the EC that was granted, on the representation made by Vedanta, was faulty and illegal.

This EC dated January 1, 2009, for Unit-II, which was originally valid for a period of 5 years, was extended, on July 23, 2015, for a further period of two years. It was thereafter renewed, on March 2, 2016, for a further period of three years and was accordingly valid till December 31, 2018. This was done in the following manner:

- The MoEF issued an Office Memorandum on December 10, 2014, interpreting clause 7 (i) 3 Stage (3) (i) (b) of the EIA Notification, 2006, in effect diluting it by issuing a clarification that the

exemption from public hearing would extend to projects or activities located in industrial estates and parks notified by the government prior to September 14, 2006 (the date of EIA Notification, 2006 coming into force). This sought, in effect, to apply the exemption to projects or activities located in industrial estates and parks which had not obtained EC or approvals under the EIA Notification, 2006. This notification enabled companies such as Vedanta to avoid the public consultation process, which would have allowed for questions from the local stakeholders, hearing their fears and grievances and their objections to the setting up of the polluting plant.

- This notification, dated December 10, 2014, was in dilution of an Office Memorandum dated May 16, 2014, which clarified that the exemption from public consultation would be granted only to projects located in industrial parks or estates that had obtained EC under item 7 (c) of the Schedule to the EIA Notification, 2006. The renewal application of Vedanta was pending before the MoEF and Vedanta was required to undertake public consultation as per the laws then existing, and as clarified under Office Memorandum dated May 16, 2014, which it had not done.
- Meanwhile, on April 29, 2015, the government issued a draft notification to amend the EIA Notification 2006 to extend the validity of EC granted under the law from the original five years to seven years and to also enable the renewal process (for a further 3 years). This directly benefited Vedanta as its EC dated January 1, 2009, for the Sterlite Copper Smelter Unit-II was due for renewal on completion of its 5-year tenure. However, with the introduction of this new notification extending the validity period, Vedanta applied for extension of the EC, and on July 23, 2015, got the EC extended by an additional period of two years. Immediately thereafter, on March 2, 2016, Vedanta obtained recommendation for renewal of its EC up to December 31, 2018.

### **Expansion announcement in January 2018**

In January 2018, the company announced its plans to double the capacity of the copper smelter. This was opposed by the people in Thoothukudi. In March 2018, the original plant was shut down for 15 days due to maintenance and preparations for expansion. Pursuant to this, they were not granted a licence by TNPCB to continue their operations beyond March 2018, due to non-compliance with environmental regulations. After the May 22 rally and subsequent killings, vide a Government Order dated May 28, 2018, the Tamil Nadu Government has endorsed the closure of the Sterlite Copper by TNPCB in larger public interest. SIPCOT, too, has passed an order cancelling the land allotment made in favour of Sterlite for the expansion of Unit-II.

### **A brief summary of Sterlite's legal violations**

The history of Sterlite's operations demonstrates how regulation and regulatory agencies constantly played catch-up with the legal violations that Sterlite engaged in.

The following are some of the key legal violations:

#### *Sterlite Copper Unit 1*

**MISREPRESENTATION OF LAND HOLDINGS:** On August 9, 2007, the Ministry of Environment & Forests issued an Environmental Clearance to Sterlite for expansion of copper production from 900 tonne per day to 1200 tonne per day on the basis of Sterlite's claim that it had sufficient land for its expansion and for environmental protection mitigation infrastructure to handle the additional

pollution load generated by the expansion project. The Clearance states: "Total project area is 172.17 ha and no additional land will be required for the expansion project."

The company never had 172.17 hectares. As the most recent 2018 Inspection Reports of TNPCB demonstrates, the company holds only 102.5 hectares against the required 172.17 hectares. The EC was obtained on false declarations.

**GREENBELTS:** The Union Ministry of Environment & Forests recommends a 500 metre wide greenbelt around any large industry, and 1000 metres between two large industries.

In Sterlite's case, the TNPCB first (August 12, 1994) mandated the development of a 250 metre wide greenbelt, which was then (on August 18, 1994) arbitrarily reduced to 25 metres upon the company's request. In its November 1998 report to the Madras High Court, NEERI found that the company had failed to develop even the reduced extent of greenbelt. NEERI also found that the reduction from 250 metres to 25 metres was arbitrary and not scientific.

The violation continues to the present day. As per the Environmental Clearance of 9 August 2007, authorising the company's expansion from 900 tpd to 1200 tpd, the Union Environment Ministry requires Sterlite to develop a greenbelt of adequate width over 43 hectares of the total 172.17 hectare project area. As stated earlier under Section titled "Land Fraud," Sterlite never had and does not possess 172.17 hectares. It has only 102.4 hectares. The question of developing a 43 hectare greenbelt does not arise. However, in its statutory submission reporting compliance with Clearance Conditions, Sterlite boldly misrepresents facts to make it appear as though this condition has been complied with.

**UNDER-DESIGNED CHIMNEY STACKS:** The stacks attached to the ISA smelter and the two sulphuric acid plants are far below the legally prescribed minimum height for such operations. While copper and sulphuric acid production has grown from 234 tpd and 638 tpd respectively in 1995 to 1200 tpd and 4200 tpd respectively in 2006, the heights of the chimneys attached to the smelter and sulphuric acid plants have remained the same – at 60 metres. The existing plant with 4 lakh tpa copper capacity also has only 60 metre stacks against a legal minimum of 103 metres.

**UNLICENSED EXPANSION (2004):** On 21 September, 2004, the Supreme Court Monitoring Committee on Hazardous Wastes directed the TNPCB to inspect the plant "to ascertain whether the unit has already proceeded with the expansion of the project without prior permission from the appropriate authority(ies) in which case the TNPCB shall take suitable action..." It also stated that "When the existing waste management practices of the unit are not in compliance with the environmental standards...it would be inadvisable to consider expansion of the unit..." A Committee constituted by TNPCB inspected the plant on 29-30 October, 2004, and found that ISA Smelt Furnace, Rotary Holding Furnaces (2 Nos), slag cleaning furnace, converter, an anode furnace, caster unit, oxygen plant, sulphuric acid plant had already been constructed without obtaining mandatory Consent to Establish under Air and Water Acts. A refinery and a continuous copper rod plant were under construction, also without Consent from the TNPCB. The plant that was constructed without a license was rewarded with a license to operate in 2005 by the TNPCB.

**TREATED EFFLUENT FAILS TO MEET REGULATORY STANDARDS:** NEERI reports from 1998 to 2011 – submitted to the courts -- have consistently indicated that the effluent treatment system is operating inefficiently. In its report of 2011, for instance, it reported that "levels of both TDS and

sulphates in treated effluent continued to exceed standards. Fluoride levels in treated effluent were also shown to exceed standards. Treated wastewater samples from the spray ponds exceeded standards for fluorides, sulphates, TDS, and zinc.”

**GROUNDWATER QUALITY WITHIN FACTORY PREMISES:** In its report of 2011, NEERI stated that well water samples exceeded maximum permissible limits for drinking water in TDS, iron, sulphates, and fluorides. Samples also exceeded desirable levels for chlorides.

**GROUNDWATER QUALITY OUTSIDE FACTORY PREMISES:** Samples for ground water quality outside Sterlite premises consistently exceeded stipulated standards for drinking water in NEERI Reports from 1998 to 2011. Its 2011 report recorded groundwater samples with levels in excess of the standards for TDS, sulphates, calcium, magnesium, fluorides, and iron.

**RECENT GROUNDWATER QUALITY DATA INDICATES POLLUTION:** Results of Analyses of 15 groundwater samples (7 within the factory and 8 from villages around the factory) collected by TNPCB and the Thoothukudi district administration on 28 March, 2018, reveal that all 15 water sources are polluted and in violation of the Bureau of Indian Standards norms for one or more drinking water parameters. Levels of the neurotoxin heavy metal lead, which is particularly toxic to children, were found to be between 4 and 55 times higher than levels considered safe for drinking water.

The findings revealed that groundwater in Therku Veerapandiapuram village had lead levels 55 times higher than permissible standards. Kumareddiapuram village groundwater had lead 39 times in excess of safe levels. Kayaloorani village groundwater had lead levels 46 times higher than permissible levels, Pandarampatti village 40 times higher, Madathur village 21 times higher, and Meelavittan village 11 times higher. Fluoride levels were above desirable levels prescribed by the Bureau of Indian Standards in groundwater taken from Madathur, Silverpuram and Meelavittan.

In its submission to the Appellate Authority, where Sterlite has challenged the rejection of renewal of Consent to Operate by TNPCB, Sterlite has presented TNPCB groundwater data – a total of 32 results from 16 locations inside and outside the factory, one each for 2016 and 2017 to claim that there is no evidence of groundwater pollution. However, Sterlite’s own data tells a different story. For instance, magnesium levels are in violation of desirable standards in all 32 results. Iron levels are in violation of permissible standards in 28 out of 32 results.

**AIR QUALITY:** NEERI Reports from 1998 to 2011 also document air pollution emissions in excess of the standards. For instance, NEERI 2011 recorded particulate matter emissions in excess of the limits for both PM10 and PM2.5. The report also showed fluoride concentrations in excess of the levels stipulated by the WHO.

**UNAUTHORISED HANDLING OF HAZARDOUS WASTE:** Between July 9, 2013 and March 31, 2018, the company handled, transported and disposed of hazardous wastes without a valid authorisation under the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008, later replaced by Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016. This fact is recorded in the Proceedings of TNPCB in April, 2014 rejecting the company's application to renew its Consent to Operate under the Air and Water Acts.

**HEALTH IMPACTS ASSESSMENT:** In 2008, the Department of Community Medicine, Tirunelveli Medical College submitted a report titled ‘Health Status and Epidemiological Study Around 5 km

radius of Sterlite Industries (India) Limited, Thoothukudi'. The study covered a population of 80,725 people and compared the health status in villages around Sterlite with the average health status prevailing in the state and two other locations that did not have any major industries. It indicated the prevalence of brain tumours among males is 5.6 percent, as against a national incidence rate of 5-10/100,000 in India. 12.6% of deaths were due to nervous diseases and major causes for this was recorded as paralysis, loss of sensation and brain tumours. At 13.9%, respiratory diseases were significantly more prevalent in the areas surrounding the factory than in areas without industry, and were much higher compared to the state average. The incidence of asthmatic bronchitis is 2.8%, more than double the state average of 1.29%. The study noted that eczematous skin lesions were high (1.38%) in the region. "Women in the [study] area had more menstrual disorders, like menorrhagiae and dysmenorrhagiae...." according to the report.

### *Sterlite Copper Unit 2*

**FALSIFYING INFORMATION TO OBTAIN ENVIRONMENTAL CLEARANCE:** The Copper Smelter Plant-II at Thoothukudi originally obtained Environment Clearance for a greenfield smelter complex on 01.01.2009. Subsequently, the EC was renewed on 23.07.2015 and 02.03.2016 by the Union Environment Ministry. The original environmental clearance and each renewal was illegally obtained by availing exemption from public consultation by misrepresenting the location of the project as being within a "notified Industrial Estate/Complex." This illegality came to light recently by information unearthed using the Right to Information Act, 2005. A review of the land survey numbers for Sterlite's proposed site, and the Survey Numbers for the proposed "SIPCOT Tuticorin Industrial Park" (TIP) indicate that Sterlite's entire proposed project falls within the TIP. The proposed TIP is still at the planning stage and is proposed to be developed under SIPCOT Phase – II scheme, Tuticorin and is yet to be granted necessary environmental approvals from concerned authorities. Sterlite had commenced construction at the new site after the Madras High Court on April 28, 2016 dismissed a Public Interest Litigation challenging the Environmental Clearance.

A renewed challenge to the Environmental Clearance was filed in the form of a Writ Petition in the Madras High Court in May 2018. The petitioner challenged the Clearance on grounds that it was fraudulently obtained by misrepresenting facts regarding the project site, and by misleading the Court in collusion with the Union Environment Ministry. On May 23, 2018, the High Court issued an interim injunction directing Sterlite to stop all ongoing construction at the site of its new 1200 tonne per day copper smelter<sup>19</sup>.

### **Court Litigation at a Glance**

Several litigations were filed in respect of copper smelting units I and II, which are listed below.

<b>S.N.</b>	<b>Case</b>	<b>Parties</b>	<b>Forum</b>	<b>Details / Status</b>
1.	W.P.15501-15503/1996	National Trust for Clean Environment - Petitioner	Madras High Court - PIL	Challenged the Environmental Clearance granted by the MoEF and Consent orders under Air Act and Water Act granted to Unit-I by TNPCB

<sup>19</sup> Interim order of the Madurai Bench of the Madras High Court dated May 23, 2018. (Annexure 9 of Part III on Pgs 283 to 308)

2.	W.P. 5697/1997	V.Gopalaswamy - Petitioner	Madras High Court - PIL	Seeking a direction to Sterlite to stop operating the plant- inter alia
3.	W.P. 16861/1998	CITU-Petitioner	Madras High Court - PIL	On the issue of failure to take safety measures in the 1 <sup>st</sup> Plant leading to many accidents
By a common order dated 28.9.2010 all the Writ Petitions listed at 1, 2, 3 above were decided and the plant was ordered to be shut down by a Division Bench of the Madras High Court <sup>20</sup> .  The Closure Order was stayed by SC on appeal (See below) by Sterlite on 01.10.2010				
4.	Civil Appeal- 2776- 2783/2013	Sterlite Industries- Appellant	Supreme Court of India	In 2013, Supreme Court set aside the order dated 28.9.2010 of the Madras High Court. While acknowledging the large-scale pollution and also the misrepresentations of the Appellant – Sterlite ordered to pay damages of 100 crores. It was allowed, however, to continue operations. <sup>21</sup>
5.	WP	Patchammal, Petitioner	Madras High Court - PIL (Madurai)	On slag dumping near water bodies in Pudukottai village, Tuticorin Taluk. (Status Not Known)
6.	Appeal No. 23/2013 and 24/2013 dated 01.04.2013	Sterlite- Appellant	National Green Tribunal (Southern Zone)	Against the closure order of 23.03.2013 of TNPCB pursuant to the gas leak.
		Fatima- Intervenor	NGT	Impleaded in the above appeal by Sterlite
		V.Gopalaswamy- Intervenor	NGT	Impleaded in the above appeal by Sterlite
7.	Appeal No 57 and 58/2013	Sterlite – Appellant	NGT	Above matter transferred from SZ to Principal Bench, New Delhi
On 08.08.2013, NGT verdict in favour of Sterlite, after an expert committee conducted an inspection and submitted a favourable report.				

<sup>20</sup> Common order dated Sept 29, 2010 by the Madras High Court when plant was ordered to be shut down. (Annexure 5 of Part III on Pgs 213 to 237)

<sup>21</sup> Order of the Supreme Court set aside the order dated 28.9.2010 of the Madras High Court. (Annexure 6 of Part III on Pgs 238 to 259)



8.	SLP Civil Appeal 8773 to 8774 of 2013	TNPCB-Petitioner	Supreme Court of India	Against the above NGT Verdict, on technical grounds that NGT ought not to have entertained the appeal, as the rightful forum for the appeal was the Appellate Authority constituted under Air and Water Acts.
9.	W.P. 13810/2009	Pushparayan-Petitioner	Madras High Court - PIL	Seeking to challenge the environmental clearance granted on 01.01.2009 for Unit-II with 1200 tpd capacity on the ground that EC was obtained without Public Consultation wrongfully invoking an exemption from public hearing clause that applied only to units proposed to be located within notified industrial estates.  Dismissed on 28.04.2016 because all Respondents represented that the proposed smelter would be within the existing notified SIPCOT Industrial Complex
10.	WP Number Not known	Muthuraman-Petitioner	Madras High Court - PIL	Seeking to cancel the lease deeds issued by SIPCOT to Sterlite
11.	Appeal No. 36 and 37/2018	Sterlite – Appellant	Tamil Nadu Environment Appellate Authority	Against the order dated 09.04.2018 of TNPCB wherein the consent to operate for Unit-I was not renewed.  Fatima, V.Gopaldaswamy and others have impleaded themselves in this.  Case is pending.
12.	WP (MD) 9283 of 2018	V.Gopaldaswamy - Petitioner	Madras High Court - PIL	Seeking a direction to not extend any licence or clearance to Sterlite and close down existing operations of Sterlite. <sup>22</sup>

<sup>22</sup>. Writ petition filed by Mr. Vaiko, General Secretary of the MDMK dated April 23, 2018 before the Madurai Bench of the Madras High Court. (Annexure 52 of Part V on Pgs 235 to 249)

13.	WP (MD) 11220/2018	Fatima- Petitioner	Madras High Court - PIL	Challenging the environmental clearance dated 01.01.2009 (extended on 15.07.2015 and 02.03.2016) to Unit-II. The court granted an interim order on 23.05.2018 directing Sterlite to stop all activities at the second smelter and also asked the MoEF to consider the application for fresh clearance by sterlite within 4 months with a mandatory public hearing <sup>23</sup> .
14.	SLP	Ramasubbu	Supreme Court of India	Against NGT order regarding slag dumping along Uppar river. Admitted and notice issued.

### **People's opposition to Sterlite**

When the foundation stone for Sterlite was laid on the October 30, 1995 by the then Chief Minister of Tamil Nadu the citizens of the town were carried away by the pomp and flourish that accompanied the arrival of the industry. There were many who believed that Tuticorin was going to make it big in the industrial map of the country and that it could offer jobs to all the unemployed youth of the district. A few voices raising concern went unheeded. It was only after the negative environmental damage and ill health started to show and the industry spread its octopus tentacles into every aspect of life and livelihood of the townsfolk without taking the consent of locals as necessary that opposition to Sterlite began to be voiced. The havoc wreaked by the industry became explicit as early as the year 2000 with patients crowding hospitals with respiratory disorders. The situation worsened as years passed by and Tuticorin came to be known as the cancer capital of Tamil Nadu. The discharge of disproportionate quantities of arsenic, sulphur and other hazardous chemicals is said to have damaged the environment and the health of the people to an inestimable extent.

The continuous year on year discharge of hazardous chemicals into the air, ground and drinking water and into the ecology of the Gulf of Mannar, has not been estimated and is probably incalculable. Alongside the irreparable damage to environment and significant health deterioration the populace faced, was Sterlite's ability to bypass all regulation, obtain licenses without due process, as it continued to construct and manufacture in violation of permissions and regulation and completely exclude the local population from their statutory rights of consultation, or be heard successfully at any ready local or state forums, except in the distant courts and even here orders were frequently subverted on the ground. Finally faced with an intolerable and worsening situation and no redress available, the residents of Thoothukudi had little choice but to take to the streets in protest,

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<sup>23</sup> Court pleadings in the case of Fatima against Sterlite (Annexure 16 to 18 of Part III on Pgs 325 to 356)

The anti-Sterlite people's struggles started as early as 1995. The first major uprising was that of the fishing community that objected to hazardous waste being dumped into the sea. They located the pipes carrying the sludge and broke them in order to stop that exercise. They blockaded two vessels carrying copper ore at sea and stopped them entering Tuticorin port. They embarked on a voyage in their barges and boats, carrying just biscuits, bread and bananas for a few days' sustenance. Their resistance sent the vessels rushing to the Cochin port, where they unloaded their cargo which was later transported by road to the plant.

On the July 5, 1997, more than 100 women working in the adjacent Ramesh Dryflowers Company were affected by a gas leak from Sterlite, causing nausea, dizziness and suffocation. While many fainted there were reports of abortions as well. They were all admitted in the GH. Later that night, as news spread, people poured out into the streets in a state of panic. The administration pacified the people by ordering an enquiry. The outcome was 'Sterlite not guilty'. The question "Then who is the culprit?" was not however answered. The lack of any resolution to the problem or administrative response to the deteriorating health issues of the area, prompted ever larger protests on to the streets. On the July 9, 1997, more than 10,000 people participated in a rally. Protests against the factory continued in big and small ways over the next few years.

Another upsurge of emotions and anger was experienced on March 3, 1999, when a gas leak impacted the staff of the All India Radio station unit located near Sterlite. Many of them were admitted in the GH for inhalation of noxious gas. The reports suggest that they were not given the record of treatment that they received there. They went on a strike, although the townsfolk did not participate in this action in a big way because it was not seen as their problem.

Thus, every time there was an accident, there has been a popular backlash, but one that ended after a few days. Meanwhile reports suggested that a number of accidents, causing death and permanent injuries, kept occurring inside the plant. Each time the issue subsided after the company "took care" of the affected families. In July 2010, activists and environmentalists who had by now organised into various small groups representing communities in the area, now demanded public accountability and demanded the closure of the unit for import duty evasion. They protested at the main entrance of the Collectorate. The SIPCOT police filed FIRs against a number of people.

With the cancer cases rising shockingly, a greater sense of awareness of the danger to their lives and that of their children, began to grow amongst the people, along with a simmering resentment. The occurrence that caused the people to flood the streets happened on March 23, 2013. On that day, the plant was started up after a short shutdown. During this process, the engineers failed to maintain the bed temperature in the copper smelter. This triggered a massive leakage of gas that the wind blew through the entire town. All those who were outside their homes were affected. Frightening fits of coughing, panting and swooning affected the whole town. There were abortions reported. Trees and plants across Thoothukudi appeared scorched. The DC Ashish Kumar himself stated that he and his wife were affected. Emotions ran high. People came out in large numbers to register their protest. Thousands sat on a hunger-strike. More than 3000 took part in a demonstration. Once again this led to several arrests. For the first time in the history of the struggle, medical practitioners expressed their views by offering supporting affidavits when a case was filed in the National Green Tribunal. Protesters went to Chennai and met the M.L.A.s to request them to address the issue in the TN State Assembly.

With little response from Sterlite or the District Administration, the Anti-Sterlite People's Movement conducted a massive human chain protest on July 18, 2017, with nearly 4000 people participating, to pressurise the government and the TNPCB to withdraw their consent orders to Sterlite Phase II. This was the first struggle against the expansion activities of Sterlite Phase II.

Large-scale protests, street corner meetings to spread awareness, signature campaigns, dharnas, RTI campaigns, hunger fasts, rallies and petitioning, have all been part of the anti-Sterlite struggle. Popular protests have caused the factory to shut down five times, but never permanently. Today, the situation has come to such a pass that what is being demanded is nothing less than the permanent closure of the plant. As Mr A.W.D. Tilak, President of the Bar Association of Thoothukudi, put it: "This is a fight for justice, truth, human rights." In many ways, it has demonstrated the resilience of ordinary people to take on a corporate behemoth that has been polluting their environment for over two decades with total impunity. Will the country's constitutional institutions rise up to the challenge of ensuring that their tortuous, often tragic, struggle will not go in vain? That is the question that demands an urgent answer.

## 6. Recommendations

### A. Immediate Recommendations

#### a. Completely halt all operations of Sterlite:

1. Sterlite, and its parent company Vedanta, have a record of violating the law, and acting in ways that seriously impact the lives of tribal and local communities, the forest, and the environment. This is recorded in judgments of courts, official reports including those made to the Forest Advisory Committee, and the poor ethical and human rights record of the company has been acknowledged and acted upon by agencies such as the Norway's Government Pension Fund, the Church of England, the Scottish Investment Group Martin Currie and, more recently, after the Thoothukudi firing, the Labour Party in the UK which called for de-listing Vedanta in the stock exchange. In 2007, the Supreme Court cited the Norwegian Pension Fund's decision to disinvest in Vedanta because it was concerned that "the Fund (ran) an unacceptable risk of complicity in present and future severe environmental damage and human rights violations by continuing to invest in the company." The court said: "We do not wish to express any opinion on the correctness of the said Report. However, we cannot take the risk of handing over an important asset into the hands of the company unless we are satisfied about its credibility." While disinvesting in Vedanta, the Church of England said, in 2010: "We are not satisfied that Vedanta has shown, or is likely in future to show, the level of respect for human rights and local communities that we expect," adding that maintaining investments in Vedanta "would be inconsistent with the church investing bodies' joint ethical investment policy".
2. Sterlite has been persistently in violation of law, and of the licence that regulates its conduct of business in Thoothukkudi. Agencies in different parts of the world have recognised supporting the functioning of such a company would amount to complicity in unethical and illegal activities. In the language of the law, the company has emerged as a habitual offender.
3. The company's operation must cease in Thoothukkudi. The plant must be dismantled, the site cleaned up, and the effects of its operation so far carefully assessed and remediated. This is also important so as to ensure that the health effects, and the polluting of water, and of air, that has been witnessed in the vicinity of the Sterlite plant is mitigated urgently.
4. It has been proven beyond doubt that the Sterlite is a serious violator which has severe implications for people's lives, why should such a company be given a license to operate at all? The same rationale was applicable to Dow when it took over from UCC to do business in India. Dow was, moreover, also harbouring a fugitive implicated by the court of law which itself is a crime. The basic question was the same then and remains the same now – why should the violators be given license to operate, not to speak of expanding operations?

5. A health study must be immediately undertaken to identify, treat, mitigate and compensate those suffering the effects of the operation of the Sterlite plant in Thoothukkudi. People living in the vicinity of the plant have been experiencing increased morbidity since the plant began to function. Breathlessness, frequent coughs and cold, fevers, giddiness, fatigue and a rising incidence of cancer have been the experience of local people. Some doctors even call it 'Sterlite sickness'.
6. Even as the health study is carried out, the involvement of Sterlite in the government hospital must cease. Local people spoke of the futility of trying to get records from a hospital that is, even if in part, controlled by the company. This despair of the people must be addressed. The only hospital records to which the affected people have had access is the prescription. They have had no access to records of what they had been tested for, or the diagnosis, or the proposed treatment. The right of the patient to her records must be enforced.
7. An inquiry into the role of the TNPCB must be conducted. The failure of PCBs to act, or to follow through on what they find, is causing a great deal of harm to people, and to the environment. A thorough investigation into the role of the TNPCB in the setting up of the Sterlite plant, the permissions given or refused, the cases filed, the orders and the follow through must be a prelude to taking action based on the findings. Properly done, it should reveal what PCBs can be reasonably expected to do, their failings, and how they may be set right. Failures of PCBs, it should need no saying, means that harm and injury, often irreparable and irremediable, occur.
8. The PI report has documented facts and evidences which demonstrate gross violations of human rights from May 22 onwards and the entire state machinery affiliation towards a corporation over its own people. The report has also documented serious concerns pertaining to health, environment, livelihood and components of business and human rights. It is important to acknowledge that people have been long victim of Sterlite's operations in Thoothukudi and on several occasions made attempts to communicate to their concerns with the district administration and the state government. It is in this backdrop, the PI team recommends that all operations of Sterlite are completely halted/banned with immediate effect. All related requirements of Sterlite's exit from Thoothukudi must be at its own cost.

**b. Violation of Standard Operating Procedures (SOP)**

1. The Tamil Nadu Chief Secretary must appoint a team of senior officers from police and Executive Magistracy in order to investigate to what extent the SOP was violated by the relevant government functionaries, in the Thoothukudi firing and the subsequent human rights violations that took place in order to fix the liability of those officials responsible for specific delinquent acts. This should also include both acts omission and commission and be completed without any further delay and in a time bound manner. It is only such acts of those responsible for governance that will build trust among the people of Thoothukudi.

**c. Examination of intelligence reports**

1. The Tamil Nadu Chief Secretary must appoint a team of senior officers from police to closely examine intelligence reports about the planning, preparation and conduct of May 22 protest action against Sterlite Copper. This team should find out the actionable prognostic contents of the reports and thereafter examine the quality prudence and efficiency of follow-up actions by law-enforcing wing of police and Executive Magistracy, in the whole affected region.

**d. Access to autopsy reports**

1. The Tamil Nadu Chief Secretary in order to avoid any misgivings of the relatives of the deceased, makes available the autopsy reports, videos and photos of the autopsy to the representatives of the deceased at the earliest. In cases where the reports may be pending due to the delay of toxicology/histopathology reports, an interim report detailing the injuries and findings of organs can be given to the relatives.

**e. Introduction of a special visitors' register to enter messages from VIPs and political leaders to the hospital**

1. That instead of subsequent questioning and photographing of patients during the visits of VIPs to the hospital, a special visitors' register can be maintained at the office of the dean of the hospital or the administrative head of other hospitals. This will ensure that all special visitors and VIPs can sign it to express their sincere concerns. This will respect the privacy of patients undergoing treatment in hospitals.

**f. Fire and Ambulance services**

1. The Tamil Nadu Chief Secretary appoints a senior officer to undertake a deeper probe into the use of fire and ambulance services on May 22.

**g. Remand orders**

1. In view of categorical proof of individual remand orders being passed mechanically by some Judicial Magistrates at the time of remand of the accused in the Thoothukudi cases , an immediate exercise of judicial scrutiny in all the individual remand orders passed by the concerned Judicial Magistrates in the 239 FIRs registered by the inspectors of police, of SIPCOT Police Station, Thoothukudi South Police Station, Thoothukudi North Police Station, Thoothukudi Central Police Station, Puthukotti Police Station, Puthiamputhur Police Station, Muthiahpuram Police Station and Sayarpuram Police Station is undertaken by the Chief Judicial Magistrate (CJM) to verify whether the arrest and remand in each case was in accordance with law and all the constitutional rights of arrested persons under 41A, 41B, 41C, 41D, 50, 54, 54A, 55, 55A, 56, 57 and 60A of the CrPC were respected. The report of the CJM that should be made public should be submitted to the protocol judge for Thoothukudi district for taking necessary remedial action.

#### **h. Solidarity meetings**

1. The District Superintendent of Police of Thoothukudi should ensure that all applications seeking permission for meetings to express solidarity with the people of Thoothukudi for the incidents of May 22 and onwards, from political parties, independent people's movement, profession based organisations, traders' organisation and human rights organisations, are not forthrightly denied using the provisions of Sections 30(2) of the Police Act 1861 forcing each of the organisations to rush to the Madurai Bench of the Madras High Court seeking permission for the conduct of these meetings. Such meetings fall within the freedom of association, assembly and expression, guaranteed under Article 19 of our Constitution and presently strengthened by the United Nations Special Rapporteur on the right to peaceful assembly and association, as well as the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Such meetings respect the commemorations and tributes to the victims that has to be followed as per the UN guidelines.

#### **i. Prosecution and disciplinary action against police officers**

1. The District Collector/District Magistrate should use the officials of the district administration to carefully detect all complaints of torture and other cruel, inhuman or degrading punishment, against all state officials that have been complained off by individual arrestees at the time of their judicial remand and duly recorded by the Judicial Magistrate for undertaking actions against the erring police personnel and police officers under the relevant provisions of law including disciplinary action and prosecution.

#### **j. Compensation to all affected including long-term rehabilitation**

1. While a general compensation has been provided to all the deceased and injured persons, the District Magistrate should approach the District Legal Services Authority to undertake a case by case study of each case of the 14 deceased and several hundreds of injured person and their families/dependents to ensure that the right to remedy for human rights violations as articulated in the 'United Nations Basic Principles and Guidelines on the Right to Remedy and Reparation for Victims of Gross Violations of International Human Rights and Serious Violations of Humanitarian Law' are strictly adhered.
2. This compensation is to be recommended in addition to what has been already provided and needs to be proportional to the gravity of the violations and harm suffered; restore the victim to the original situation before the gross violation and restoration of employment and return of property; to be provided as appropriate and proportional to the gravity of the violation and the circumstances of each case such as physical or mental harm; lost opportunities, including employment, education and social benefits; material damages and loss of earnings, including loss of earning potential; moral damage; costs required for legal or expert assistance, medicine and medical services, and psychological and social services.



3. Satisfaction should include, where applicable, any or all of the following: (a) effective measures aimed at the cessation of continuing violations; (b) verification of the facts and full and public disclosure of the truth to the extent that such disclosure does not cause further harm or threaten the safety and interests of the victim, the victim's relatives, witnesses, or persons who have intervened to assist the victim or prevent the occurrence of further violations; (c) an official declaration or a judicial decision restoring the dignity, the reputation and the rights of the victim and of persons closely connected with the victim; (d) public apology, including acknowledgement of the facts and acceptance of responsibility; (e) judicial and administrative sanctions against persons liable for the violations; (f) commemorations and tributes to the victims.

**k. Cleanings up and restoration of air, water and soil pollution caused**

1. The harm caused by industries needs to be undone or cleaned up at the earliest. This requires concentrated efforts as well as allocation of resources. The cleaning up shall be carried out by the State Government on the basis of recommendations of a high-level committee it should appoint to advise it on the matter.
2. This high-level committee should have experts on this issue and the same can be drawn from across the country not limited to the state of Tamil Nadu and government officials alone. The total costs of the of restoring air, water and soil pollution should be recovered from the Vedanta/ Sterlite.

**l. National Human Rights Institutions (NHRIs)**

1. Statutory and constitutional bodies set up to act on behalf of people's interest, especially in relation to the state, is often not taken seriously, and so it has been in Thoothukkudi. (Except in the case of the NHRC) The purpose of having a National Commission for Women, Scheduled Castes, Children, Minorities, for instance, is to lend a statutory role to those who recognise the special vulnerabilities of certain categories of people and speak to the government on behalf of their rights and interests.
2. A protest that was carried over a 100 days was paid no attention, and 15 people had to die before it became plain that there was simmering anger and anguish among the people of the town. That demonstrates a failure of these institutions whose mandate is to address the problems and difficulties that the category of persons who their mandates cover face. That is astonishing lack of concern which is neither ethically nor legally acceptable.
3. People protest when they have a cause, and institutions set up to care about what is happening to people cannot remain either unaware or silent while the people suffer. The inordinate burden placed on affected people in their battle against a powerful, and rich, corporation is unconscionable.

**m. National Human Rights Commission (NHRC)**

1. The NHRC is presently handling this case involving killings, torture and illegal detention by police, affecting children, women, person with disabilities and members of the transgender community. Also, issues concerning responsibility of business, in

this case Vedanta/Sterlite, to respect human rights has also emerged as one key component. It is therefore recommended that this matter is handled only by the Full Bench of the NHRC in its Full Court, allowing advocates to represent interested parties to appear before the NHRC and that the case is heard in a time bound manner on a day to day basis as far as possible, with very short adjournments if required.

2. The NHRC must include all petitions in this case who formally approached the NHRC with a complaint and mark them as respondents. Human Rights Defender's Alert – India (HRDA) petitioned as early as May 22 and People's Watch on the May 23 but their petitions are not yet numbered. Given their interventions in this case, NHRC must ensure that they are respondents in this case along with others whose complaints are taken on board.
3. The NHRC must ensure that the report submitted by its investigation team is made available to all those who have petitioned before it which will allow them to undertake further actions at their end that they deem necessary.
4. The NHRC should convene a meeting of its Full Commission [including all its deemed members] and in addition the Chairperson of the National Commission of the Protection of Rights of the Child (NCPCR) as a special invitee. The meeting should discuss the occurrence and findings in Thoothukudi and obtain their individual observations and recommendations after exchanging their own respective investigation reports among themselves. A joint action by concerned NHRIs in this case will be necessary to ensure victims/survivors in Thoothukudi get justice.
5. The NHRC should communicate urgently with the Chairperson of the Tamil Nadu State Human Rights Commission (SHRC) who had also taken this complaint as a suo motu action. NHRC should ensure that it alone carries on with its complaint, however it should seek possibilities of engaging the Tamil Nadu SHRC including its Director of investigation, who is presently an officer of the rank of Director General of Police in the state, and his Senior Superintendent of Police to gather any further ground level details that are required in this case.
6. The NHRC should form a committee of experts to meticulously study every photograph and video footage available in the social media, print and television media to identify every police personnel and officer who is seen to be using force contrary to the provisions of the existing Madras Police Standing Orders. The police personnel and officers so identified and those senior officers responsible for providing those commands should also be equally held responsible and legal actions initiated against them.
7. The NHRC should as a matter of grave importance and urgency, immediately make public if it has received the original order passed by the District Magistrate (DM) under section 144 containing all the grounds. NHRC should also enquire into the date, time, place and mode of section 144 service on May 21. In addition, the NHRC should also enquire into absence of the District Magistrate from the Collectorate or at his camp office on the May 22 when the orders directing police action were passed. NHRC

should also ensure that these are part of its investigation report and the same is made available to all respondents.

8. The NHRC should immediately exercise powers granted under Section 12 (b) of the Protection of Human Rights Act 1993 and intervene in all pending litigations before the Supreme Court of India, the Principal Bench of the Madras High Court, the Madurai Bench of the Madras High Court and the National Green Tribunal, so that it is able to present before the respective courts/tribunals its own position on the grave human rights violations in Thoothukudi and issues concerning business and human rights.
9. The NHRC should ask its newly formed committee on business and human rights to visit Thoothukudi and undertake a detailed analysis of the concerned situation there. The UN Guiding Principles on business and human rights developed by the special representatives of the UN Secretary General on the issue of human rights and transnational cooperation and business enterprises must be a reference point for the said committee's mandate.

**n. National Commission for Women (NCW)**

1. The significant presence and participation of women in the 100 day protest in Thoothukkudi should have alerted the National Commission for Women that they act under their mandate to inquire and intervene in what was happening in that town. Their absence, not only during the long haul of a 100 days, but even after the firing which killed and injured men, women and children is inexplicable. The NCW has a duty to safeguard and promote the rights and interests of women. It also has a responsibility to speak to the government carrying the voices of women in relation to what is happening with them, and what they seek.
2. The NCW must act to inquire, and report on, the events that led up to the May 22 firing. It needs to speak to the women of Thoothukkudi about their experience with the Sterlite plant, the health problems that have grown including concerning the health of their children, the polluted water, increased incidence of infertility, their encounters with the police and the violence which they faced, the trauma and anger that remains among them.

**o. National Commission for Scheduled Castes (NCSC)**

1. Acknowledging that the NCSC had also intervened in this case, almost five weeks after the incident and since the Honourable Chairperson of the NCSC is a deemed member of the NHRC, it is important that the report of the investigations undertaken by the NCSC is made available through its Chairperson to the NHRC.

**p. National Commission for the Protection of Child Rights (NCPDR)**

1. The effects that the operation of the Sterlite has had on the health of children has been reported widely in the area of the plant. Health effects, their irregularity in attending school because they fall ill, the responsibility of the medical professionals to report on patterns of illness and morbidity have to be inquired into and remediated.

The National Commission for the Protection of Child Rights is mandated to protect the rights and interests of children. Here, too, a hundred days of protest has gone unnoticed by the NCPCR. They need to step up immediately.

2. The firing has had a significant impact on the children in the area, and the NCPCR needs to speak on their behalf to the governments at the centre and in the state.

**q. Tamil Nadu State Human Rights Commission (SHRC)**

1. The SHRC which has taken suo motu motion of the issue and also visited Thoothukudi on June 2, urgently and without any delay should communicate with the NHRC and offers its support to the NHRC in this case. The SHRC should offer the services of its Honourable Members, its Director of Investigation, Senior Superintendent of Police and other staff, to assist the NHRC in any further investigations that are required in this matter. This combined complaint handling of the NHRC using the resources of the SHRC, will also be unique and perhaps the first time that a collective handling of complaints is undertaken by the NHRC and SHRC.

**r. Tamil Nadu State Commission for Protection of Child Rights (SCPCR)**

1. The SCPCR should immediately undertake a detailed inquiry conducted by its Chairperson on the basis of reports received from its members and publicly available into all cases of illegal detention of juveniles in the pending 240 criminal cases. The inquiry should include a visit to the official reception centres or juveniles' homes to understand the status of juveniles taken into custody in the said cases. If these visits and reports reveal complaints of illegal detention and torture of juveniles, the SCPCR is encouraged to discuss with District Legal Services Authority of Thoothukudi district for offering free legal assistance to each of the juveniles in these cases for disciplinary action and criminal prosecution of those responsible for the same.
2. The SCPCR is further recommended to approach the State Legal Services Authority for assistance in filing relevant petitions before the Madras High Court for any remedies that may be deemed fit for protecting the rights of the children affected in this case.

**s. Tamil Nadu State Commission for Women (SCW), Tamil Nadu State Commission for Minorities (SCM), State Commissioner for Persons with Disabilities (SC – PWDs):**

1. The SCW, SCM and SC – PWDs are recommended to immediately undertake a visit to ensure how women, minorities, and persons with disabilities have been grossly infected in this police action on May 22 and thereafter.
2. The SCW and SCM should make relevant and urgent recommendations after meeting victims, representatives of the anti-Sterlite movement, lawyers and others to ascertain how each of these sections were affected and make specific recommendations to overcome these in future.

3. It is recommended that the SC – PWDs recommends a multidisciplinary bio- psycho social model approach to address in this situation those persons who have been left with serious, possibly life-long disability as a result of the police action.

The SC – PWDs should take immediately necessary disciplinary action against the District Welfare Officer for not taking cognizance and for not providing requisite psychological, physical and other relief liable to the persons with disability and others affected in the police action.

## **B) Long-Term Recommendations:**

### **a. Continued medical support for all health effects**

1. The affected people are going to have long term health impacts and it calls for providing medical support for the affected people for a long term. Also, there are many health impacts that would emanate because of the health ailments caused by the direct exposure to the pollution and may not seem directly attributable. The Tamil Nadu Chief Secretary should ensure that a long-term strategy with clear allocation of resources is put in place to take care of health impacts on all the people in the affected area.

### **b. Establishment and Strengthening of Business and Human Rights Redressal systems in NHRC and other NHRIs**

1. There is a pertinent need to initiate a division within NHRC exclusively on business and human rights, which investigates and recommends action in a time bound manner in cases of violations. The division should have a clear role to intervene in cases of human rights violations where businesses are involved directly or indirectly. The Chairperson should head this division.
2. Each of the NHRIs, created through constitution, statute or executive orders such as NHRC, NCW, NCM, NCSC, NCST, NCPCR etc. should mandatorily be made to create a division on business and human rights to look at violations from the respective constituencies. For example, NCPCR should have one division on child rights and business. It is critical to role played by businesses vis-à-vis particular constituencies particularly in the light that many of the services have been privatized and calls for accountability and fixation of responsibilities.

### **c. National Human Rights Institutions**

1. The practice of having police officers and former police officers involved in the investigation of human rights violations, particularly in circumstances where the alleged perpetrators are the police, should be immediately withdrawn.
2. Confer power on NHRC to investigate cases against armed forces personnel.

**d. Exclusive cell to investigate non-compliances**

1. The Ministry of Corporate Affairs should have an exclusive cell to investigate non-compliance by the businesses. In all cases, where there is violence on communities, the ministry should organise mandatory public hearing. The reports from the public hearings should be made public.

**e. Creating statutory entitlements for the communities**

1. The National Voluntary Guidelines on business are as of now are toothless and its only significant role is in terms of mandatory disclosure by companies in the form of Business Responsibility Reports (BRRs). It is important that an independent body is appointed to look at different aspects of the guidelines and initiate processes for creating statutory entitlements for the communities, especially those who are impacted negatively by businesses. At the same time there is a need to look into the disclosures made by the companies as part of BRRs.

**f. Community as stakeholder to be non-negotiable:**

1. Communities need to be recognised as active stakeholder rather than mere beneficiaries of business action. Communities living in vicinity of business operations should be involved right from the beginning and their views should be incorporated in the project design. Though this is already recognised as a principle. There is a lack of operational systems to ensure the same. Ministry of Corporate Affairs should take a lead role and monitor the implementation of this, making it mandatory for companies to report on participation of communities during the project cycle.

**g. Corporate Social Responsibility (CSR) cannot substitute for responsible business**

1. It is quite evident that focus has shifted from core business actions to other peripheral development work undertaken by businesses with an introduction of 2% mandatory expenditure under CSR in 2013. It needs to be monitored that how responsible are businesses in their core activities and reporting systems should also be reflective of this. This requires strengthening of systems as well as establishment of statutory provisions making it mandatory for companies to report on impacts, which are negative in nature.

**h. All monitoring and enforcement agencies to have local community participation**

1. The systems used by monitoring and enforcement agencies are often “technical” and ignore experiences and expertise of local communities. This hides the concerns shared by local communities from being reflected in reports and consultations done by respective agencies. It should be made mandatory to consult and include community as one of the primary stakeholders for generation of information by monitoring and enforcement agencies.

**i. Stringent standards for sanctioning, monitoring and controlling of polluting and harmful industries**

1. The systems for sanctioning and monitoring of polluting and harmful industries are lacking in terms of effective check. Polluting and harmful industries need to be treated as exceptional cases where in more stringent norms should be brought in place. As of now systems of checks have become mere checklist items and require overhauling wherein there should be live data sharing on status of pollution and harm caused by industries. The businesses should provide the data in local language for easy access. At the same time communities consent should be a critical component, which should be periodically reviewed during the entire project cycle.

**j. Guidelines in handling force and firearms**

1. The Tamil Nadu Chief Secretary should constitute a high-level committee comprising experts from the police and from the legal fraternity as well as human rights defenders, to develop detailed guidelines in handling force and firearms as contained in the Madras Police Standing Order 703 and in accordance with the international standards on the use of force and fire arms. Once developed, these guidelines have to be meticulously followed in all cases of use of force and firearms and shall serve as the guiding force for any judicial scrutiny of the use of force in crowd-management.

**k. Addressing issues concerning children**

1. Introduce specific guidelines for protection and support for the victims and their families; strengthen the existing child protection mechanisms to minimize the crimes against children; improve victim compensation procedures
2. The NCPCR must be restructured to become an independent entity. The NCPCR must be given the same status as the NHRC.

**l. Human rights defenders, freedom of association, assembly and expression**

1. Enact a strong law, in compliance with international standards, for the recognition and protection of human rights defenders and enable them to continue their legitimate peaceful work including peaceful public protests to express dissent.
2. The NHRC should ensure that its focal point on HRDS should be a member of the commission as recommended by the UN Special Rapporteur on human rights defenders in her report in 2012. A fast-track procedure for complaints from defenders should be developed.
3. All human rights defenders wrongfully detained for exercising their right to fundamental rights to freedom of expression, association, assembly, should be unconditionally and immediately released.
4. Best practices on freedom of peaceful assembly should be adopted, as put forward by the UN Special Rapporteur on the right to peaceful assembly and association in his annual report (2012) should become the basis for the development of NHRC guidelines on the same.

5. Government of India must ensure that security forces abide by the United Nations basic principles on the use of force and firearms by law enforcement officials; force should not be used unless it is strictly unavoidable, and if applied it must be done in accordance with international human rights law.

**m. Access to Justice**

1. Ensure compliance with the National Legal Services Authority guidelines for prompt legal services to persons in police and judicial custody in Thoothukudi.
2. Institutionalize a regular reporting and monitoring processes in the legal aid machinery to ensure accountability and transparency.
3. Ensure that Boards of Visitors are constituted in all jails across states in compliance with the 2011 Ministry of Home Affairs advisory.
4. Fully comply with the amended UN Standard Minimum Rules for the Treatment of Prisoners, 2015.
5. Acknowledge and increase accountability and redress for all victims of custodial violence or other human rights violations by the police.
6. Implement witness protection in conjunction with the relevant actors involved in criminal justice.

**n. Torture and Enforced Disappearance**

1. Government of India must immediately ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol
2. Government of India must enact Prevention of Torture Bill in accordance with the international legal standards and taking into full consideration the recommendations/suggestions earlier made by the select committee and adopt a robust domestic legislation.
3. Government of India must immediately ratify the Convention against Enforced Disappearances
4. Government of India must invite and respond to the requests by the UN Special Rapporteurs on torture, extra judicial killings, human rights defenders, freedom of assembly and association, expression, Working Groups on arbitrary detention and business and human rights.
5. Government of India must remove requirement of sanction for prosecution of security personnel and grant permission to enable prosecution in all pending cases involving human rights violations
6. Government of India must ensure that all allegations of human rights violations by security forces and police are promptly and independently investigated, and that perpetrators are prosecuted in civilian courts in cases where security forces are involved, and victims and their families receive reparations.



#### **o. Internet shutdown**

1. Indian laws remotely allowing internet shutdowns are The Telegraph Act, 1885 and Information Technology (Amendment) Act of 2008 (IT Act). Section 5(2) of the Telegraph Act, more than a century old act in the era of colonised India, primarily allows the governments to restrict or interfere with the transmission of messages. There are no domestic court ruling which interprets its jurisdiction over internet. Section 69A of the IT Act allows the governments to block specific websites and pages and it also refrains from stating anything on internet shutdowns. It is in this context, it is to be noted that the access to the internet is well regarded as an enabled to freedom of expression. Government of India and state governments must take measures to adhere to the international human rights law to ensure the right of people to freely communicate including through the internet is maintained under all circumstances.

#### **P. Use of Preventive Detention Laws:**

1. All the cases of preventive detentions must be enquired into by the NHRC in a time bound manner. Application of preventive detention laws must take into account the restriction imposed on the constitutionally guaranteed liberty and human rights. NHRC after an independent investigation if arrives at the conclusion of wrongful confinement misusing the prevention detention laws, must order legal prosecution of such police personnel.
2. The courts should also take into account, the guidelines laid down by the Supreme Court. A bench of justices B S Chauhan and Dipak Misra on May 20, 2012, passed the ruling in the case of Huidrom Konungjao Singh from Manipur and stated that 'the personal liberty of a person is sacrosanct and state authority cannot be permitted to take it away without following the procedure prescribed by law, otherwise it would be violative of the fundamental rights guaranteed under articles 21 and 22 of the constitution.....the detaining authority also has to satisfy that it had reliable material on the basis of which it had reasons to believe that there was real possibility of the arrested person's getting bail and that after his release, he would indulge in activities, prejudicial to public order'.

**Co-ordinating Committee for undertaking the People's Inquest into  
Thoothukudi Police Firing comprising civil society and traders' organizations  
in Thoothukudi**

**Convenors:**

1. Mr. A.W.D. Tilak, Advocate and President, Adhoc Committee, Thoothukudi Bar Association & Former Member of the Bar Council of Tamil Nadu and Pondicherry.
2. Mr. Chokkalingam, Correspondent, APC College of Education, Thoothukudi
3. Mr. Meera Shah, Aikya Jamath, Thoothukudi
4. Prof. Dr. X.D. Selvaraj, Writer, Social Activist, Thoothukudi

**Organising Secretary:**

Mr. Athisayakumar, Advocate, Thoothukudi

**The People's Inquest jury team comprised:**

1. Justice Mr. B.G. KolsePatil, Former Judge, Bombay High Court
2. Justice Mr. Hariparanthaman, Former Judge, Madras High Court
3. Mr. M.G. Devasahayam IAS (Retd.) Former Chief Secretary, Haryana
4. Dr.Christudoss Gandhi IAS (Retd.), Former Additional Chief Secretary, Tamil Nadu
5. Mr. Kamal Kumar IPS (Retd.), Former Director, National Police Academy, Hyderabad
6. Mr. R.B.S. Sreekumar IPS (Retd.) Former Director General of Police, Gujarat
7. Mr. Jacob Punnose IPS (Retd.) Former Director General of Police, Kerala & Special Rapporteur, NHRC
8. Prof. Dr. K. Mathiharan, Forensic medicine expert & formerly with University of Malaya, Malaysia
9. Ms. Geetha Ramaseshan, Advocate, Madras High Court
10. Ms. Maja Daruwala, Senior Advisor – Commonwealth Human Rights Initiative, New Delhi
11. Dr. Usha Ramanathan, Legal Researcher, New Delhi
12. Prof. Kalpana Kannabiran, Director – Council for Social Development, Hyderabad
13. Prof. Shiv Visvanathan, Professor, O.P. Jindal Global University, Sonipat, Haryana
14. Ms. Pamela Philipose, Senior Journalist, New Delhi
15. Mr. Amit Sengupta, Senior Journalist, New Delhi

16. Ms. Kavitha Muralidharan, Journalist, Chennai
17. Dr. Savior Suresh, Forensic Medicine Expert, Chennai
18. Dr. V.A. Ramesh Nathan, Advocate & General Secretary – National Dalit Movement for Justice, New Delhi
19. Mr. Tom Thomas, Convenor – Corporate Responsibility Watch
20. Ms. Kavitha Gajendran, Photo Journalist & Social Activist, Chennai
21. Dr. T.M.N. Deepak Nathan, President – December 3 Movement
22. Mr. T. Peter, National Fishworkers Forum, Trivandrum
23. Mr. Jasaiah Joseph, National Fishworkers Forum, Kanyakumari

**Co-ordinated by:**

1. Mr. Nityanand Jayaraman, Writer, teacher and social activist & adjunct faculty in the Asian College of Journalism, Chennai
2. Mr. M.A. Britto, Advocate & Social activist, Tirunelveli
3. Mr. Henri Tiphagne, Advocate & National Working Secretary, Human Rights Defenders' Alert – India (HRDA) and All India Network of Individuals and NGOs working with National and State Human Rights Institutions (AiNNI)

**Secretaries to the People's Inquest team:**

1. Mr. Mathew Jacob, Director Programs, People's Watch
2. Ms. Rajakumari Michaelsamy, Manager, Human Rights Education, Amnesty International India, Bengaluru.
3. Mr. Pradeep, Praxis, New Delhi
4. Ms. Lara Jesani, Advocate, Mumbai
5. Mr. Rajavel, Advocate, New Delhi
6. Ms. Alina Tiphagne, (Photographer), Madurai

**Preliminary fact finding mission into the Thoothukudi Police Firing of  
22<sup>nd</sup> May 2018 undertaken as a prelude to the People's Inquest  
(from 28<sup>th</sup> May to 1<sup>st</sup> June 2018) undertaken by the Co-ordination Committee**

**Local Expert and Support Committee to the fact finding:**

1. Prof Fatima Babu (Retired Professor, St. Mary's College Thoothukudi)
2. Mr. Thermal Raja (Secretary, Traders Association, Thoothukudi)
3. Prof Dr. X.D. Selvaraj, Writer, Social activist, Thoothukudi
4. Prof. Dr. Suntharimainthan, Social activist, Thoothukudi
5. Mr. Athisayakumar, Advocate, Thoothukudi

**Members of the fact finding team:**

**Advocates:**

1. Adv. Mr. Martin, (Former President), Tiruchirappalli Bar Association, Tiruchirappalli
2. Adv. Mr. Sheik Ibrahim, Ramanathapuram Bar Association, Ramanathapuram
3. Adv. Mr. Asokan, Salem Bar Association, Salem
4. Adv. Mr. Nickolas, Coimbatore Bar Association, Coimbatore
5. Adv. Mr. C.J. Rajan, Madurai Bar Association, Madurai & Director, SAMAM
6. Adv. Nagendran, Madurai Bar Association, Madurai & pro bono lawyer, People's Watch.
7. Adv. Mr. Kennedy, Tiruchirappalli Bar Association, Tiruchirappalli
8. Adv. Mr. Ravi, Dharmapuri Bar Association, Dharmapuri
9. Adv. Santhanam, Madurai Bench of the Madras High Court, Madurai & representing LAAS / IDEAS
10. Adv. Ms. Geetha, Kancheepuram Bar Association, Kancheepuram and Makkal Mandram, Kancheepuram.
11. Adv. Mr. Prabakar, Vellore Bar Association, Vellore
12. Adv. Ms. Jesintha, Tuticorin Bar Association, Thoothukudi
13. Adv. Mr. Senthil, Tuticorin Bar Association, Thoothukudi
14. Adv. Mr. Madasamy, Tuticorin Bar Association, Thoothukudi & Social Activist, Thoothukudi.
15. Adv. Mr. Muthupandi, Tuticorin Bar Association, Thoothukudi & Citizens for Human Rights Movement (CHRM), Thoothukudi
16. Adv. Ms. Sumitha, Tuticorin Bar Association, Thoothukudi

### **Human Rights activists:**

1. Ms. Rajakumari Michaelsamy, Manager, Human Rights Education, Amnesty International India, Bengaluru
2. Prof. D. Kulanthai, Madras University, Chennai
3. Mr. Aranga Gunasekharan, President, Tamilaga Makkal Puratchi Kalagam.
4. Mr. Maria Susai, Human Rights Education, Amnesty International India, Bengaluru
5. Ms. Kavitha Gajendran, Social Activist, Chennai
6. Prof. Rathna, Human rights activist, Chennai
7. Mr. Arulanandam, Founder, Alliance for Release of Innocent Fishermen, Rameshwaram
8. Dr. Sebastian, Social Activist, Chennai
9. Mr. Jisti Muhammed, District Secretary, TMMK, Kanyakumari District.
10. Mr. G. Ganesan, Honorary State Co-ordinator, People's Watch.
11. Mr. Chokku, State Coordinator, Institute of Human Rights Education, People's Watch.
12. Mr. Mohan, Associate Director, People's Watch.
13. Mr. Aseervatham, State Co-ordinator, CHRM, Madurai
14. Mr. Esaikkumuthu, State Convenor, CHRM, Thoothukudi
15. Mr. Senthilraja, CHRM, Dharmapuri
16. Mr. Prabu, CHRM, Perambalur
17. Mr. Rayan, SAMAM, Thoothukudi.
18. Mr. Rajalingam, CHRM, Dharmapuri
19. Mr. Sampathkumar, CHRM, Krishnagiri
20. Mr. Shakthivel, CHRM, Krishnagiri
21. Mr. Muthukumar, CHRM, Thoothukudi
22. Mr. Anandharaj, Health Rights Activist, Madurai
23. Mr. Andrews, Social Activist, Thoothukudi
24. Mr. Benjamin, Social Activist, Thoothukudi
25. Mr. Reegan, Social Activist, Thoothukudi.
26. Mr. George, Social Activist, Thoothukudi.
27. Mr. Prince, Social Activist, Thoothukudi.
28. Mr. Dilipan, Social Activist, Thoothukudi.

29. Mr. Devapriyan, Social Activist, Thoothukudi.
30. Fr. Suseelan, Social Activist, Thoothukudi
31. Mr. Thangaiya, Social Activist, Thoothukudi.
32. Mr. Eugene, Social Activist, Thoothukudi.
33. Mr. Anto, Social Activist, Thoothukudi
34. Mr. Suresh Perumal, Social Activist, Thoothukudi
35. Ms. Jaya Nandhana, (II Yr, PG in Human Rights), Ethiraj College, Chennai.
36. Mr. Elder Sen, (II Yr MSW) Anugraha Institute of Social Sciences, Dindigul.
37. Mr. NallaiyanPandi, (II Yr MSW), St. Xavier's College, Palayamkottai
38. Ms. Nivetha, (I Yr MSW), Loyola College, Chennai.
39. Mr. Haridas, (I Yr MSW), Loyola College, Chennai.
40. Mr. Simon Prabhakaran, (I Yr MSW), Loyola College, Chennai.
41. Ms. Riya Tomy, (I Yr MSW), St. Aloysius College, Mangalore
42. .Mr. Tamilamuthan, Makkal Mandram, Kancheepuram.

**Documentation team getting all documents ready for the Public Inquest team**

1. Prof Dr. X.D. Selvaraj, Writer, Social activist, Thoothukudi
2. Prof. Dr. Suntharimainthan, Thoothukudi
3. Prof. Kulanthai, Madras University
4. Rev. Fr. Sebastian, Loyola College, Chennai
5. Mr. Terry, Thoothukudi
6. Dr. I. Devasahayam, Director, Institute of Human Rights Education, Madurai
7. Mrs. Cynthia Tiphagne, Director-Administration, People's Watch, Madurai
8. Dr. M. Solomon Bernard shaw, Member, Juvenile Justice Board, Madurai
9. Mr. M.A. Britto, Advocate, Tirunelveli
10. Mr. Jebasingh, Social Activist, Palayamkottai
11. Mr. Mohan, People's Watch, Madurai
12. Ms. Priya, Documentation Officer, People's Watch, Madurai
13. Mr. S. Senthilkumar, Librarian, People's Watch, Madurai
14. Mr. Jeyakumar, I.T Unit, People's Watch, Madurai
15. Ms. Sathya, I.T Unit, People's Watch, Madurai
16. Mr. Albin John Doss, (I Yr B.A., LLB), St. Joseph's College of Law, Bangalore
17. Mr. Lukas

## People's Inquest Team Schedule

### Day 1 – June 2, 2018

8:00 AM	Breakfast at Hotel Sathya
9:00 AM	Welcome: Mr. A.W.D.Tilak, President, Tuticorin Bar Association and Convenor, Coordinating Committee for People's Inquest on Tuticorin Police Firing Briefing to Jury Panel: Dr.X.D.Selvaraj, Member, Coordinating committee for People's Inquest on Tuticorin Police Firing Adv.Henri Tiphagne, Executive Director, People's Watch.
11:00 AM to 4 PM	Leaving for the areas in 3 teams Group 1: To be assisted by Mr.Aseervatham team. Group 2: To be assisted by Dr.John Kuzhandai team. Group 3: To be assisted by Mr.G. Ganesan team Packed lunch on the way Visit to police stations
4:00 PM	Back to the Hotel
5:00 PM	Members divides into 4 subgroups and visit different places. <b>Group 1</b> - Ms. Geetha Ramaseshan, Ms. Maja Daruwala, Dr. Usha Ramanathan will visit the Tuticorin Bar Association and the District Legal Services Authority, the Chairman of the Juvenile Justice Board. This team will be assisted by Adv.A.W.D Tilak, Adv.Athisaya Kumar & Adv.Nagendran. <b>Group 2</b> - Mr. Sreekumar IPS, Dr.Rameshnathan and Mr. Jasaiah Joseph will visit the Fire service and Ambulance service. This team will be assisted by Mr. Aseervatham and Mr. Anandraj. <b>Group 3</b> - Dr. K. Mathiharan, Dr. Savior Suresh, Dr.Amit Sengupta, Dr. Deepak Nathan, and Ms. Kavitha Muralidharan will visit the Tuticorin Medical College Hospital, the AVM Hospital and Nallathambi Hospital. This team will be assisted by Mr.Madasamy and Mr.Muthu Pandi. <b>Group 4</b> - Justice BG. Kholse Patil, Justice Hariparandhaman, Mr. M.G. Devasahayam, Mr.Kamal Kumar, Ms.Pamela Philipose, Ms.Kavitha Gajendran, Mr.Amit Dr.Christrudoss Gandhi, Dr.Kalpna Kannabiran, Prof.Shiv Visvanathan, Mr.T.Peter will meet various associations, movements and other representatives who have come forward to depose upon our invitation.
7:00 PM	Back to Sathya Resorts.
8:00 PM	Dinner at Sathya Resorts hosted by the local organizing committee.

## **People's Inquest Team Schedule**

### **Day 2 – June 3, 2018**

7:00 AM	One sub team will visit Vallanadu Shooting range (15 Kms away from Sathya Resorts)
8:00 AM	Breakfast at Hotel Sathya.
9:00 AM	One sub group will meet the District Collector and the Thasildhars. The team will also visit the place of occurrence (District Collectorate).  One sub team will visit Pandarampatty, Madathur, and Silverpuram.  One sub team will visit Kumarettiyapuram and Therku Veerapandiyapuram.
10:00 AM	A few teams will meet the IG, DIG, SP, ASP and DSP.
10 – 11:00 AM	One sub team will listen to the public at Bell Hotel, Tuticorin as per public announcement to be made in the media.
12 – 1:30 PM	PI team meets to finalize the interim report – Findings and Recommendations.
1:30 – 2:30 PM	Lunch
2:30 PM	Depart for Hotel SRM, Tuticorin for Press Conference.
3:00 PM	PI team addresses the media.
4:00 PM	Back to Hotel and departure.



<b>Date</b>	<b>Places to be visited</b>	<b>Jury Members</b>	<b>Police Station to be visited</b>	<b>Team Members</b>
<b>Team 1</b>				
02-06-18	Lions Town Puthu Theru Kurus puram Thiresh puram Boopal Rayar puram Lourdu ammal puram Thalamuthu nagar Krishnaraja puram	Justice. Hariparanthaman Mr. Kamal Kumar Ms. Maja Daruwala Prof. Dr.K.Mathiharan Ms. Pamela Philipose Dr.T.M.N.DeepakNathan	North Police Station	Mr.Aseervatham Mr.Anandraj Mr.Nagendran Mr.Muthu pandi Mr.Neithal Anto Ms.Nandhana
<b>Team 2</b>				
02-06-18	Anna nagar KVK Nagar Meenakshi puram Silver puram Meelavittan	Justice. B.G.Kolse Patil Mr. Jacob Punnose Prof. Kalpana Kannabiran Mr. Christrudoss Gandhi Mr. Amit Sengupta Dr. Savior Suresh Ms. Kavitha Gajendran	Central Police Station SIPCOT Police Station	Dr.John.Kuzhandai Fr.Sebastin Mr.Prabu Mr.Sambath Kumar Mr.Thangaiya Mr.Simon Mr.Haridas
<b>Team 3</b>				
02-06-18	Kalanthurai Soripuram Korampallam Periya nayagi puram Iyanadaipu Masilamani puram Bryant Nagar District Collectorate Sterlite Quarters	Mr. RBS Sreekumar Prof. Shiv Visvanathan Ms. Geeta Ramaseshan Mr. Tom Thomas Dr. V.A. Ramesh Nathan Ms. Kavitha Muralidharan Mr. T.Peter Dr. Usha Ramanathan	South Police Station Pudukottai Police Station	Mr.Ganesan Mr.Isakki Muthu Mr.Muthu kumar Mr.Deva Priyan Ms.Nivetha Mr.Pandi



**21.05.2018**

**Tamil Nadu Programme on Citizenship Culture and Democracy**  
**Intimation for Human Rights Monitoring**

To

**Superintendent of Police  
Thoothukudi District.**

**The District Collector  
Thoothukudi District**

Sirs,

People's Watch is a national human rights organization with its inception in the year 1995. It is engaged in the area of human rights monitoring, legal intervention, human rights education, campaigning, research and rehabilitation. It also undertakes human rights fact finding under the ***fundamental rights in Art 19 & 21 of the Indian Constitution, the Fundamental Duties in Art 51(a) of the Indian Constitution, Article 19 of the Universal Declaration of Human Rights 1948 and under Art 6 and 13 of the United Nations Declaration on the Rights and Responsibilities of Individuals, Group and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms 1998.***

It has been brought to our notice that there is an Anti Sterlite Protest to be held on 22.5.2018 at Thoothukudi. It is therefore decided that a fact finding team will take part to study the "Right to Peaceful Assembly & Association" as well as the role of Human Rights Defenders to understand the reason of the continuation of the anti sterlite protest of the public of Thoothukudi and the role of the district administration and police in providing them protection. The team consisting of Mr. Mohan & Mr. Asir.

We wish to bring this monitoring to your kind attention and also inform you that our team will be meeting your police officials at the Jurisdictional Police Station, in case of need even at the District / City level for ensuring that the monitoring team

also “knows, seeks and obtains” information about the version of the police in this incident before concluding our monitoring report on the incident. In case our monitoring report indicates the possibility of a human rights violation having taken place, we wish to also inform you that a complaint shall be provided to your good self for seeking remedy according to the law established in our country and on the basis of both national and international human rights standards.

The team can be contacted at 9994368502 or mohan@pwtn.org

Thanking you,

Yours sincerely,



(Henri Tiphagne)  
Executive Director

Copy to:

1. Mr. Jeyachandran, Hon'ble Member, SHRC, Tamilnadu, Chennai.
2. Ms. Kannagi Packianathan I.A.S, Hon'ble Chairperson, Tamilnadu State Commission for Women, Chennai.
3. Mr. Shailesh Kumar Yadav – IGP South Zone.-
4. Mr. S. Kapil Kumar Saratkar – DIG Tirunelveli.



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## Intimation for People's Inquest into Thoothukudi Firings June 2-3, 2018, Thoothukudi

1 message

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Henri Tiphagne <henri@pwtn.org>

Thu, May 31, 2018 at 6:29 PM

To: shrc@tn.nic.in, member1.nhrc@nic.in, member2.nhrc@nic.in, member4.nhrc@nic.in, NHRC - Sec General <sgnhrc@nic.in>, "NHRC-Registrar (Law)-Sh. A.K. Garg" <registrar-nhrc@nic.in>

Bcc: Mathew Jacob <mj@pwtn.org>

### Intimation for People's Inquest into Thoothukudi Firings June 2-3, 2018, Thoothukudi

Mr. T.K. Rajendran  
Director General of Police  
Tamil Nadu  
[dgp@tn.gov.in](mailto:dgp@tn.gov.in)

Mr. Shailesh Kumar Yadav  
Inspector General of Police  
South Zone  
[igp.south@tnctns.gov.in](mailto:igp.south@tnctns.gov.in)

Mr. S. Kapil Kumar Saratkar  
Deputy Inspector General of Police  
Tirunelveli Range  
[dig.tin@tnctns.gov.in](mailto:dig.tin@tnctns.gov.in)

Mr. Murali Rambha  
Superintendent of Police  
Thoothukudi District  
[sp.tut@tnctns.gov.in](mailto:sp.tut@tnctns.gov.in)

A coalition of civil society organisations in Tamil Nadu titled, 'Coordinating Committee for People's Inquest into Thoothukudi Police Firing' led by the President of the Bar Association of Tuticorin, Mr. A.W.D. Tilak, is organising a People's Inquest (PI) on June 2-3, 2018 at Tuticorin and its suburbs, into the killing of protestors on May 22, 2018, in Thoothukudi. As per the latest records, 14 protestors were killed and more than a hundred severely injured in protests against the Sterlite Copper plant. May 22, 2018, marked the 100<sup>th</sup> day of protests against the Sterlite Copper plant.

The PI is undertaken as a human rights fact finding under the fundamental rights in Art 19 & 21 of the Indian Constitution, under the Fundamental Duties in Art 51(a) of the Indian Constitution, Article 19 of the Universal Declaration of Human Rights 1948 and under Art 6 and 13 of the United Nations Declaration on the Rights and Responsibilities of Individuals, Group and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms 1998.

The PI team composes of:

1. Justice (Retd.) B.G. Kolse Patil, Former Judge, Bombay High Court
2. Justice (Retd.) Hariparanthaman, Former Judge, Madras High Court
3. Mr. M.G. Devasahayam IAS (Retd.) Former Chief Secretary Haryana
4. Mr. Christudoss Gandhi IAS (Retd.), Former Additional Chief Secretary, Tamil Nadu
5. Mr. Kamal Kumar IPS (Retd.), Former Director, National Police Academy, Hyderabad
6. Mr. R.B.S. Sreekumar IPS (Retd.) Former Director General of Police, Gujarat

7. Mr. Jacob Punrose IPS (Retd.) Former Director General of Police Kerala & Special Rapporteur NHRC
8. Prof. Dr. K. Mathiharan, Forensic medicine expert & formerly with University of Malaya, Malaysia
9. Ms. Arulmozhi, Advocate, Madras High Court
10. Ms. Geetha Ramaseshan, Advocate, Madras High Court
11. Dr. Usha Ramanathan, Legal Researcher, New Delhi
12. Ms. Maja Daruwala, Senior Advisor – Commonwealth Human Rights Initiative, New Delhi
13. Prof. Kalpana Kannabiran, Director – Council for Social Development, Hyderabad
14. Prof. Shiv Visvanathan, Professor, O.P. Jindal Global University, Sonapat, Haryana
15. Ms. Pamela Philipose, Senior Journalist, New Delhi
16. Mr. Amit Sengupta, Senior Journalist, New Delhi
17. Ms. Kavitha Muralidharan, Journalist, Chennai
18. Dr. Savior Suresh, Forensic Medicine Expert, Chennai
19. Dr. V.A. Ramesh Nathan, Advocate & General Secretary – National Dalit Movement for Justice, New Delhi
20. Mr. Tom Thomas, Convenor – Corporate Responsibility Watch
21. Ms. Kavitha Gajendran, Social Activist, Chennai
22. Dr. T.M.N. Deepak Nathan, President – December 3 Movement
23. Mr. T. Peter, National Fishworkers Forum, Trivandrum
24. Mr. Jasaiah Joseph, National Fishworkers Forum, Kanyakumari

The Mobile No of the contacts are 9442618117, 9994368502, 9994368503, 9994368571.

We wish to bring this PI to your kind attention and also inform you that the PI members will be meeting the police officials at the jurisdictional police station or sub divisional office of the DSP or in case of need even at the district level for ensuring that the PI team also “know, seek and obtain” information about the version of the police in this incident before concluding the PI report on this incident. A separate letter has been sent from the PI team seeking meeting appointments. In case the PI report indicates the possibility of a human rights violation having taken place, we wish to also inform you that the complaint shall be provided to your good self for seeking remedy according to the law established in our country and on the basis of both national and international human rights standards.

On behalf of the Coordinating Committee for People’s Inquest into Thoothukudi Police Firing –

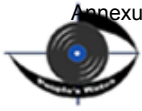
Mr. A.W.D. Tilak  
President, Ad-Hoc Committee  
Bar Association of Tuticorin

Place: Thoothukudi  
Date: May 31, 2018

Copy:

1. Justice (Retd.) H.L. Dattu  
The Chairperson  
National Human Rights Commission  
[chairnhrc@nic.in](mailto:chairnhrc@nic.in)
2. Mr. Srinivasa Kammath  
National Focal Point - Human Rights Defenders & Deputy Registrar  
[hrc-nhrc@nic.in](mailto:hrc-nhrc@nic.in)
3. Smt. Meenakumari  
Chairperson, State Human Rights Commission

4. Justice (Retd.) Pinaki Chandra Ghose  
Member, National Human Rights Commission  
[member1.nhrc@nic.in](mailto:member1.nhrc@nic.in)
5. Justice (Retd.) D. Murugesan  
Member, National Human Rights Commission  
[member2.nhrc@nic.in](mailto:member2.nhrc@nic.in)
- 6 Smt. Jyotika Kalra  
Member, National Human Rights Commission  
[member4.nhrc@nic.in](mailto:member4.nhrc@nic.in)
7. Mr. Ambuj Sharma  
Secretary General, National Human Rights Commission  
[sgnhrc@nic.in](mailto:sgnhrc@nic.in)
8. Mr. Surajit Dey  
Registrar (Law), National Human Rights Commission  
[registrar-nhrc@nic.in](mailto:registrar-nhrc@nic.in)



Annexure-05: Reply from District Collector, Thoothukudi dated 01.06.18

Henri Tiphagne &lt;henri@pwtm.org&gt;

## Meeting Request by the People's Inquest team into Tuticorin Firing on Protestors

COLLECTOR, Thoothukudi <collrtut@nic.in>  
To: Henri Tiphagne <henri@pwtm.org>

Fri, Jun 1, 2018 at 12:03 PM

Hello Mr. Henry,

The SHRC and NHRC teams are visiting Tuticorin from 2nd to 7th June. The one Man Judicial Commission is also visiting the district from 4th June. The entire district administration is busy with these visits. The collector will meet the team after the visits are over.

District Administration  
Tuticorin

On 06/01/18 12:27 AM, **Henri Tiphagne** <henri@pwtm.org> wrote:

To: Thoothukudi <collrtut@nic.in>

**May 31, 2018**

**To,**

**The District Collector,  
Tuticorin District  
Tamil Nadu**

**Subject: - Meeting Request by the People's Inquest team into Tuticorin Firing on Protestors**

Dear Sir,

A coalition of civil society organisations in Tamil Nadu titled, 'Coordinating Committee for People's Inquest into Thoothukudi Police Firing' led by the President of the Bar Association of Tuticorin, Mr. A.W.D. Tilak, is organising a People's Inquest (PI) on June 2-3, 2018 at Tuticorin and its suburbs, into the killing of protestors on May 22, 2018, in Thoothukudi. As per the latest records, 14 protestors were killed and more than a hundred severely injured in protests against the Sterlite Copper plant. May 22, 2018, marked the 100<sup>th</sup> day of protests against the Sterlite Copper plant.

The PI is undertaken as a human rights fact finding under the ***fundamental rights in Art 19 & 21 of the Indian Constitution, under the Fundamental Duties in Art 51(a) of the Indian Constitution, Article 19 of the Universal Declaration of Human Rights 1948 and under Art 6 and 13 of the United Nations Declaration on the Rights and Responsibilities of Individuals, Group and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms 1998.***

The PI team composes of:

1. Justice (Retd.) B.G. Kolse Patil, Former Judge, Bombay High Court
2. Justice (Retd.) Hariparanthaman, Former Judge, Madras High Court
3. Mr. M.G. Devasahayam IAS (Retd.) Former Chief Secretary Haryana
4. Mr. Christudoss Gandhi IAS (Retd.), Former Additional Chief Secretary, Tamil Nadu
5. Mr. Kamal Kumar IPS (Retd.), Former Director, National Police Academy, Hyderabad
6. Mr. R.B.S. Sreekumar IPS (Retd.) Former Director General of Police, Gujarat
7. Mr. Jacob Punnose IPS (Retd.) Former Director General of Police, Kerala & Special Rapporteur NHRC

Annexure-05: Reply from District Collector, Thoothukudi dated 01.06.18  
 8. Prof. Dr. K. Mathiharan, Forensic medicine expert & formerly with University of Malaya, Malaysia

9. Ms. Arulmozhi, Advocate, Madras High Court

10. Ms. Geetha Ramaseshan, Advocate, Madras High Court

11. Dr. Usha Ramanathan, Legal Researcher, New Delhi

12. Ms. Maja Daruwala, Senior Advisor – Commonwealth Human Rights Initiative, New Delhi

13. Prof. Kalpana Kannabiran, Director – Council for Social Development, Hyderabad

14. Prof. Shiv Visvanathan, Professor, O.P. Jindal Global University, Sonapat, Haryana

15. Ms. Pamela Philipose, Senior Journalist, New Delhi

16. Mr. Amit Sengupta, Senior Journalist, New Delhi

17. Ms. Kavitha Muralidharan, Journalist, Chennai

18. Dr. Savior Suresh, Forensic Medicine Expert, Chennai

19. Dr. V.A. Ramesh Nathan, Advocate & General Secretary – National Dalit Movement for Justice, New Delhi

20. Mr. Tom Thomas, Convenor – Corporate Responsibility Watch

21. Ms. Kavitha Gajendran, Social Activist, Chennai

22. Dr. T.M.N. Deepak Nathan, President – December 3 Movement

23. Mr. T. Peter, National Fishworkers Forum, Trivandrum

24. Mr. Jasaiah Joseph, National Fishworkers Forum, Kanyakumari

**The objectives of PI are –**

- To ascertain the facts that led to the continued protests in Tuticorin over the years and particularly in the last 100 days.
- To ascertain the facts and circumstances of the incidents which lead to the police firing through gathering statements from eye-witnesses, family of the deceased, meeting the officials from Tuticorin district administration, Tuticorin district police department, representatives of the Anti-Sterlite protest committee and to ascertain who authorized the firing and under what circumstances.
- To ascertain details of the police actions in Tuticorin immediately after the police firing on 22<sup>nd</sup> May
- To ascertain and gather information about the actions taken by the Government of Tamil Nadu, Tuticorin district administration, police department to prevent the firing incident from happening.
- To analyse the available documents, evidences from various government departments, Tamil Nadu Pollution Control Board, petitions, affidavits, evidences, and judgments in the High Court and Supreme Court regarding the firing incident and the Sterlite Copper plant in Tuticorin and compilation of the same.
- To suggest ways for legal intervention in all the courts, national and state human rights institutions, and other relevant bodies nationally and the United Nations.

We wish to bring this PI to your kind attention and also inform you that for the purpose of the PI, a **team from the PI team would like to meet you on June 3, 2018 at 9 AM at your office or residence.**

The PI team will also be meeting families of victims and survivors of Tuticorin firing, the District Collector, the District Superintendent of Police, the Dean of the Tuticorin Medical College Hospital and many other officials as well as office bearers of trade and business and civil society organizations.

The objective of meeting you is for the PI team to also “know, seek and obtain” information about the version of the Tamil Nadu state in this incident before concluding and finalising their PI report on the incident. This is an invitation and we would be happy to be informed if you will be definitely coming to meet the members of the PI team.

We are looking forward to your confirmation.



Annexure-05: Reply from District Collector, Thoothukudi dated 01.06.18

On behalf of the PI Team –

Justice (Retd.) B.G. Kolse Patil, Former Judge, Bombay High Court

Justice (Retd.) Hariparanthaman, Former Judge, Madras High Court

Please send your confirmations to Adv. Athisayakumar - Working Secretary of the 'Coordinating Committee for People's Inquest into Thoothukudi Police Firing'. For email confirmations, please send emails to [rajavelu66@gmail.com](mailto:rajavelu66@gmail.com) and for phone confirmations, please call/message on +91-9443128937.

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For Collector  
Thoothukudi

TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1.	District:	Police Station	Year	FIR No.	Date
	<b>THOOTHUKUDI</b>	<b>SIPCOT</b>	<b>2018</b>	<b>191</b>	<b>22-05-2018</b>
2.	Act(s)				Sections
	<b>INDIAN PENAL CODE, 1860</b>				<b>147</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>148</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>188</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>324</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>332</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>353</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>448</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>450</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>307</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>436</b>
	<b>INDIAN PENAL CODE, 1860</b>				<b>506(2)</b>
	<b>TN PUBLIC PROPERTY (PRVNT.OF DAMAGE &amp; LOSS) ACT, 1992</b>				<b>3(1)</b>
	<b>TN PUBLIC PROPERTY (PRVNT.OF DAMAGE &amp; LOSS) ACT, 1992</b>				<b>4</b>
	<b>EXPLOSIVE SUBSTANCES ACT, 1908</b>				<b>3</b>
	<b>CODE OF CRIMINAL PROCEDURE, 1973</b>				<b>174</b>
3.	(a) Occurrence of offence Day:	<b>TUESDAY</b>	Date From:	<b>22-05-2018</b>	Date To: <b>22-05-2018</b>
	Time Period:	<b>Between</b>	Time From:	<b>11:00 Hrs</b>	Time To: <b>14:30 Hrs</b>

(b) Information received at PS. Date: **22-05-2018** Time: **17:00 Hrs** (c) General Diary Reference

4. Type of Information **WRITTEN** Time: -

5. Place of Occurrence: (a) Direction and Distance from PS **SOUTH-WEST & 4.0** Beat **BEAT**  
**Km** Number: **3**

(b) Address: **Thoothukudi district collectorate campus**

(c) In case, outside limit of this Police Station, the Name of PS: - District: -

6. Complainant/Information (a) Name: **SEKAR** (b). Father Name: -

(c). Date/Year of Birth: - (d) Nationality: **INDIA**

(e). Passport No. - Date of Issue: - Place of Issue: -

(f). Occupation: **GOVT. OFFICIAL GAZETTED**

(g). Address: **SPECIAL DEPUTY TAHSILDAR (ELECTION), COLLECTOR OFFICE, THOOTHUKUDI**

7. Details of Known/Suspected/Unknown accused with full particulars

**People from more than 20 groups around Thoothukudi.**

8. Reasons for delay in reporting by the complainant/Informant:

-

9. Particulars of the properties stolen/Involved: -

10. Total value of properties stolen/Involved: -

11. Inquest Report/Un-natural death Case No. -

If any: -

12. FIR Contents

**Submitted. I, M. Hariharan, Inspector of Police, SIPCOT Police Station, Thoothukudi while I was on duty on 22 May 2018 at 17.00 hours Mr. Sekar, Special Deputy Thasildar (Election), O/o The Thasildar, Thoothukudi was present before me in the police station and lodged the complaint. I received the complaint, considering the nature of the complaint registered the case with Cr.No. 191/18 u/S 147, 148, 188, 324, 332, 253, 448, 450, 307, 436, 506(ii) of IPC and u/S 3(1) 4 of TNPPDL Act & Sec. 3 of ES Act**

**R/w 174 Cr.P.C. The details of the complaint as follows. From P. Sekar, Special Deputy Thasildar (Election) O/o The Thasildar, Thoothukudi. To, The Inspector of Police, SIPCOT Police Station, Thoothukudi. Sir, I am working as Special Deputy Thasildar in the office of the Thasildar in Thoothukudi. In the last few months, the people from Thoothukudi town and in the neighbourhood villages as A.Kumareddiyapuram, South Veeer Pandia Puram, Pandarampatti, Meelavittan, Madathur and Madha Kovil area Mattakadai, Therespuram New Street, Fatima Nagar Lions Town and the surrounding areas and others have been consistently fighting for the closure of the Copper Smelting Unit of Sterlite. As part of the said program, to day i.e on 22.5.18 they had distributed hand bills informing the besiege of Collector's office and requested the participants not to disburse from the Collector's Office until the Sterlite is shut down. Further, we received intelligence report that there are chance of violence when the people assemble in the Collector's office. In the meanwhile the Sterlite Administration had already filed a petition in the honourable Madurai Bench of Madras High Court praying security to their properties and also to the residential areas belonging to the Sterlite adjacent to Collector's office. In the said case, the Honourable Madurai Bench of Madras High Court had directed the District Administration to take a decision regarding passing the order under Section 144 of Cr.P.C in the area surrounding Sterlite before 21.05.2018 after careful analysis. In this circumstances the Peace Committee Meeting was convened with the participants of the struggle on 20.05.18 at the Collector's office and it was presided over by the Sub Collector in the presence of the Superintendent of Police, Thoothukudi District. In the said meeting the representatives of about 20 organisation such as Thoothukudi Trader's Organisation, Womens' organisation, Fishermen Associations and representatives of some other oregonisation and a few interested persons. In the said meeting it was intimated that permission is not granted in view of public order and peace. Further it was informed that there is intelligence report revealing the plan of violence by some organisations in the propsed program on 22.5.18. Then the participants of the said meeting informed the police that they would give up the plan of besieging the Collector's office but instead with due permission from the police, would organise peaceful demonstration to draw attention in the play ground of S.A.V. School. They submitted a petition for permission for the peaceful demonstration and disbursed. Subsequently we got information that a section of a few organisations from some villages did not accept the decision of the Peace Committee Meeting and they decided to go ahead as already planned to besiege the Collectorate and tried to master strength to disrupt law and order. Keeping this in mind, in the areas covering Collectorate, Sterlite Factory, Sterlite Residential areas Tamira II, the areas under SIPCOT Police Station, Madha Koil Fatima Nagar, its surrounding area and the areas under South Police Station, the order under Section 144 of Criminal Procedure Code was promulgated with effect from 10PM on 21.5.18 to 8A.M on 23.5.18 and it was duly propagated to the public. Violating the order, not only from the above said areas but from many other areas, the members of Naam Tamilar, Makkal Adhikaram, Revolutionary Youth Front and some other organisations, in thousands gathered around the Matha Koil area, destroyed the police barricades, damaged public properties and advanced towards Collectorate. Around 11 A.M over 10,000 unlawful elements with lethal weapons damaged barricades, properties around the Arch in the main road and moved towards Collectorate. They damaged the government vehicles and private two wheelers and set them able. They were raising the slogans that the Collectorate that failed to close the Sterlite would be burnt down along with the staff of Collector's office. By raising such slogans on entering into the Collectorate complex the crowd throw petrol bombs, pelted stones and attempted to**

enter collectorate with deadly weapons. The public and the staff of the collectorate in a bid to save their lives started running halter shelter. The police force posted over there warned the unlawful assembly to disburse, failing which tear gas would be used to disburse them. This was announced through public address system. The crowd did not disburse. Then the police ordered for the use of tear gas bombs. The crowd did not care for it. Then I warned them that if they don't budge he would have to order for lathi charge. The crowd, without minding the warning, started assaulting the police with their deadly weapons and the stones. They targeted the police and the staff of Collectorate, attacked them forcefully shouting that the hench men of Sterlite must be killed. They started setting fire on the Govt. vehicles. To save the life of the public and the employees and to protect the properties, the police warned the crowd indulging in violent activities to disburse and further warned that if they don't disburse we would have to resort to firing. The crowd did not disburse. To warn the crowd the police fired air shots, that also did not deters the violent crowd and they went on attacking the people and damaging properties. Realising the grave situation, to save the employees and police on duty and to save the public and the property and also to prevent further damages to lives and property I issued firing order to disburse the crowd. Then the police opened fire on the violent crowd to disburse them. Near Aaavin Booth within Collectorate, two persons sustained injuries in firing. Immediately the police put them into 108 Ambulance that was kept ready in Collectorate, and sent them for treatment. But the violent crowd attacked the ambulance near Arch in the main road, broke the head of Ambulance Assistant. When the police tried to rescue the injured from the crowd and send them for treatment the violent mob made a violent attack on the police and hence the police fired at the crowd near main road Arch and two more of the miscreants sustained bullet injuries. They were also, along with already injured, sent to hospital for treatment. In the meanwhile a part of the violent mob entered into Sterlite residential area, caused serious damage to properties and lives. To save the lives of the residents of Sterlite and the property over there the police had to open fire as there was no other option. Some sustained bullet injuries and they were also sent to hospital for treatment. Subsequently, the violent mob divided themselves into different groups and entered into Thoothukudi town and into different places and damaged whatever came on their way. In these violent incidents many police personnel sustained severe injuries. Huge quantum of public property and many police vehicles and private vehicles were seriously damaged. It is learnt that four persons died in the said firing and a few are under treatment. I request you to investigate and take appropriate legal action. (S.d)xxxxxx P.Sekar 22.5.18.

Sir, Received a petition and registered a case in SIPCOT. PS. Cr.No.191/18 U/s 147, 148, 188, 324, 332, 353, 448, 450, 307, 436, 506(ii), IPC. & 3(1), 4 of TNPPDL ACT. & Sec. 3 of ES ACT. R/w 174.Cr.Pc. On 22.05.18 at 17.00.hrs. (S/d). M.Hariharan. Inspector of police, SIPCOT. PS. 22.05.18.

Original FIR with the receipt of complainant submitted to the Judicial Magistrate No. 3 Thoothukudi and the copies were sent to concerned officials. Copy of investigation report copy submitted to the District Superintendent of Police for appointment of Investigation officer.

13. **Action Taken:** Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered case and Directed OFFICER TO BE NOMINATED BY SP , DSP to take up the investigation. FIR read over to the Complainant/Informant, admitted to be correctly

**recorded and a copy given to the Complainant/Informant free of cost.**

14. Signature /Thumb Impression of the Complainant/Informant      Signature of the Officer in-charge, Police Station
15. Date & Time of dispatch to the court: **22-05-2018**      Name: **HARIHARAN M**
- Rank: **INSPECTOR** No: -  
**OF POLICE**

TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1. District: **THOOTHUKUDI** Police Station: **THOOTHUKUDI NORTH** Year: **2018** FIR No. **219** Date: **22-05-2018**
2. Act(s) Sections
- |  |               |
|--|---------------|
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>147</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>148</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>188</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>353</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>323</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>324</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>436</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>307</b>    |
| <b>INDIAN PENAL CODE, 1860</b>                                   | <b>506(2)</b> |
| <b>TN PUBLIC PROPERTY (PRVNT.OF DAMAGE &amp; LOSS) ACT, 1992</b> | <b>3</b>      |
| <b>EXPLOSIVE SUBSTANCES ACT, 1908</b>                            | <b>3</b>      |
| <b>CODE OF CRIMINAL PROCEDURE, 1973</b>                          | <b>174</b>    |
3. (a) Occurrence of offence **TUESDAY** Date From: **22-05-2018** Date To: **-**  
Day:  
Time Period: **On** Time From: **15:30 Hrs** Time To: **-**
- (b) Information received at **Date: 22-05-2018** Time: **20:00 Hrs** (c) General Diary Reference PS.
4. Type of Information **WRITTEN** Time: **-**
5. Place of Occurrence: (a) Direction and Distance from PS **NORTH & 0.5 Km** Beat Number: **BEAT1**
- (b) Address: **Beach Road,Police quarters, North**
- (c) In case, outside limit of this Police Station, the Name of PS: **-** District: **-**

6. Complainant/Information (a) Name: **KANNAN M** (b). Father Name: -  
(c). Date/Year of Birth: - (d) Nationality: **INDIA**  
(e). Passport No. - Date of Issue: - Place of Issue: -  
(f). Occupation: **ZONAL DEPUTY  
TASILDHAR,**  
(g). Address: **VATTATCHIAR ALUVALAGAM, THOOTHUKUDI**

7. Details of Known/Suspected/Unknown accused with full particulars

**400 men and 100 women belonged to anti sterlite movement.**

8. Reasons for delay in reporting by the complainant/Informant:

-

9. Particulars of the properties stolen/Involved: -

10. Total value of properties stolen/Involved: -

11. Inquest Report/Un-natural death Case No. -

If any:

12. FIR Contents

**Submitted on 22.5.18, while I, T. Parthiban, Inspector of Police, North PS, Thoothukudi, was on duty. Mr. Kannan, Zonal Deputy Thasildar, Thoothukudi was present before me and lodged the complaint. Considering the nature of offence I registered the case with Cr. No. 219/18 U/s 147,148,188, 353,323,324,436,307,506(ii) IPC and 3 of TNPPDL Act and 3 of E.S.Act and 174 Cr.P.C. The details of the complaint as follow. From, M.Kannan, Zonal Deputy Thasildar, Taluk Office, Thoothukudi. To, The Inspector of Police, North Police Station, Thoothukudi. Sir, I am working as Zonal Deputy Thasildar in the Taluk office, Thoothukudi. Today the mob consisting public and Anty Sterlite protestors against the Sterlite, without permission had planned to besiege the Collectorate and in a bid to prevent it the Collector has issued preventive order u/S 144 of Cr.P.C. As per the said order there were security. The Sub Collector had posted me in Therespuram to maintain law and order. Accordingly I was on duty since 7 A.M on 22.5.18 in that area. In the morning at 10.00 am the mob from Therespuram and other areas with gathered and moved towards Collecotrate, to besiege damaged properties, set ablaze many vehicles parried in front of the Collectcorate. However, the police had managed to disburse the crowd. The crowd, with the intention of damaging property and to assault the police gathered in Therespuram Main Road by 3.30 P.M. They entered into the Police Colony near ESI Hospital in North Beach Road with petrol bombs, deadly weapons. The mob was consisting of 400 men and 100 women with weapons. The police party under the command of the Superintendent of Police as per the order of Superintendent, through microphone warned the mob to disburse as they were an**



**unlawful assembly. The mob did not disburse but instead fiercely attacked the police and damaged the properties. Finding no other way the police party to disburse them by firing tear gas bombs, then lathi charge and subsequently firing with rubber bullets. The mob, determined to kill the police and cause damage to the properties threw petrol bombs and stones and attacked the police with deadly weapons. The unruly mob, persisted attacking the police again and again. Finding no other way to control the mob and to make them disburse I issued orders to the Inspector of Police, North Police Station to disburse the crowd by resorting to firing. Following the order, the police fired three air shots. The crowd did not care but continued violence and arson. Then the police opened fire at the mob, resultantly a woman fell down with bullet injury. We immediately rescued her and sent her to hospital for treatment. In the hospital, after examination, the doctors declared her dead. On enquiry it was learnt that it was Janshi, approximately 40 years old, wife of Sesu Balan of Therespuram. In this connection I request you to take necessary legal action. (sd) M. Kannan 22/5/18, Zonal Deputy Thasildar, Turicorin. Sri, Received the Petition and registered a case in Thoothukudi North P.S. Cr.No. 219/18 U/s 147,148,188, 353,323,324,436,307,506(ii) IPC and 3 of TNPPDL Act and 3 of E. S.Act and 174 Cr. P.C on 22/5/2018 at 20.00hrs (sd) T. Partheeban Inspr. B.1 P.S. Original FIR with the respect of the complainant submitted to the JM NO. III, Thoothukudi and copies to the officials concerned. Investigation copy placed for the perusal of the Inspector of Police, Thalanatha Nagar PS with intimation.**

13. Action Taken: **Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered case and**  
**Directed VANITHA RANI T , INSPECTOR OF POLICE to take up the investigation.**  
  
**FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.**
14. Signature /Thumb Impression of the Complainant/Informant **Signature of the Officer in-charge, Police Station**
15. Date & Time of dispatch to the court: **22-05-2018 20:45 Hrs** Name: **PARTHEEPAN T**  
Rank: **INSPECTOR OF POLICE** No:

**TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I**

**FIRST INFORMATION REPORT  
(Under Section 154 Cr.P.C)**

1. District: **THOOTHUKUDI** Police Station: **THOOTHUKUDI SOUTH** Year: **2018** FIR No. **298** Date: **22-05-2018**

2. Act(s) Sections  
**INDIAN PENAL CODE, 1860** **143**  
**INDIAN PENAL CODE, 1860** **147**  
**INDIAN PENAL CODE, 1860** **148**  
**INDIAN PENAL CODE, 1860** **353**  
**TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992** **3**

3. (a) Occurrence of offence **TUESDAY** Date **22-05-2018** Date To: -  
Day: From:  
Time On Time **10:45 Hrs** Time To: -  
Period: From:

(b) Information received at PS. Date: **22-05-2018** Time: **10:30 Hrs** (c) General Diary Reference

4. Type of Information **WRITTEN** Time: -

5. Place of Occurrence: (a) Direction and Distance from PS **WEST & 0.5 Km** Beat **BEAT** Number: **3**  
(b) Address: **Thoothukudi,  
Palayamkott  
ai Road  
Govt.  
Hospital  
Entrance**

(c) In case, outside limit of this Police Station, the Name of PS: - District: -

6. Complainant/Information (a) Name: **ISAKKIRAJ** (b). Father Name: -

(c). Date/Year of Birth: (d) Nationality: **INDIA**

(e). Passport No. - Date of Issue: Place of Issue: -

(f). Occupation: **INSPECTOR OF POLICE, POLICE OFFICER**

(g). Address: **HEAD QUARTER DEPUTY THASILTHAR, THASILTHAR OFFICE, THOOTHUKUDI**

7. Details of Known/Suspected/Unknown accused with full particulars

Person who among 7,000 of protestors, can be identified by seeing.

8. Reasons for delay in reporting by the complainant/Informant:

Delayed by complainant

9. Particulars of the properties -  
stolen/Involved:

10. Total value of properties stolen/  
Involved: -

11. Inquest Report/Un-natural death Case -  
No.  
If any:

12. FIR Contents

**Submitted**

**Today on 22.05.2018 at 18.30 hours while I Ganeshkumar, Inspector of Police, Thoothukudi South Police was on duty, Mr. Esakkimuthu, Headquarters Deputy Tahsildar, Taluk Office, Thoothukudi had appeared and filed a complaint. I received the said complaint and registered a case in Cr.No.298/2018 based on the nature of complaint under Sec.143, 147, 148, 353 IPC and 3 of TNPPDL ACT. The complaint reads as follows: From K.Esakkiraj, Head Quarters Deputy Tahsildar, Taluk Office, Thoothukudi To The Inspector of Police, South Police Station, Thoothukudi. Sir, I am working in Thoothukudi Taluk Office as Head Quarters Deputy Tahsildar. Based on the declaration of protest to besiege the Collectorate on 22.05.2018 in connection with the protest against the Sterlite, on 20.05.2018 a peace committee meeting was conducted in the District Collectorate. Then from 22.00 hours on 21.05.2018 to 08.00 hours on 23.05.2018 an order under Sec.144 Cr.P.C. prohibiting the assembly of persons is promulgated. At this juncture today on 22.05.2018 at about 10.45 AM a mob of about 7000 persons in an unlawful manner, without getting any prior permission and also disobeying the order of Public Authority were coming by raising slogans against the Sterlite and also saying not to return our home till the closure of Sterlite Factory in Palayamkottai Road, chased the police then moved to the Govt. Hospital Entrance and forcibly attacked the vehicle TN 49 G 0616 belongs to the Police**

Department, standing in front of the Entrance of Govt. Hospital by pushing it down and caused damages to the front side mirror, head light , side mirror and two signal danger lights by pelting stones and attacking with stones. Due to their attack the left portion of that vehicle was fully damaged. The mob then caused damages to the barricades placed there as fence. Hence with a request to take appropriate action against the protestors those who are causing such damages to the Govt. Vehicle as well as the other vehicles moving on that way and the barricades and also pelting stones in a threatening manner to the public those who are coming to the Government Hospital by violating the order in force prohibiting the assembly of such mob under Sec. 144 Cr.P.C I filed this Complaint for necessary action. (SD) K.Esakkiraj, 22.05.2018, Head Quarters Deputy Tahsildar, Thoothukudi.

Sir, Received the petition and registered case in Thoothukudi South PS Cr.No.298/2015 under sec. 143, 147, 148, 353 IPC and 3 of TNPPDL Act on 22.05.2018 at 18.30 Hrs. (Sd) Ganesh Kumar, SCB, South Police Station, Thoothukudi.

Original First Information Report along with the report of the complainant submitted to the Judicial Magistrate No.I, Thoothukudi and copy of FIR sent to the concerned higher authorities by keeping one copy with me for investigation.

13. Action Taken: **Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered case and took up the investigation.**

**FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.**

14. Signature /Thumb Impression of the Complainant/Informant Signature of the Officer in-charge, Police Station

15. Date & Time of dispatch to the court: **22-05-2018** Name: **GANESH KUMAR M**  
Rank: **INSPECTOR OF POLICE** No:

TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

FIRST INFORMATION REPORT  
(Under Section 154 Cr.P.C)

1. District: **THOOTHUKUDI** Police Station: **THOOTHUKUDI SOUTH** Year: **2018** FIR No. **299** Date: **22-05-2018**
2. Act(s) Sections  
**INDIAN PENAL CODE, 1860** **147**  
**INDIAN PENAL CODE, 1860** **148**  
**INDIAN PENAL CODE, 1860** **341**  
**INDIAN PENAL CODE, 1860** **436**  
**TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992** **4**
3. (a) Occurrence of offence **TUESDAY** Date **22-05-2018** Date To: -  
Day: From:  
Time On Time **12:45 Hrs** Time To: -  
Period: From:
- (b) Information received at PS. Date: **22-05-2018** Time: **19:00 Hrs** (c) General Diary Reference
4. Type of Information **WRITTEN** Time: -
5. Place of Occurrence: (a) Direction and Distance from PS **WEST & 2.5 Km** Beat **BEA** Number: **T 3**
- (b) Address: **Thoothukudi, Near 3<sup>rd</sup> Mile**
- (c) In case, outside limit of this Police Station, the Name of PS: - District: -
6. Complainant/Information (a) Name: **SAMPATH** (b). Father Name: -  
(c). Date/Year of Birth: (d) Nationality: **INDIA**  
(e). Passport No. - Date of Issue: Place of Issue: -  
-  
(f). Occupation: **INSPECTOR OF POLICE, POLICE OFFICER**  
(g). Address: **ARUMUGANERI POLICE STATION, THOOTHUKUDI**
7. Details of Known/Suspected/Unknown accused with full particulars

Person who among the thousands of protestors, can be identified by seeing.

8. Reasons for delay in reporting by the complainant/Informant:

Delayed by complainant

9. Particulars of the properties -  
stolen/Involved:

10. Total value of properties stolen/ -  
Involved:

11. Inquest Report/Un-natural death Case -  
No.  
If any:

12. FIR Contents

**Submitted. Today, on 22.5.18 at 19.00 hours, I, M.Ganeshkumar, Inspector of Police, South Police Station (Crime) Thoothukudi was on duty. The Inspector of Police, Arumuganeri PS Mr. V. Sampath, was present before me in the police station and lodged the complaint. Considering the nature of the offence I registered case with Cr.No. 299/18 u/S 147, 148, 341, 436 of IPC & Sec. 4 of TNPPDL Act on 22.5.18 at 19 hours. The details of the complaint as follows. From V. Sampath, Inspector of Police, Arumuganeri Police Station, Thoothukudi District. To, The Inspector, South Police Station Thoothukudi. Sir, I am working as Inspector of Police, Arumuganeri on 22.5.18 from 6 P.M I was on duty with SI of Police and policemen in Meelavittan Road, Bathra Kalamman Koil to prevent the mob against Sterlite from moving to Collectorate. We were in vehicle check up. About 12.30P.M we got the wireless message asking the police, other than those in duty in Collectorate and its vicinity, to urgently come for security duty. I went to the office of Superintendent of Police and as per his order I accompanied SF Party for duty. At about 12.45P.M when we were near 3<sup>rd</sup> mile, a violent mob, consisting of thousands attacked us with deadly weapons such as petrol bombs, stones. Further, they intercepted the Highways Department vehicles on the road with register number TN 20H 0734 (HD-16-587), TN 20 G 1354 (HD-16-667) assaulted the persons on board, chased them out and set ablaze the vehicles. When they did so I saw a man running after doing mischief who had black dots on his face. If I see him again I can identify him. Then we chased them with lathi as per the order of the Superintendent of Police. They fell down, got up and ran away and one fell again. He was sent to GH, Thoothkudi hospital by 108 ambulance immediately. In the said incident the vehicles of Highways Department, were totally burnt down. I request you to investigate and take appropriate action. (SD) SAMPATH. INS F3. 22/5/18.SIR, RECEIVED THE PETITION & REGISTERED A CASE IN THOOTHUKUDI SOUTH PS CR NO : 299/18 U/S. 147,148,341,436 IPC, 4 OF TNPPDL ACT ON 22.05.18 AT 19.00 HRS (SD) M.GANESHKUMAR 22.05.18 INSPECTOR CRIME. Original FIR with the request the complainant submitted to the JM I and the copies were sent to other higher officials concerned. One copy retained for Investigation purpose.**



TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1. District: **THOOTHUKUDI** Police Station: **THOOTHUKUDI SOUTH** Year: **2018** FIR No. **302** Date: **22-05-2018**
2. Act(s) Sections
- |                                       |            |
|---------------------------------------|------------|
| <b>INDIAN PENAL CODE, 1860</b>        | <b>147</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>148</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>323</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>324</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>353</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>307</b> |
| <b>INDIAN PENAL CODE, 1860</b>        | <b>436</b> |
| <b>EXPLOSIVE SUBSTANCES ACT, 1908</b> | <b>3</b>   |
3. (a) Occurrence of offence Day: **TUESDAY** Date From: **22-05-2018** Date To: -
- Time Period: On Time From: **13:00 Hrs** Time To: -
- (b) Information received at PS. **Date 22-05-2018** Time: **21:00 Hrs** (c) General Diary Reference
4. Type of Information **WRITTEN** Time:
5. Place of Occurrence: (a) Direction and Distance from PS **WEST & 3.0 Km** Beat Number: **BEAT 3**
- (b) Address:  
**Thoothukudi Palayamkottai Road, FCI godown opposite**
- (c) In case, outside limit of this Police Station, the Name of PS: - District: -
6. Complainant/Information (a) Name: **MEENATCHI NATHAN** (b). Father Name: -



(c). Date/Year of Birth: (d) Nationality: **INDIA**

(e). Passport No. - Date of Issue: - Place of Issue: -

(f). Occupation: **POLICE OFFICER**

(g). Address: **INSPECTOR OF POLICE, OTTAPIDARAM POLICE STATION, THOOTHUKUDI DIST.**

7. Details of Known/Suspected/Unknown accused with full particulars

**Roughly 3000 people.**

8. Reasons for delay in reporting by the complainant/Informant:

**Delayed by complainant**

9. Particulars of the properties stolen/Involved: -

10. Total value of properties stolen/Involved: -

11. Inquest Report/Un-natural death Case No. -

If any:

12. FIR Contents

**Submitted. Today, on 22.5.18 at 21.00 hours, I, M.Ganeshkumar, was on duty to Inspector of Police, South Police Station (Crime) Thoothukudi. Mr. Meenatchinathan, Inspector of Police, Ottapidaram Police Station, Thoothukudi was present before me and lodged the complaint. I received the complaint and considering the nature of offences, registered case with Cr.No. 302/15 Under Sections 147, 148, 323, 324, 353, 307, 436 of IPC and 3 of ES Act. The details as follow. From, Meenatchinathan, Inspector of Police, Ottapidram Police Station, Thoothukudi District. To, The Inspector of Police, South Police Station, Thoothukudi. Sir, I am working as Inspector of Police in Ottapidaram PS, in Thoothukudi District. Today, the Collector has issued order under Section 144 of Cr.P.C in Thoothukudi to prevent the mob demanding permanent closure of Sterlite. As per the order I was on security duty with police party in FCI Roundana in Thoothukudi Bye Pass Road, from 7A.M on 22.05.18. Today morning the mob from Therespuram and many other areas moved in procession towards Collectorate. On the way they had been damaging properties, setting the vehicles ablaze and also setting fire to the vehicles parked in front of Collectorate. The police who were on duty in the area disbursed the crowd. Then at 13.00 hrs a mob of about 3000 returned to that area with petrol bombs, deadly weapons, stone etc. and they were about to attack the police force under my head wo were on duty in Palayamkottai Road, opposite to FCI godown. The surrounded us with the intention of damaging the properties and to kill the police on duty. I was searching for the Sub Divisional Magistrate posted over there by collector to maintain law and order but I could not find him. I, as a person incharge of security in that area, warned the crowd using public address system that they were an unlawful assembly and they must disburse. They did not listen**



TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C)

1. District: **THOOTHUKUDI** Police Station: **THOOTHUKUDI SOUTH** Year: **2018** FIR No. **312** Date: **23-05-2018**
2. Act(s) Sections
- INDIAN PENAL CODE, 1860** **147**
- INDIAN PENAL CODE, 1860** **148**
- INDIAN PENAL CODE, 1860** **323**
- INDIAN PENAL CODE, 1860** **324**
- INDIAN PENAL CODE, 1860** **353**
- INDIAN PENAL CODE, 1860** **427**
- INDIAN PENAL CODE, 1860** **307**
- TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992** **3**
- EXPLOSIVE SUBSTANCES ACT, 1908** **3**
3. (a) Occurrence of offence Day: **WEDNESDAY** Date From: **23-05-2018** Date To: **-**
- Time Period: **On** Time From: **13:45 Hrs** Time To: **-**
- (b) Information received at PS. Date **23-05-2018** Time: **16:30 Hrs** (c) General Diary Reference
4. Type of Information **WRITTEN** Time: **-**
5. Place of Occurrence: (a) Direction and Distance from PS **NORTH & 2.5 Km** Beat **BEAT 3**  
Number:
- (b) Address: **Thoothukudi, Anna nagar, 6<sup>th</sup> street.**

- (c) In case, outside limit of this Police Station, the Name of PS: - District: -
6. Complainant/Information (a) Name: **CHANDRAN** (b). Father Name: -
- (c). Date/Year of Birth: (d) Nationality: **INDIA**
- (e). Passport No. - Date of Issue: - Place of Issue: -
- (f). Occupation: **DIVISIONAL EXCISE OFFICER,**
- (g). Address: **THOOTHUKUDI**
7. Details of Known/Suspected/Unknown accused with full particulars
- Roughly 1000 people**
8. Reasons for delay in reporting by the complainant/Informant:
- Delayed by complainant**
9. Particulars of the properties stolen/Involved: -
10. Total value of properties stolen/Involved: -
11. Inquest Report/Un-natural death Case No. -
- If any:
12. FIR Contents

**Submitted. Today, on 23.5.18 at 16.30 hours, I, Ganeshkumar Inspector of Police, South P.S, Thoothukudi, while was on duty in station, Mr. Chandran, Divisional Excise Officer, Thoothukudi Division was present before me and lodged the complaint. Considering the nature of offences I registered a case in Thoothukudi South PS Cr.No. 312/18, U/S 147, 148, 323, 324, 353, 427, 307, 3 OF TNPPDL ACT & 3 OF E.S ACT. The details of the complaint as follow. From, S.Chandran, Divisional Excise Officer, Thoothukudi Division, Thoothukudi. To, The Inspector, South PS, Thoothukudi. Sir, I am working as Divisional Excise Officer, Thoothukudi in District Collectorate, Thoothukudi (Today, on 23.5.18 as per the Order A1/Pa.Va.4/2018 of the Sub Collector, Thoothukudi Sub Division) On 22.5.18 I was posted to maintain law and order along with police to prevent law & order problems that occurred on 22.05.2018 during the mob organised by the people and other organization in Thoothukudi District demanding the ----closure of Sterlite factory and attempting to besiege the Collectorate. In accordance with order, on 23.5.18 at about 12 noon I was in security duty with police in SAV School playground and old Bus Stand areas. At that time I got the information that in the 6<sup>th</sup> street, Anna Nagar, near old bus stand a mob of 1000 miscreants gathered unlawfully and were damaging public property. I, with the**

District Superintendent of Police and the accompanying police force rushed to that spot. At the same time Assistant Commissioner, Traffic, Madurai with his police force arrived at that place. The mob, consisting of over 1000 people armed with petrol bombs, stone and smashed what all they saw on the way including the flower pots, hollow blocks etc. The TASMACH shop in the main road was ransacked by the mob, the liquor bottles were smashed and created a riotous scene there. They damaged the police barricades and kept advancing causing severe damages to properties. They fiercely attacked the police by using stick & throwing stones & petrol bombs. The Superintendent of Police of Thoothukudi sustained a injury with bleeding in his left leg. Seeing this I as well as the police warned the mob that it was an unlawful mob and I asked them to disburse. I also warned that if they did not disburse the police would have to resort to lathi charge. Subsequently, police also warned the crowd. Without minding the warning the mob continued its mischief. That prompted lathi charges. Instead of disbursing the mob intensified its attack. I kept on warning them through microphone. Then the police opening the firing of Tear gas bombs in addition to lathi charge. That also evolved no response. Then the police warned them of firing as the lost resort. The mob, with a brutal force, stones at the police force. Three police men sustained bleeding injuries. I also sustained stone attack. Then I realised that if the attack was not stopped and the crowd disbursed, that would lead to immeasurable loss of men and material, then I ordered firing to save public, police and the property. Then it was around 1.45 P.M. Under the command of the District Superintendent of Police of Thoothukudi, the police fired air shots. It was of no result. Then police opened fire at the crowd in which some got injured. Then the mob got disbursed. Then we sent injured persons to hospital. I request you to investigate on this and take appropriate action.

(SD) S. Chandran, Divisional Excise Officer, Thoothukudi. SIR, RECEIVED THE PETITION AND REGISTERED A CASE IN SOUTH PS. CR.NO. 312/18, U/S 147, 148, 323, 324, 353, 427, 307, 3 OF TNPPDL ACT & 3 OF E.S ACT (SD..) M. GANESH KUMAR , INSPR. OF POLICE, SOUTH PS. THOOTHUKUDI.

Original FIR and the report of the complainant was submitted to the Judicial Magistrate No. I Thoothukudi and the copies were sent to concerned higher officials by keeping are copy with me for investigation purpose.

13. Action Taken: **Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered case and took up the investigation. FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.**
14. Signature /Thumb Impression of the Complainant/Informant **Signature of the Officer in-charge, Police Station**
15. Date & Time of dispatch to the court: **23-05-2018** Name: **GANESH KUMAR M**  
Rank: **INSPECTOR OF POLICE** No:



## தமிழ்நாடு வணிகர் சங்கங்களின் பேரவை

தூத்துக்குடி மாவட்டம். (வடக்க)

414, மேலப் பெரிய காட்டன் ரோடு, தூத்துக்குடி - 628 001.

E-mail : tutyvanigarperavai@gmail.com



பழரசம் **பா. விநாயகமூர்த்தி**  
தலைவர்  
98421 26256

அரிமா **த. பாஸ்கர்**  
செயலாளர்  
98421 33256

சரவணாஸ் **ஆ. செந்தில் ஆறுமுகம்**  
பொருளாளர்  
98421 01256

சட்ட ஆலோசகர்கள் : **M. சொக்கலிங்கம்** B.Sc., B.L., **M.G.M. ரமேஷ்** B.A., LLB.,

14.05.2018

### முழு கடை அடைப்பு அறிவிப்பு

அன்புடையீர் வணக்கம்.

தமிழ்நாடு வணிகர் சங்கங்களின் பேரவை தூத்துக்குடி மாவட்ட மற்றும் நகர வணிகர்கள் சங்க பொதுக்குழு உறுப்பினர்கள் கூட்டம் தலைவர் திரு.பழரசம் பா.விநாயக மூர்த்தி அவர்கள் தலைமையில் 14.05.2018 திங்கள்கிழமை மாலை 6.30 மணியளவில் தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்க கட்டிடத்தில் நடைபெற்றது. அது சமயம் ஸ்டெர்லைட் எதிர்ப்பு தூத்துக்குடி மாவட்ட மக்கள் கூட்டமைப்பு சார்பில் வருகின்ற 22.05.2018 செவ்வாய்கிழமை (மே 22 ஆம் தேதி) நடைபெறும் மாவட்ட ஆட்சித்தலைவர் அலுவலக முற்றுகை போராட்டம் நடத்த தூத்துக்குடி மாவட்ட மக்கள் சார்பில் அறிவிக்கப்பட்டுள்ளது.

தமிழ்நாடு வணிகர் சங்கங்களின் பேரவை , தூத்துக்குடி மாவட்ட மற்றும் நகர வணிகர்கள், அனைத்து கிளை சங்க நிர்வாகிகள் கலந்து ஆலோசித்ததில் அனைவரும் ஒரு நாள் முழு கடையடைப்பு செய்ய ஏகமனதாக தீர்மானிக்கப்பட்டது. அதன் படி 22.05.2018 அன்று ஒரு நாள் முழு கடையடைப்பு செய்ய அன்புடன் கேட்டுக்கொள்கிறோம்.

நன்றி

தங்கள் அன்புள்ள

( த.பாஸ்கர் )

பொது செயலாளர்





பதிவு எண்.  
63/82

# தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கம்

16பி, மணி நகர் முதல் தெரு, தூத்துக்குடி - 628 002.

(75 கிளைச்சங்கங்கள், 25,000 கடைகளின் கூட்டமைப்பு)



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- U. நடராஜன்
- P. ராஜையா நாடார்
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- K. பழனிச்சாமி
- D.A. தெய்வநாயகம்
- C. சாம்மனோகர்
- T. தனபாண்டியன்
- P. ராஜபாண்டி நாடார்
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- R. வேல்சாமி
- S. செந்தில்ஆறுமுகம்

தேதி : 14.05.2018

சுற்றறிக்கை

தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்க அவசர பொதுக்குழு கூட்டம் சங்க அலுவலகத்தில் தலைவர் பா. விநாயகமூர்த்தி அவர்கள் தலைமையில் நடைபெற்றது. கீழ்க்கண்ட தீர்மானங்கள் ஏகமனதாக நிறைவேற்றப்பட்டது.

தூத்துக்குடி ஸ்டெர்லைட் எதிர்ப்பு தூத்துக்குடி மாவட்ட மக்கள் கூட்டமைப்பு வேண்டுகோளுக்கு இணங்க இன்று 14.05.2018 மாலை 6.30 மணியளவில் நடந்த பொதுக்குழு கூட்டத்தில் கலந்து கொண்ட அனைத்து சங்கங்களின் ஏகோபித்த முடிவின்படி 22.05.2018 அன்று முழு கடையடைப்பு செய்ய முடிவு செய்யப்பட்டுள்ளது.

கலந்த கொண்டவர்கள்

- |                  |                      |
|------------------|----------------------|
| தலைவர்           | பா. விநாயகமூர்த்தி   |
| பொதுச் செயலாளர்  | த. பாஸ்கர்           |
| பொருளாளர்        | மு. ராஜலிங்கம்       |
| இணைச் செயலாளர்   | தெர்மல் சொ. ராஜா     |
| மாவட்ட பொருளாளர் | ஆ. செந்தில் ஆறுமுகம் |
| சட்ட ஆலோசகர்     | M. சொக்கலிங்கம்      |

மற்றும் கிளை கழக சங்க தலைவர்கள், செயலாளர்கள், பொருளாளர்கள் மற்றும் பிரதிநிதிகள் கலந்து கொண்டனர்.

7. துயர்

த. பாஸ்கர்

- பொதுச்செயலாளர் -

**தூத்துக்குடி உட்கோட்ட நடுவர் மற்றும் சார் ஆட்சியர் அவர்களின் நீதிமன்றம், தூத்துக்குடி  
சமாதான கூட்ட அறிவிப்பு**


ஆ1/1792/2018

நாள்: 19.05.2018

தூத்துக்குடி மாவட்டம், மீளவிட்டான் பகுதி I மற்றும் தெற்கு வீரபாண்டியபுரம் கிராமத்தில் அமைந்துள்ள ஸ்டெர்லைட் இன்டஸ்ட்ரீஸ் நிறுவனத்திற்கு எதிராகவும் மேற்படி நிறுவனத்தை நிரந்தரமாக மூட வலியுறுத்தியும், ஸ்டெர்லைட் எதிர்ப்பு இயக்கம் சார்பாக 22.05.2018 அன்று முற்றுகை போராட்டம் அறிவிக்கப்பட்டுள்ளதாலும், இதற்குரிய எந்த அனுமதியும் மாவட்ட நிர்வாகத்திடமிருந்தோ, காவல்துறையிடமிருந்தோ, பெறப்படவில்லை என்பதாலும் சம்பந்தப்பட்ட அமைப்புகளுடன் சமாதான கூட்டம் நடத்தி தீர்வுகாணுமாறு காவல்துறையினரால் கோரப்பட்டுள்ளது. மேற்படி போராட்டத்தால் ஏற்படக்கூடிய சட்டம் ஒழுங்கு பிரச்சனையை கருத்தில் கொண்டும், இதனால் பொதுமக்களுக்கு ஏற்படக்கூடிய இடர்பாடுகளை கருத்தில் கொண்டும், மேற்படி காவல்துறையின் கோரிக்கையினை பரிசீலனை செய்தும் சம்பந்தப்பட்ட அமைப்புகளுடன் மாவட்ட நிர்வாகத்தால் சமாதான கூட்டம் நடத்த முடிவு செய்யப்பட்டு தூத்துக்குடி சார் ஆட்சியரின் தலைமையிலும், மாவட்ட காவல் கண்காணிப்பாளர் முன்னிலையிலும் 20.05.2018 அன்று காலை 10.30 மணிக்கு தூத்துக்குடி மாவட்ட ஆட்சித்தலைவர் அலுவலகத்தின் கீழ் தளத்தில் அமைந்துள்ள சங்கு கூடத்தில் வைத்து சமாதான கூட்டம் நடைபெறும் என தெரிவிக்கப்படுகிறது. எனவே சம்பந்தப்பட்ட ஸ்டெர்லைட் எதிர்ப்பு இயக்கத்தின் பிரதிநிதிகள் மற்றும் சம்பந்தப்பட்ட அனைவரும் தவறாது கலந்து கொண்டு மாவட்ட நிர்வாகத்திற்கு ஒத்துழைப்பு அளிக்குமாறும், சட்டம் ஒழுங்கை பராமரிக்க ஒத்துழைப்பு நல்குமாறும் கேட்டுக்கொள்ளப்படுகிறார்கள். மேலும் இக்கூட்டத்தில் பொதுமக்கள் மத்தியில் உள்ள சந்தேகங்களுக்கு உரிய விளக்கம் அளிக்கவும், பொதுமக்களின் பொதுவான கோரிக்கைகளை பரிசீலனை செய்யவும் உரிய ஏற்பாடுகள் செய்யப்பட்டுள்ளது.

சமாதானகூட்ட தலைமை:-	சார் ஆட்சியர், தூத்துக்குடி.
முன்னிலை:-	மாவட்ட காவல் கண்காணிப்பாளர், தூத்துக்குடி. இணை காவல் கண்காணிப்பாளர், தூத்துக்குடி நகரம்.
நடைபெறும் இடம்:-	சங்கு கூடம், மாவட்ட ஆட்சித்தலைவர் அலுவலகம், தூத்துக்குடி.
நாள் மற்றும் நேரம்:-	20.05.2018 காலை:- 10.30 மணி



  
 19.05.18  
 உட்கோட்ட நிர்வாக நடுவர்  
 மற்றும் சார் ஆட்சியர்  
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பெறுநர் :

1. திரு.பொன்பாண்டி,மடத்தூர்.செல்: 6380010462.
2. திரு.சகாயம்,பண்டாரம்பட்டி,செல்: 8056313370
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4. திரு.அதிசயகுமார்,எஸ்.எம்.புரம்,5வது தெரு,தூத்துக்குடி.
5. திரு.ராமசந்திரன்,மக்கள் அதிகாரம் அமைப்பு,
6. திரு.விநாயகமூர்த்தி,வணிகர் சங்க தலைவர், 57/4, சிவன் கோவில் தெரு, தூத்துக்குடி
7. திருமதி.பாத்திமாபாபு,பெரியகடைதெரு,தூத்துக்குடி.
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9. திரு.ராபர்ட், செல்.8300124183.
10. திரு.இசக்கிமுத்து, முத்து குளிப்போர் சங்கம், செல்: 9791422183.
11. திரு.மும்மாது, முத்து குளிப்போர் சங்கம்.
12. திரு.பரமசிவம், முத்து குளிப்போர் சங்கம்.
13. திரு.ஜார்ஜ்,கிறிஸ்தவ வாழ்வுரிமை இயக்கம்,செல்: 9843332974.
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15. திரு.தேன்ராஜ், தன்பாடு உப்பு ஏற்றுமதியாளர் சங்கம், செல்: 9842120561
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17. ஆட்டோ ஓட்டுநர் சங்கம், செல்..
18. வாடகை கார் ஓட்டுநர் சங்கம், செல். 9842121467.
19. சிற்றுந்து உரிமையாளர் சங்கம், செல். 9942531079.
20. பேருந்து உரிமையாளர் சங்கம், செல். 9443147013.
21. திரு.ஜான்சன்,படகு தொழிலாளர் சங்கம்.
22. திரு.அசோக், செல்: 9944492464.
23. திரு.ஜோதிமணி, விவசாயிகள் சங்கம், செல்: 9944439458.

நகல் : மாவட்ட ஆட்சித்தலைவர், தூத்துக்குடி. (தகவலுக்காக அனுப்புகிறது)  
மாவட்ட காவல் கண்காணிப்பாளர், தூத்துக்குடி மாவட்டம், தூத்துக்குடி.

நகல் :

1. இணை காவல் கண்காணிப்பாளர், தூத்துக்குடி (நகரம்),
2. காவல் ஆய்வாளர், காவல் நிலையம்,

(சம்பந்தப்பட்ட நபர்களிடம் மேற்படி சமாதான அறிவிப்பை சார்பு செய்து சார்பு நகலுடன்  
மேற்குறிப்பிட்ட நாளில் சமாதான கூட்டத்தில் தவறாது கலந்துகொள்ள வேண்டும்)

### **The Press release by the District Collector, Tuticorin**

In view of the Law and Order issue that had happened on 22.05.2018 in Tuticorin District, it is informed that the preventive order Under Section 144 of Cr.P.C will be in force from 01.00 Hours on 23.05.2018 to 08.00 hours on 25.05.2018 for maintaining law and order in Tuticorin and Tiruchendur Divisions and all the sub divisions including Vembar, Kulathur, Arumugamangalam, Vedanatham, Ottapidaram and Eppothum Vendran. As per the order, the gathering of five and more persons, processions, public meetings, rally of cycle, two wheelers, four wheelers with knife, sword, clubs, stones, political and caste related flags with staff and any other deadly and objectionable weapons are prohibited. Further, bringing public from Tuticorin and other places for participating in demonstration by hired vehicles of all types from Tuticorin and other districts, is prohibited under the Prevention Order under section 144 of Cr.P.C. However, the school and college vehicles, daily routine vehicles, vehicles transporting essential commodities, tourist vehicles, cargo vehicles, routine omni buses are exempted from this order.

Sd.

District Collector

Tuticorin

22.05.2018

**Proceedings of the Sub-Divisional Magistrate and Sub-Collector, Thoothukudi  
Presence: Thiru M.S. Prasanth, I.A.S.,**

B1/ /2018

Dt: 21.05.2018

Sub:	<b>Law &amp; Order</b> —Thoothukudi Division—Thoothukudi District—Thoothukudi People's Federation against Sterlite planned to besiege the Collector office on 22.05.2018—Deployment by appointing of Executive Magistrates to watch over not to arise any Law and Order problem—orders issued.
Read	Phone message dated 21.05.2018 received from the District Collector office, Thoothukudi.

Order:

Consequent on the announcement of mass protest to be organized on 22.05.2018 against the Sterlite Factory, functioning at Meelavittan Village in Thoothukudi Taluk, District, and also planned to besiege the Collector office by the Thoothukudi People's Federation against Sterlite with a view to maintain the Law and Order situation and not to arise any Law and Order, the following appointment of Executive Magistrates is hereby ordered. The concerned Executive Magistrates so appointed should watch over not to arise any Law and Order problems and maintain along with the Police in the areas notified against each of them and inform the current situation to higher officials over phone from 6:00 hours on 22.05.2018 until further order.

<b>S.No</b>	<b>Name and Designation</b>	<b>Duty Assigned area</b>
1.	Mr. Rajkumar Thangaseelan, Special Tahsildar (Social Protection Scheme) Thoothukudi	1. Collector Office Campus 2. Collector Office Junction (NH) 3. District Employment Office Junction 4. Sorisapuram
2.	Mr. Alagar, Special Tahsildar (Civil Supplies) Thoothukudi.	1. Sterlite Industries, Thoothukudi
3.	Mr. Chandran, Divisional Excise Officer, Thoothukudi	S.A.V Ground, Old Bus stand near, Thoothukudi.
4.	Mr. Kannan, Zonal Deputy Tahsildar, Thoothukudi.(99444-94128)	1. Pollution Control Board Office. 2. Pollution Control Board Office Junction (Thoothukudi Madurai four way road) 3. Railway E.B office(Towards Pollution Control Board Office) 4. Food Corporation of India godown junction Madathur road. 5. Madathur Junction 6. Madathur
5.	Mr. Sekar, Special Deputy Tahsildar (Election), Thoothukudi-(978989459)	1. Fatima Nagar 2. Lions town 3. New street 4. Sorisapuram 5. Thoothukudi Madha Church. 6. Threspuram Junction

6.	Mr. Isakki Raj, Headquarters, Deputy Tahsildar	1. Place of Public Meetings, V.V.D. Signal nearby, Chidambaram Nagar, Thoothukudi.
7.	Mrs. Ponnulakshmi, Additional Headquarters Deputy Tahsildar. (9080456985)	1. Muthaiyapuram
8.	Mr. Ramakrishnan, Zonal Deputy Tahsildar-II, Srivaikuntam	1. Pandarampatti 2. Meelavittan 3. Silverpuram 4. Devar Colony
9.	Mr. Gopal, Taluk Supply officer, Srivaikuntam	1. 3 <sup>rd</sup> Mile 2. P&T Colony, 2 <sup>nd</sup> street, nearby Ration shop 3. FCI roundana 4. Cylone Colony.

Sub-Divisional Magistrate and Sub-Collector,  
Thoothukudi

To

Respective official

Copy to: The District Collector, Thoothukudi (for information)

Copy to: District Superintendent of Police, Thoothukudi

Copy to: Deputy Superintendent of Police, Thoothukudi

Copy to: Thasildhar, Thoothukudi

**Details of issuance of orders for firing Thoothukudi and the persons died police firing with FIR details**

S.No	Time of firing	Time of complaint	Time of FIR	Crime No.	Deceased	Order of Exe. Magistrate for firing	Remarks
1.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Shanmugam (40/18) son of Balaiah, 1 <sup>st</sup> Street, Masilamanipuram, Thoothukudi.	Yes. By Mr. P.Sekar, Spl. Dy. Tahsildar (Election) Taluk Office	
2.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Snowlin (18), D/o Jackson, Mini Sahaya Puram Lines Town, Thoothukudi	-do-	
3.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Tamilarasan, (45/18) son of Pon Naicker, K.Ramchandrapuram, Kurukkusalai, Ottapitaram PS. Limit	-do-	
4.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Kanthiah (55/18) son of Gurusamy, Ceylon Colony, Miller Puram, Thoothukudi	-do-	
5.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Gladston (40/18) son of Koil Pitchai, Lourthammalpuram, Thalamuthu Nagar	-do-	
6.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Maniraj (25/18) son of Soundraandi, Damodara Nagar, Thoothukudi	-do-	

Annexure-16: Details of issuance of orders for firing in Thoothukudi and the persons died police firing with FIR details

7.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Antony Selvaraj, 48/48) son of Joseph Stalin, Annai Velankanni Nagar Ist street, Thalamuthunagar	-do-	
8.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Ranjith Kumar 22/18) son of Baskar, 3/3334 Pushpa Nagar Miisba sabai back side sipcot, Thoothukudi	-do-	
9.	22.05.2018 11.00 to 14.30 hrs.	22.05.2018 17.00 hrs	22.05.2018 17.00 hrs	Cr.No.191/2018 Thoothukudi SIPCOT P.S.	Jayaraman (42/18) son of Kandan, Usilampatti	-do-	
10.	22.05.2018 at 13.00 hrs.	22.05.2015 at 21.00 hrs.	22.05.2015 at 21.00 hrs.	Cr.No.302/2018 Thoothukudi South P.S.	Karthick (20/18) son of Muthupandi, Sivanathakulam Road, Thoothukudi (died in Hospital)	Yes, By Mr. Meenakshinathan, Inspector of Police, Ottapitaram PS.	
11.	22.05.2018 at 15.30 hrs.	22.05.2018 at 20 00 hrs.	22.05.2018 at 20.00 hrs.	Cr.No.219/2018 Thoothukudi North	Jancy Rani (37/18) W/o Jesu Balan, Threshpuram, Thoothukudi.	Yes. By Mr.M.Kannan, Zonal Dy. Tahsildar	
12.	23.05.2018 at 13.45 hrs.	23.05.2018 at 16.30 hrs.	23.05.2018 at 16.30 hrs.	Cr.No.312/2018 Thoothukudi South	Kaliappan (22/18) son of Subramanian, Mappilaiyurani, Thalamuthunagar	Yes. By Mr. Sow.Chandran, Divl. Excise Officer.	
13.	23.5.2018	22.05.2018 at 19.00 hrs.	22.05.2018 at 19.00 hrs.	Cr.No.299/2018 Thoothukudi South P.S.	Selvasekar (42/18) son of Palavesam, Narayanasami Kovil Street, Iruvappapuram, Peikulam (died in Hospital)	No.	

Annexure-16: Details of issuance of orders for firing in Thoothukudi and the persons died police firing with FIR details

14.	30.5.2018			Cr. No.--	Bharath Raj C/o Selva Sounder, 25/A, Anna Nagar 12 <sup>th</sup> Street, Mangalapuram, Thoothukudi	No	
15.	31.5.2018			Cr. No.60/2018 Seidhunganallur P.S.	Valiamma 68/2018 W/o Sudalai Megnanapuram	No	Blocked by Competent Authority

### Details of persons died in Thoothukudi police firing

S.No	Name and address of the victim/ deceased	Place, date and time of occurrence	Station and Crime Number	Name of Judicial Magistrate conducted inquest under sec.176(1) Cr.P.C.	Team of Doctors conducted the Post Mortem
1.	Shanmugam (40/18) son of Balaiah, 1 <sup>st</sup> Street, Masilamanipuram, Thoothukudi.	Collectorate 22.05.2018 between 11.00 hours to 14.30 hrs.	Cr.No.191/2018 Thoothukudi Sipcot P.S. U/s 147, 148, 188, 324 332, 353, 448, 450 307. 436 506(II), IPC & 3(1) 4 of TNPPDL Act & 3 of Explosive Substances Act r/w 174 Cr.P.C.  Complainant: Mr.Sekar, Special Deputy Tahsildar (Election), Thoothukudi.	Thiru Annamalai, Judicial Magistrate, Thoothukudi	Dr. Mohamed Nizim, Asst. Prof. Department of Forensic Medicine, Govt. Thoothukudi Medical College.  Dr. Mumoorthi, Tutor, Department of Forensic Medicine, Govt. Thoothukudi Medical College
2.	Snowlin (18)D/o Jackson, Mini Sahaya Puram Lines Town, Thoothukudi	-do-	-do-	Thiru Annamalai, Judicial Magistrate, Thoothukudi	Dr. Manoharan, Asst. Professor, department of Forensic Medicine, Govt. Thoothukudi Medical College  Dr. Prabhu, Tutor, Dept. of Forensic Medicine, Govt. Thoothukudi Medical College.
3.	Tamilarasan, (45/18) son of Pon Naicker, K.Ramchandrapuram, Kurukkusalai, Ottapitaram PS. Limit	-do-	-do-	Thiru Saravanakumar, Judicial Magistrate, Srivaikundam	Dr. Mohamed Nizim, Asst. Prof. Department of Forensic Medicine, Govt. Thoothukudi Medical College.



Annexure-17: Details of persons died in Thoothukudi police firing

					Dr. Mumoorthi, Tutor, Department of Forensic Medicine, Govt. Thoothukudi Medical College
4.	Kanthiah (55/18) son of Gurusamy, Ceylon Colony, Miller Puram, Thoothukudi	-do-	-do-	Thiru Sankar, Judicial Magistrate, Kovilpatti	Dr. Sudalaimuthu, Associate Professor, Department of Forensic Medicine, Govt. Thoothukudi Medical College.  Dr. Somasundaram, Tutor, Department of Forensic Medicine, Govt. Thoothukud Medical College.
5.	Gladston (40/18) son of Koil Pitchai, Lourthammalpuram, Thalamuthu Nagar	-do-	-do-	Nominated Judl. Magistrate Mr. Dineshkumar, Judl.Magistrate, Thiruchendur	Post Mortem not completed  (Since completed)
6.	Maniraj (25/18) son of Soundraandi, Damodara Nagar, Thoothukudi	-do-	-do-	Nominted Judl. Magistrate Mr. Annamalai, Judl. Magistrate I, Thoothukudi	Post Mortem not completed  (Since completed)
7.	Antony Selvaraj, 48/48) son of Joseph Stalin, Annai Velankanni Nagar 1st street, Thalamuthunagar	-do-	-do-	Nominated Judl. Magistrate Tmt. Thavoothammal Judicial Magistrate II, Kovilpatti	Post Mortem not completed  (Since completed)
8.	Ranjith Kumar 22/18) son of Baskar, 3/3334 Pushpa Nagar Miisba sabai back side sipcot, Thoothukudi	-do-	-do-	Nominated Judl. Magistrate Thiru Sankar, Judicial Magistrate-I, Kovilpatti	Post mortem not completed  (Since completed)

Annexure-17: Details of persons died in Thoothukudi police firing

9.	Jayaraman (42/18) son of Kandan, Usilampatti	-do-	-do-	Nominated Judl.Magistrate Tmt. Thavoothammal, Judicial Magistrate-II, Kovilpatti	Post Mortem Not completed  (Since completed)
10.	Karthick (20/18) son of Muthupandi, Sivanathakulam Road, Thoothukudi  (died in Hospital)	22.05.2018 at 13.00 hrs. Food Corporation of India	Cr.No.302/2018 Thoothukudi P.S.  Sec. of Law: 147, 148, 323, 324, 353, 307. 436 IPC & 3 of Explosive Substances Act  Complainant: Mr. Meenakshinathan, Inspector of Police, Ottapidaramm P.S. Thoothukudi District.	Thiru Saravanakumar, Judicial Magistrate, Srivaikundam	Dr. Sudalaimuthu, Associate Professor, Department of Forensic Medicine, Govt. Thoothukudi Medical College.  Dr. Somasundaram, Tutor, Deptment of Forensic Medicine, Govt. Thoothukud Medical College.
11.	Jancy Rani (37/18) W/o Jesu Balan, Threshpuram Thoothukudi.	22.05.2018 at 15.30 hrs. Threshpuram	Cr.No.219/2018 Thoothukudi North  U/s 147, 148, 188, 323, 324, 353, 307. 436 506(II), IPC & 3(1) 4 of TNPPDL Act & 3 of Explosive Substances Act r/w 174 Cr.P.C.  Complainant: Mr. M.Kannan, Zonal Dy. Tahsildar, Taluk Office, Thoothukudi.	Nominated Judl.Magistrate Mr. Saravanakumar, Judicial Magistrate, Srivaikundam	Post Mortem not completed  (Since completed)

Annexure-17: Details of persons died in Thoothukudi police firing

12.	Kaliappan (22/18) son of Subramanian, Mappilaiyurani, Thalamuthunagar	23.05.2018 at 13.45 hours Thoothukudi Anna Nagar 6 <sup>th</sup> street.	Cr.No.312/2018 Thoothukudi South  U/s 147, 148, 323, 324, 353, 427, 307., IPC & 3 of TNPPDL Act & 3 of Explosive Substances Act  Complainant: Mr. Chandran, Divisional Excise Officer, District Collectorate, Thoothukudi.	Thiru Dinesh Kumar, Judicial Magistrate, Thiruchendur	Dr. Manoharan, Asst. Professor, department of Forensic Medicine, Govt. Thoothukudi Medical College  Dr. Prabhu, Tutor, Dept. of Forensic Medicine, Govt. Thoothukudi Medical College.
13.	Selvasekar (42/18) son of Palavesam, Narayanasami Kovil Street, Iruvappapuram, Peikulam  (died in Hospital)	22.05.2018 At 12.45 hrs 3 <sup>rd</sup> Mile, Thoothukudi	Cr.No.299/2018 Thoothukudi South P.S.  U/s.147, 148, 341, 436 IPC & 4 of TNPPDL Act.  Complainant: Mr. Sampath, Inspector of Police, Arumuganeri Police Station, Thoothukudi District.	Tmt. Tamilselvi, Judicial Magistrate-III, Thoothukudi.	Dr. Sudalaimuthu, Associate Professor, Department of Forensic Medicine, Govt. Thoothukudi Medical College.  Dr. Somasundaram, Tutor, Deptment of Forensic Medicine, Govt. Thoothukud Medical College.





I.D. No. \_\_\_\_\_  
(For Office use only)

**Application under Section 7 (1) of The Right to Information (RTI) Act, 2005**

**Whereby the Information sought concerns the life or liberty of a person, the same shall be provided within 48 HOURS of the receipt of the request.**

**Kindly read Section 7 (1) along with Section 6 (1) of the RTI Act 2005 and provide information within 48 hours as mandated.**

To,  
Public Information Officer,  
P.A.(General) to District Collector/District Magistrate,  
Thoothukudi District,  
Thoothukudi.  
-----

**1. Full Name of the Applicant: A.W.D.Tilak, M.A.,B.L.,**

**2. Address: 52, S.M. Puram 2<sup>nd</sup> Street, Tuticorin – 3.**

**3. Particulars of the Information required (in English):**

**i) Subject matter of Information required:**

“Imposition of Section 144 of the Criminal Procedure Code, 1973 in Tuticorin / Tuthookudi district”.

NOTE : This information is required on an urgent basis (within 48 hours) under Section 7 (1) of the RTI Act, 2005 since it concerns the life and liberty of persons. Pursuant to imposition of Section 144 of the Criminal Procedure Code 1973 in Tuticorin / Tuthookudi district, 14 people have been killed on account of state action and several others critically injured and arrested / detained by the police.

**ii) The Period to which the information relates: May 2018**

**iii) Description of the information required:**



- (a) All orders imposing Section 144 of the Criminal Procedure Code, 1973 in the Tuticorin / Tuthookudi District between 20<sup>th</sup> May 2018 to 27<sup>th</sup> May 2018
- (b) Copies of publications / notifications of all orders imposing Section 144 of the Criminal Procedure Code, 1973 in the Tuticorin / Tuthookudi District between 20<sup>th</sup> May 2018 to 27<sup>th</sup> May 2018
- (c) Copy of the order dated 21<sup>st</sup> May, 2018 deploying Executive Magistrate in Thoothukudi District for maintaining Law and Order situation in Thoothukudi District.

iv) **Whether information is required by Post or in Person:** In Person

v) **In case by Post (Ordinary, Registered or Speed):** N/A

vi) **Is this information not available by public authority under voluntary disclosure:**  
NO


vii) **Do you agree to pay the required fee:** YES

viii) **Have you deposited application fee? (If yes, details of such deposit):** YES

\_\_\_\_\_

vi) **Whether the Applicant is below poverty line:** N/A

Place: Tuthookudi  
Date: 6<sup>th</sup> June 2018

  
Signature of the Applicant

**Before the Respected First Appellate Authority and the District Collector of  
Thoothukudi District, Thoothukudi under Right to Information Act, 2005**

**Appeal No. /2018**

**A.W.D. Thilak, M.A.B.L.,  
52, S.M.Puram 2<sup>nd</sup> Street,  
Tuticorin-3**

**Appellant**

**-VS-**

The Public Information Officer and  
P.A. (General) to the District Collector and  
District Magistrate of Thoothukudi District,  
Thoothukudi

**Respondent**

**Appeal submitted under sec. 19 (1) of Right to Information Act, 2005 against the respondent/Public Information Officer on his failure in providing the information within the stipulated time of 48 hours as per Sec. 7(1) and proviso u/s 7(1) of the Act**

1. It is submitted that I am the Appellant herein and the Applicant in the RTI Application
2. It is submitted that I have sent an application under sec. 7(1) of Right to Information Act with a request to provide the following information within 48 hours of the receipt of the same as the same concerns the life and liberty of a person on 06.06.2018
  - a) All orders imposing Section 144 of the Criminal Procedure Code, 1973 in the Tuticorin / Tuthookudi District between 20<sup>th</sup> May 2018 to 27<sup>th</sup> May 2018
  - b) Copies of publications / notifications of all orders imposing Section 144 of the Criminal Procedure Code, 1973 in the Tuticorin / Tuthookudi District between 20<sup>th</sup> May 2018 to 27<sup>th</sup> May 2018

- c) Copy of the order dated 21<sup>st</sup> May, 2018 deploying Executive Magistrate in Thoothukudi District for maintaining Law and Order situation in Thoothukudi District.
3. It is submitted that this information is required on an urgent basis (within 48 hours) under the proviso of Section 7 (1) of the RTI Act, 2005 since it concerns the life and liberty of persons. Pursuant to imposition of Section 144 of the Criminal Procedure Code 1973 in Tuticorin / Tuthookudi district, 14 people have been killed on account of state action and several others critically injured and arrested / detained by the police.
4. It is submitted that the above said application was received by the respective Public Information Officer on 07.06.2018 itself and Acknowledgment to that effect was also received by me. The copies of the said application and the Postal Acknowledgment received are enclosed herewith as document No.1 series for favour of kind reference and perusal of the Appellate Authority.
5. It is submitted that I have not yet received either the information or any response from the Respondent within the stipulated time from the date of the receipt of my application under Right to Information Act, 2005

Therefore, I come forward with this Appeal against the Respondent/Public Information Officer for his failure in providing the information within 48 hours as sought by me under sec.7(1) of the Right to Information Act

### **GROUND**

- i. It is submitted that the respondent/Public Information Officer has willfully failed to provide the information sought for in my application under Right to Information Act, 2005 (document No.1) to me within 48 hours and also after a lapse of more than a week time, as provided under Sec.7(1) of the Act.
- ii. It is submitted that the Respondent/Public Information Officer has violated the provisions of the Act by keeping my application in abeyance
- iii. It is submitted that the inaction of the Respondent/Public Information Officer is against the aims and the spirit of the Social Legislation i.e. the Right to



Information Act, 2005 and it has to be presumed that the Respondent had refused to provide information to me/the Appellant as per Sec. 7(1) of the Act.

- iv. It is submitted that the inaction of the Respondent/Public Information Officer is amounting to dereliction of duty and denial of the information to the appellant who is entitled to get the information applied for as per the provisions of the Act.
- v. It is submitted that I have reserved my right to file additional grounds of appeal if necessary at a later point of time.

Therefore, It is prayed that the respected Appellate Authority may graciously be pleased to take this Appeal on file consider the appeal sympathetically and pass orders allowing this appeal after providing me an opportunity to make my submissions in this regard and

- i) To order and direct the Respondent/Public Information Officer to provide the information sought for in my application immediately without any further delay.
- ii) Any other further proceedings as deems fit by the Respected Appellate Authority against the Respondent for non-providing the information sought for under Right to Information Act, 2005 within the stipulated time and keeping the said application in abeyance and thus render justice.

Thoothukudi.  
Date:

**(A.W.D.Thilak)**  
Appellant



/TYPED COPY/

31.05.2018

From

SAPTARSHI BHATTACHARJEE  
JOURNALIST  
Senior Program Coordinator –  
The Hindu Centre for Politics and Public Policy  
Kasturi Buildings,  
859 & 860, Anna Salai  
Chennai – 600 002.

To

The Principal Information Officer  
Office of the Collector of Thoothukudi  
Thoothukudi

Dear Sir / Madam,

I, Saptarshi Bhattacharjee, a journalist seeking the following set of information under section 7 (2) of the Right to Information Act, 2005.

1. A copy of the order of the Collector of Thoothukudi promulgating Section 144 of Cr.P.C in Thoothukudi on May 21, 2018.
2. A copy of the order by the competent authority to open fire on protestors / agitator in Thoothukudi (near Collectorate) on May 22, 2018.

I request you to furnish the information sought about which I may collect in person from your office within two days. Thanking you in anticipation.

Sincerely,

(Saptarshi Bhattacharjee)

I affixed the court fee stamp for Rs.20 only under RTI Act, 2015 for seeking information.

தூத்துக்குடி நகர உட்கோட்ட காவல் அதிகாரி அவர்களின் செயல்முறை ஆணை

முன்னிலை : R. பிரகாஷ்,  
துணை காவல் கண்காணிப்பாளர்,  
தூத்துக்குடி நகரம்.

செ.மு.ஆ.எண்: 221/முகாம்/உ.கா.அ(நகரம்)/தூடி/18.

நாள்: 14.06.2018

பொருள்: விடுதலை சிறுத்தைகள் கட்சி சார்பாக 18.06.18 அன்று அமைதி பேரணி மற்றும் இரங்கல் பொதுக்கூட்டம் நடத்திட அனுமதி கோரியது - பரிசீலனைக்குப்பின் அனுமதி மறுக்கப்படுவது - தொடர்பாக.

- பார்வை: 1. விடுதலை சிறுத்தைகள் கட்சி, தூத்துக்குடி மாவட்ட செயலாளரின் மனு, நாள் 11.06.2018.
2. தூத்துக்குடி நகர உட்கோட்ட அதிகாரி அவர்களின் செயல்முறை ஆணை எண்: C. No. 11/Police Act/SDO - Town/2018, நாள்: 05.06.18.
3. சென்னை உயர் நீதிமன்ற மதுரை கிளை நீதிமன்ற ஆணை எண்கள்: WP (MD) 7358/18, நாள்: 04.04.18 மற்றும் WP (MD) 7179/18 & W.M.P.(MD)Nos.6907/18 & 7203/18, நாள்: 12.04.2018.

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தூத்துக்குடியில் 22.05.2018 அன்று நடைபெற்ற துப்பாக்கி சூட்டில் இறந்தவர்களுக்கு மரியாதை செலுத்தும் வகையில் தூத்துக்குடி குருஸ் பர்னாந்து சிலை சந்திப்பிலிருந்து சிதம்பரநகர் பேருந்து நிறுத்தம் வரை 18.06.18 அன்று மாலை 04.00 மணிக்கு விடுதலை சிறுத்தைகள் கட்சி சார்பில் அமைதி பேரணி நடத்திடவும், அதனைத் தொடர்ந்து இரவு 10.00 மணி வரை இரங்கல் பொதுக்கூட்டம் நடத்துதலும் பார்வை 1-ல் கண்ட மனு மூலம் அனுமதி கோரியுள்ளார்கள். பார்வையில் கண்ட மனுவினை பரிசீலனை செய்ததில் கீழ்க்கண்ட விபரங்களை மனுதாரர் தரப்பினர் அறிய தெரிவித்துக்கொள்ளப்படுகிறது.

- 1) தூத்துக்குடியில் ஸ்டெர்லைட் ஆலைக்கு எதிராக பல்வேறு அமைப்புகள் ஆர்ப்பாட்டம் மற்றும் போராட்டங்கள் நடத்திட காவல்துறை சார்பில் அனுமதி வழங்கப்பட்ட நிகழ்வுகளிலும், காவல்துறையால் அனுமதி மறுக்கப்பட்டு பின்பு மனுதாரர் தரப்பினரால் பெறப்பட்ட பார்வை 3-ல் கண்ட நீதிமன்ற உத்தரவுகளின் பேரில் காவல்துறை சார்பில் அனுமதியும் பாதுகாப்பும் வழங்கப்பட்ட நிலையிலும் பல்வேறு சட்ட ஒழுங்கு பிரச்சனைகள் மற்றும் அசம்பாவித நிகழ்வுகள் ஏற்பட்டு தூத்துக்குடி நகர உட்கோட்டம் மற்றும் தூத்துக்குடி ஊரக உட்கோட்டத்தில் பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கைகள் மேற்கொள்ளப்பட்டு வருகிறது.
- 2) இந்திய கம்யூனிஸ்ட் (மார்க்சிஸ்ட்) கட்சியின் மாநில மாநாடு தொடர்பாக மேற்படி கட்சி சார்பில் 20.02.2018 அன்று தூத்துக்குடியில் நடைபெற்ற பேரணியில், காவல்துறையினர் அனுமதியும் பாதுகாப்பும் வழங்கிய நிலையில், மேற்படி பேரணியினர் காவல்துறையினரின் அறிவுரைகளை கடைபிடிக்காமல் காவல்துறையினரை தாக்கி, தூத்துக்குடி நகர பகுதியில் சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலையினை ஏற்படுத்தியுள்ளனர். இது தொடர்பாக பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கைகள் மேற்கொள்ளப்பட்டு வருகிறது.

- 3) தூத்துக்குடி மாவட்ட ஆட்சியரால் 144 கு.வி.மு.ச. படி தடை உத்தரவு நடைமுறையில் இருந்து வந்த நிலையில், காவல்துறையின் அனுமதியின்றி 22.05.2018 அன்று தூத்துக்குடியில் நடைபெற்ற ஸ்டெர்லைட் ஆலைக்கு எதிரான முற்றுகை போராட்டத்தில் ஏற்பட்ட சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலைகளால் பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கை மேற்கொள்ளப்பட்டு வருகிறது.
- 4) 30(2) காவல் சட்ட பிரிவின் படியான பார்வை 2-ல் கண்ட தூத்துக்குடி நகர உட்கோட்ட அதிகாரியின் செயல்முறை ஆணை தற்போது நடைமுறையில் இருந்து வருவதாலும் பொது நிகழ்ச்சிகளுக்கு அனுமதி வழங்க இயலாது.
- 5) தற்போது தூத்துக்குடியில் நிலவிவரும் சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலைகளால் பொது நிகழ்ச்சிகளுக்கு அனுமதி வழங்கும் பட்சத்தில் மேலும் பல்வேறு அசம்பாவிதங்கள் மற்றும் சட்ட ஒழுங்கு பிரச்சனைகள் ஏற்பட வாய்ப்புகள் உள்ளது.

2) மேற்கண்டவாறு சுட்டிக்காட்டப்பட்டுள்ள கடந்த காலங்களில் ஏற்பட்ட அசாதாரண சூழ்நிலைகள், சட்டம் ஒழுங்கு நிகழ்வுகள் ஆகியவைகளை கருத்தில் கொண்டும் மற்றும் மேற்படி மனுதாரர் கோரிய பேரணி மற்றும் பொதுக்கூட்டங்கள் நடத்துவதால், தற்பொழுது சீர்பெற்று வரும் பொது அமைதி மற்றும் சட்ட ஒழுங்கிற்கு பாதகம் மற்றும் குந்தகங்கள் ஏற்படக்கூடிய சூழ்நிலைகள் மற்றும் தகவல்களும் இருப்பதாலும், பொதுமக்கள் பாதுகாப்பு நலன் கருதியும், பொது அமைதியை பேணி காத்திடவும் மற்றும் அனைத்து சூழ்நிலைகள், நிகழ்வுகள் ஆகியவற்றை கருத்தில் கொண்டு பரிசீலித்ததின் அடிப்படையில், மனுதாரர் தரப்பினர் மேற்படி அனுமதி கோரிய அமைதி பேரணி மற்றும் இரங்கல் பொதுக்கூட்டத்திற்கு அனுமதி மறுக்கப்படுகிறது.

- 3) இவ்வாணையினை பெற்றுக் கொண்டமைக்கு ஏற்பளிப்பு செய்யவும்.

14/6/18  
துணை காவல் கண்காணிப்பாளர்,  
தூத்துக்குடி நகரம்,

**பெறுநர்:**

திரு. அகமது இக்பால், தூத்துக்குடி மத்திய மாவட்ட செயலாளர்,  
விடுதலை சிறுத்தைகள் கட்சி,  
தூத்துக்குடி.

**நகல்:**

- 1) காவல் கண்காணிப்பாளர் அவர்கள், தூத்துக்குடி மாவட்டம், தூத்துக்குடி.
- 2) கூடுதல் காவல் கண்காணிப்பாளர் அவர்கள், தலைமையிடம், தூத்துக்குடி.
- 3) காவல் ஆய்வாளர்கள், தென்பாகம், மத்தியபாகம் காவல் நிலையங்கள் மற்றும் போக்குவரத்து பிரிவு தூத்துக்குடி.



தூத்துக்குடி நகர உட்கோட்ட காவல் அதிகாரி அவர்களின் செயல்முறை ஆணை

முன்னிலை : R. பிரகாஷ்,

ஆணை காவல் கண்காணிப்பாளர்,  
தூத்துக்குடி நகரம்.

செ.மு.ஆ.எண்: 220/முகாம்/உ.கா.அ.நகரம்/தூ.டி/18.

நாள்: 14.06.2018

பொருள்: இந்திய கம்யூனிஸ்ட் (மார்க்சிஸ்ட்) கட்சி சார்பாக 18.06.18 அன்று பேரணி மற்றும் பொதுக்கூட்டம் நடத்திட அனுமதி கோரியது - பரிசீலனைக்குரிய அனுமதி மறுக்கப்படுவது - தொடர்பாக.

- பார்வை: 1. இந்திய கம்யூனிஸ்ட் (மார்க்சிஸ்ட்) கட்சி, தூத்துக்குடி மாவட்ட செயலாளரின் மனு, நாள் 18.04.2018.
2. தூத்துக்குடி நகர உட்கோட்ட அதிகாரி அவர்களின் செயல்முறை ஆணை எண்: C. No. 11/Police Act/SDO - Town/2018, நாள்: 05.06.18.
3. சென்னை உயர் நீதிமன்ற மதுரை கிளை நீதிமன்ற ஆணை எண்கள்: WP (MD) 7358/18, நாள்: 04.04.18 மற்றும் WP (MD) 7179/18 & W.M.P.(MD)Nos.6907/18 & 7203/18, நாள்: 12.04.2018.

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தூத்துக்குடியில் 22.05.2018 அன்று நடைபெற்ற துப்பாக்கி சூடு மற்றும் அதனைத் தொடர்ந்து நடைபெற்ற மனித உரிமை மீறல்களை கண்டித்து தூத்துக்குடி அண்ணாநகர் பண்டுகரை சாலையிலிருந்து சிதம்பரநகர் பேருந்து நிறுத்தம் வரை 18.06.18 அன்று மாலை 05.00 மணிக்கு இந்திய கம்யூனிஸ்ட் (மார்க்சிஸ்ட்) கட்சி சார்பில் பேரணி நடத்திடவும், அன்று மாலை 06.00 மணி முதல் 10.00 மணி வரை ஒலிபெருக்கியுடன் பொதுக்கூட்டம் நடத்துதலும் பார்வை 1-ல் கண்ட மனு மூலம் அனுமதி கோரியுள்ளார்கள். பார்வையில் கண்ட மனுவினை பரிசீலனை செய்ததில் கீழ்க்கண்ட விபரங்களை மனுதாரர் தரப்பினர் அறிய தெரிவித்துக்கொள்ளப்படுகிறது.

- 1) தூத்துக்குடியில் ஸ்டெர்லைட் ஆலைக்கு எதிராக பல்வேறு அமைப்புகள் ஆர்ப்பாட்டம் மற்றும் போராட்டங்கள் நடத்திட காவல்துறை சார்பில் அனுமதி வழங்கப்பட்ட நிகழ்வுகளிலும், காவல்துறையால் அனுமதி மறுக்கப்பட்டு பின்பு மனுதாரர் தரப்பினரால் பெறப்பட்ட பார்வை 3-ல் கண்ட நீதிமன்ற உத்தரவுகளின் பேரில் காவல்துறை சார்பில் அனுமதியும் பாதுகாப்பும் வழங்கப்பட்ட நிலையிலும் பல்வேறு சட்ட ஒழுங்கு பிரச்சனைகள் மற்றும் அசம்பாவித நிகழ்வுகள் ஏற்பட்டு தூத்துக்குடி நகர உட்கோட்டம் மற்றும் தூத்துக்குடி ஊரக உட்கோட்டத்தில் பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கைகள் மேற்கொள்ளப்பட்டு வருகிறது.
- 2) தற்போது பார்வையில் கண்ட மனுவில் மனுதாரர் தரப்பினர் அனுமதி கோரிய அதே வழிதடத்தில், இந்திய கம்யூனிஸ்ட் (மார்க்சிஸ்ட்) கட்சியின் மாநில மாநாடு தொடர்பாக மேற்படி கட்சி சார்பில் 20.02.2018 அன்று தூத்துக்குடியில் நடைபெற்ற பேரணியில், காவல்துறையினர் அனுமதியும் பாதுகாப்பும் வழங்கிய நிலையில், மேற்படி பேரணியினர் காவல்துறையினரின் அறிவுரைகளை கடைபிடிக்காமல் காவல்துறையினரை தாக்கி, தூத்துக்குடி நகர பகுதியில் சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலையினை ஏற்படுத்தியுள்ளனர். இது தொடர்பாக பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கைகள் மேற்கொள்ளப்பட்டு வருகிறது.



- 3) தூத்துக்குடி மாவட்ட ஆட்சியரால் 144 கு.வி.மு.ச. படி தடை உத்தரவு நடைமுறையில் இருந்து வந்த நிலையில், காவல்துறையின் அனுமதியின்றி 22.05.2018 அன்று தூத்துக்குடியில் நடைபெற்ற ஸ்டேட் ஆலைக்கு எதிரான முற்றுகை போராட்டத்தில் ஏற்பட்ட சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலைகளால் பல்வேறு வழக்குகள் பதிவு செய்யப்பட்டு நடவடிக்கை மேற்கொள்ளப்பட்டு வருகிறது.
- 4) 30(2) காவல், சட்ட பிரிவின் படியான பார்வை 2-ல் கண்ட தூத்துக்குடி நகர உட்கோட்ட அதிகாரியின் செயல்முறை ஆணை தற்போது நடைமுறையில் இருந்து வருவதாலும் பொது நிகழ்ச்சிகளுக்கு அனுமதி வழங்க இயலாது.
- 5) தற்போது தூத்துக்குடியில் நிலவிவரும் சட்ட ஒழுங்கு பிரச்சனை மற்றும் அசாதாரண சூழ்நிலைகளால் பொது நிகழ்ச்சிகளுக்கு அனுமதி வழங்கும் பட்சத்தில் மேலும் பல்வேறு அசம்பாவிதங்கள் மற்றும் சட்ட ஒழுங்கு பிரச்சனைகள் ஏற்பட வாய்ப்புகள் உள்ளது.

2) மேற்கண்டவாறு சுட்டிக்காட்டப்பட்டுள்ள கடந்த காலங்களில் ஏற்பட்ட அசாதாரண சூழ்நிலைகள், சட்டம் ஒழுங்கு நிகழ்வுகள் ஆகியவைகளை கருத்தில் கொண்டும் மற்றும் மேற்படி மனுதாரர் கோரிய பேரணி மற்றும் பொதுக்கூட்டங்கள் நடத்துவதால், தற்பொழுது சீர்பெற்று வரும் பொது அமைதி மற்றும் சட்ட ஒழுங்கிற்கு பாதகம் மற்றும் குந்தகங்கள் ஏற்படக்கூடிய சூழ்நிலைகள் மற்றும் தகவல்களும் இருப்பதாலும், பொதுமக்கள் பாதுகாப்பு நலன் கருதியும், பொது அமைதியை பேணி காத்திடவும் மற்றும் அனைத்து சூழ்நிலைகள், நிகழ்வுகள் ஆகியவற்றை கருத்தில் கொண்டு பரிசீலித்ததின் அடிப்படையில், மனுதாரர் தரப்பினர் மேற்படி அனுமதி கோரிய பேரணி மற்றும் பொதுக்கூட்டத்திற்கு அனுமதி மறுக்கப்படுகிறது.

3) இவ்வாணையினை பெற்றுக் கொண்டமைக்கு ஏற்பளிப்பு செய்யவும்.

14/6/18  
துணை காவல் கண்காணிப்பாளர்,  
தூத்துக்குடி நகரம்,

பெறுநர்:

திரு. கே.எஸ். அர்ச்சுனன், மாவட்ட செயலாளர்,  
இந்திய கம்யூனிஸ்ட் கட்சி (மார்க்சிஸ்ட்),  
தூத்துக்குடி.

நகல்:

- 1) காவல் கண்காணிப்பாளர் அவர்கள், தூத்துக்குடி மாவட்டம், தூத்துக்குடி.
- 2) கூடுதல் காவல் கண்காணிப்பாளர் அவர்கள், தலைமையிடம், தூத்துக்குடி.
- 3) காவல் ஆய்வாளர்கள், தென்பாகம், மத்தியபாகம் காவல் நிலையங்கள் மற்றும் போக்குவரத்து பிரிவு தூத்துக்குடி.

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 16.06.2018

CORAM :

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No. 12920 of 2018**

K.S.Arjunan  
District Secretary,  
Communist Party of India (Marxist),  
No.16, Masilamanipuram 3<sup>rd</sup> Street,  
Thoothukudi,  
Thoothukudi District. ... Petitioner

vs.

1.The Superintendent of Police,  
Thoothukudi,  
Thoothukudi District.

2.The Deputy Superintendent of Police,  
Thoothukudi Town,  
Thoothukudi.

3.The Inspector of Police,  
South Police Station,  
Thoothukudi,  
Thoothukudi District.

4.The Inspector of Police,  
Central Police Station,  
Thoothukudi,  
Thoothukudi District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for the records of the second respondent pertaining to his proceedings in Se.Mu.Aa.No.220/Mukam/U.Ka.A(Nagaram) Thoodi/18, dated



14.06.2018, and quash the same and consequently, direct the respondents herein to accord permission for the petitioner and his party to hold procession starting from Pandukarai Road, Anna Nagar, Thoothukudi, followed by a public meeting at Chidambaranagar bus stop on 18.06.2018 from 05.00 p.m., to 10.00 p.m.

For Petitioner : Mr.L.Shaji Chellan

For Respondents : Mr.D.Muruganantham  
Additional Government Pleader

\* \* \* \* \*

**ORDER**

The petitioner is the District Secretary of Communist Party of India (Marxist). The petitioner had given an application dated 08.06.2018, to the third respondent, seeking permission to conduct a rally and a public meeting on 18.06.2018.

2. According to the petitioner, human rights violations had taken place on 22.05.2018, in the wake of police firing. Therefore, to condemn the said human rights violations and also the police firing, the petitioner Party want to hold a rally and a public meeting. This request has been negated by the second respondent by the impugned order dated 14.06.2018. The same is under challenge.

3. Heard the learned Counsel for the petitioner and also the learned Additional Government Pleader, who takes notice for the respondents.

4. The foremost objection raised by the respondents is that on 22.05.2018, an untoward event of an extraordinary nature had taken place leading to loss of precious lives and that on account of the steps taken by the police and the District Administration, the situation is fast returning to normalcy. He would therefore, submit that if the proposed event is allowed to be conducted, that will certainly interfere with the normalisation process. He also referred to the earlier decisions rendered by this Court and contended that the respondents are the best persons to assess the ground reality. In their view, permitting the proposed event to be conducted will not be conducive for maintenance of public order. He therefore, wanted this Court to sustain the order impugned in this writ petition.

5. The learned Additional Government Pleader appearing for the respondents also pointed out that similar requests made by the other Parties were rejected with an understanding that they can



hold their meetings next month and that those Parties graciously accepted the decision of the police.

6. The learned Counsel for the petitioner, on the other hand, submitted that the concerns set out in the impugned order can very well be taken care and addressed if the petitioner is permitted to give up their demand for holding a rally and confining the request for conducting public meeting alone. He also submitted that the ground in which the meeting is to be held is a regular place where the political parties hold their meetings and it is little away from the main town though, it falls within the town limit. It is a spacious ground and it can very easily accommodate two thousand members. The petitioner contended that they will not assemble more than one thousand members. He also submitted that the meeting will be addressed only by two persons namely, Ms.U.Vasuki and Ms.Brinda Karat. He also pointed out that both have been in public life for long number of years and they are known to be responsible speakers.

7. The learned Counsel for the petitioner, on behalf of the Party, gave an undertaking that no speeches that will be made on the occasion by the two dignitaries will fall foul of law. He also undertook that in connection with the meeting, there will not be any

act of violence perpetrated by their members. The undertaking given by the petitioner's counsel is placed on record.

8. Having considered the rival submissions, this Court is of the view that the petitioner can very well be permitted to conduct the said meeting. It is a democratic right to assemble peaceably and without arms. Freedom of speech and expression is a guaranteed fundamental right. One key feature of democracy is that it enables the carrying on of conversation between the people on the one hand and the Government on the other. Parties in opposition are invariably the key vehicles of communication in this process. The petitioner is a recognised National Party. One cannot dispute that a grave incident took place on 22.05.2018. As many as 13 lives were lost. Therefore, the petitioner as a recognised political Party, is definitely entitled to conduct a meeting condemning the incident in question. Democracy is also about giving vent to one's opinions. At the same time, this Court cannot lose sight of the fact that this right is subject to limitations and restrictions. That is why, the learned Counsel for the petitioner in all fairness, had given up the demand for holding a public rally. A meeting that is to be attended by one thousand members and to be addressed by well known and responsible leaders will certainly be a step in the process of healing

the wounds caused by the incident. This Court would like to invoke the principle of command responsibility. This principle is being invoked in customary international law. The petitioner is the organiser of the meeting in question. If something untoward happens, certainly, the petitioner cannot evade the consequences. Before this Court, a solemn undertaking has been given by the learned Counsel for the petitioner that the meeting will be properly organised and that the number of the participants will not exceed one thousand and that the speakers will not speak in a manner that would incite or exacerbate the situation. If this undertaking is breached, this Court would certainly invoke the principle of "organiser's responsibility" and take appropriate action. The meeting is to be conducted in the evening on 18.06.2018. Permission is granted in the following terms:

- i. The meeting will be conducted in the vacant land near the Chidambaranagar bus stop.
- ii. It will be addressed exactly by two persons namely, Ms.U.Vasuki and Ms.Brinda Karat.
- iii. The number of participants will not exceed one thousand.
- iv. The speakers will speak in a manner that will fall within the four corners of law.
- v. The entire event will be videographed by the police.

vi. The members assembling for the meeting will conduct themselves in a manner that is entirely consistent with law.

vii. The petitioner, namely, Thiru.K.S.Arjunan, District Secretary of the Party, will formally welcome the gathering and also render vote of thanks.

viii. The meeting will commence at 06.00 p.m. and conclude at 08.00 p.m., on 18.06.2018.

ix. The Party organisers as well as the members / participants shall extend their fullest cooperation with the police to regulate the meeting.

9. In the result, this Writ Petition is allowed, in the aforesaid terms. No costs.

10. To report compliance that the meeting was conducted in terms of the aforesaid directions, post the matter on **19.06.2018,**

at 10.30 a.m.

**Note:** Issue Order Copy  
on **16.06.2018.**

Internet : Yes/No

Index : Yes/No

rsb/MR

**16.06.2018**

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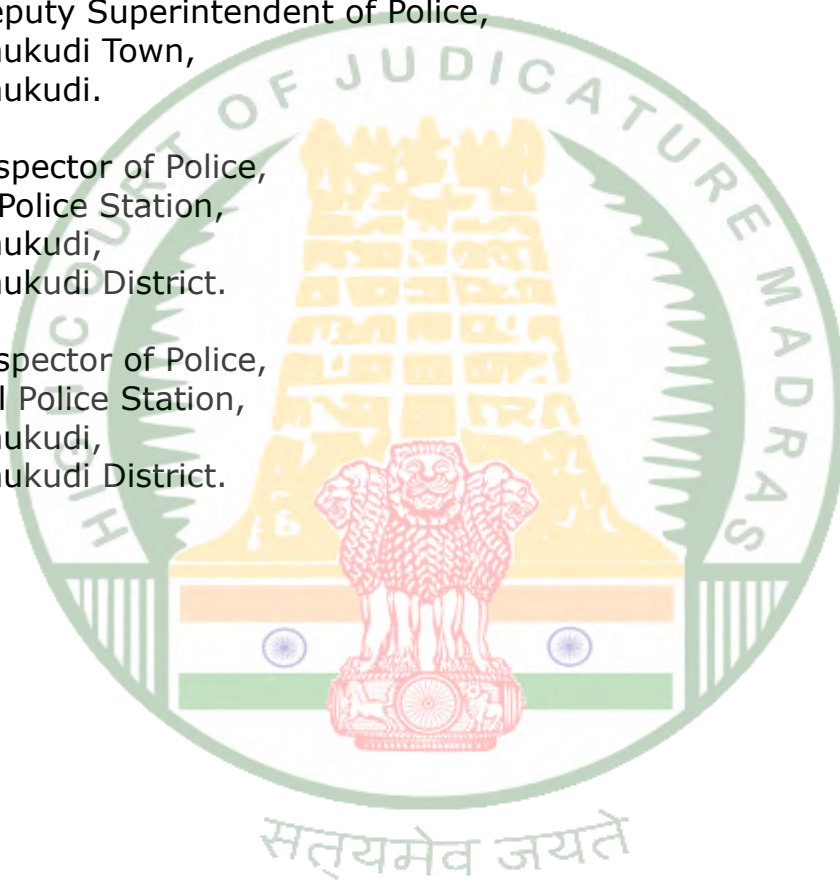
To

1.The Superintendent of Police,  
Thoothukudi,  
Thoothukudi District.

2.The Deputy Superintendent of Police,  
Thoothukudi Town,  
Thoothukudi.

3.The Inspector of Police,  
South Police Station,  
Thoothukudi,  
Thoothukudi District.

4.The Inspector of Police,  
Central Police Station,  
Thoothukudi,  
Thoothukudi District.



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**G.R.SWAMINATHAN,J.**

rsb/MR



**W.P(MD)No. 12920 of 2018**

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**16.06.2018**

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**  
**(Special Original Jurisdiction).**

**W.P.No. 12966 of 2018**

1. S.Jimraj Milton,  
S/o Sughirtharaj,  
Advocate,  
No.150, Linghi Street, Chennai – 600 001.
2. D.Paarventhan, S/o Dhakshnamurthy,  
1A SMS Apartments, Ganeshnagar 4<sup>th</sup> Street,  
Teynampet, Chennai – 600 0017.
3. Paaventhana, S/o Govindasamy,  
No.29, Prof. Sanjeevi Street,  
Mylapore, Chennai – 600 004.

..... Petitioners

Versus

1. The Home Secretary,  
The Government of *Tamilnadu*  
Secretariat, Fort St. George,  
Chennai – 600 009.
2. The Director General of *Police*  
Directorate of Police  
Dr. Radhakrishnan Salai, Mylapore,  
Chennai – 600 004.
3. The District Collector,  
Thoothukudi District,  
Thoothukudi
4. The Superintendent of Police,  
Thoothukudi District, Thoothukudi

5. Mr. N. Venkatesh,  
District Collector,  
Thoothukudi District,  
Thoothukudi.

5. Mr. Mahendran,  
Superintendent of Police,  
Thoothukudi District,  
Thoothukudi.

.... Respondents

### **STATUS REPORT FILED ON BEHALF OF THE DIRECTOR GENERAL OF POLICE**

I, Maheshwaran, son of, Subramaniyan aged about 52 years, serving as Assistant Inspector General of Police, (Law and Order), having office at No. 1, Dr. Radhakrishnan Salai, Mylapore, Chennai – 4, do hereby solemnly affirm and sincerely state as follows:

I am the staff officer in the office of the Director General of Police, Chennai 4. I have been authorized to file this counter affidavit on behalf of the Director General of Police, Chennai

(1). It is submitted that the above Writ Petition has been filed by the Petitioners herein to issue a Writ of Mandamus, to hold an enquiry by the Principal District & Sessions Judge, Thoothukudi with regard to Sniper Shooting by the civil dressed police and direct the 1<sup>st</sup> and 2<sup>nd</sup> respondents to take appropriate action. by prosecuting the erred officials including the 3<sup>rd</sup> and 4<sup>th</sup> respondents who ordered for the police shooting using Sniper trained police and further direct the 1<sup>st</sup> respondent to pay the compensation to the relatives of deceased persons and injured & affected persons with regard to the peoples Struggle against Sterlite Factory and Police Firing on 22.05.2018 at Thoothukudi.

2) It is further submitted that, urging to ban and seal Sterlite Industries India Limited and condemning the implementation of Sterlite expansion of the Sterlite Industries India Limited, the villagers of Ayyareddiyurani@ A. Kumareddiapuram, led by one Mahesh, President, Anti-Sterlite Movement resorted to waiting agitation from 0700 Hrs., to 2200hrs., from 12.02.2018 onwards. Subsequently, many villages surrounding the Sterlite Plant joined agitation and started waiting agitations in their villages. Apart from this fishermen settlements also extended their support. The Merchants Association of Thoothukudi and



various local organizations also extended their support for this agitation. During the course of agitation, as the agitation was reaching 100th day on 22.5.2018, the representatives of various organization adopted a resolution to resort to seige agitation at the District Collectorate, Thoothukudi on 22.5.2018. A peace meeting in this regard was organized by the Sub Collector and the Superintendent of Police and in that meeting the representatives of various agitating organizations agreed to conduct a peaceful agitation at SAV School Ground, Thoothukudi. But, there was a widespread opinion among the participants that they should come to Collectorate a siege agitation as per their earlier decision. Assessing the situation, a promulgation order under Sec. 144 Cr.PC was issued.

On 22.5.2018, huge unexpected crowd gathered near "Lady of Snow Church" and they started proceeding towards Collectorate. Similarly the villagers around Sterlite Plant also assembled near Madathur Junction and they started to proceed towards Collectorate. Around 20,000 crowd, who started indulging in various violent activities, reached Collectorate with a virulent face. Efforts to stop them at various places ended in vain. When they reached Collectorate, the violent mob pelted stones, attacked the police personnel on duty and damaged Police and Public vehicles parked in and around Collectorate. It is further submitted that all the efforts to control and dispose the violent crowd failed.

Simultaneously, a big portion of violent mob entered, the residential quarters of Sterlite company employees adjacent to Collectorate. They set fire to all vehicles including police vehicles parked under the apartments and set fire to generator and damaged properties. The inmates around 150 family members were struggling for life. The mob in front of Collectorate did not allow any fire engine and rescue team and ender the burning premises.

3) It is respectfully submitted that, as a last resort, to safeguard and lives of staff at the Collectorate, the policemen deployed in around the Collectorate and to save the lives of around 150 residents of Sterlite quarters, a controlled use of fire was resorted to in and around the Collectorate Complex at that time. In this incident, 9 persons have died namely 1) Shanmuga (40) 2) Snowlin (18), 3) Tamizharasan (42), 4) Kanthaiah (55), 5) Gladston (40), 6) Maniraj (25), 7) Antony Selvaraj (46), 8) Ranjith Kumar (22), and 9) Jeyaraman (51). For this incident, 51 public persons and 37 Police personnel were injured, a case in SIPCOT PS Cr.No. 191/18 u/s 188 (A), 147, 148, 332, 353, 307, 506(ii), 448 IPC, 176 Cr.P.C, Sec.3 of TNPPDL Act and Sec. 4(a) of ES Act was registered.

4) Severe damage to public and private properties was caused by the violent mob in this process, in addition to posing a direct threat to the lives of numerous people including the Government officials, Police personnel, residents of Sterlite quarters and other

innocent women and children. As per the damage assessment report of Executive Engineer, PWD, Thoothukudi, the damage caused to Collectorate, District Industries Office, District Treasury, District Rural Development Office and District Labour's Welfare Office buildings at Collectorate complex is about Rs. 28.12 lakhs. Further, 331 property damages including the damages of vehicles, barricades, police booth, CCTV cameras, TASMAC shop and other instrument damages have been recorded to the tune of Rs. 15,67,01,954/-

5) On 22.05.2018 at 1300 hrs. after threat from the Collectorate, around 3,000 violent mob moved towards Food Corporation of India Roundana and indulged in pelting of stone incessantly. In spite of repeated persuasion and warnings, the crowd started behaving violently. In spite of the use of tear gas and lathi charge, the rioters showed no signs of retreat and became more violent. The violent mob started assaulting police personnel and attempted to kill them and caused damage to the private and public properties. Hence, in order to save the lives of police personnel and also to prevent the damage to private and public properties as well as all other methods of controlling the violent mob had failed, left with no other option, controlled use of firearms was resorted to, to disperse the crowd in which some rioters sustained injuries and injured were sent to hospital and later one Karthick died. In this regard, a case in Thoothukudi South PS Cr.No. 302/18 u/s 147, 148, 323, 324, 353, 436 IPC and Sec. 3(a) of ES Act was registered.

6) On 22.05.18 at 1335 hrs, the retreating crowd and the crowd from the other side also joined at the 3<sup>rd</sup> mile, attacked the police men, burnt two Government buses and attempted to kill the policemen and government servants. They were duly warned and appropriate force using lathi was resorted to disperse the mob. The injured police men and others were sent to hospital for treatment. In this regard, a case in Thoothukudi South PS Cr. No. 299/18 u/s 341, 143, 147, 148, 324 and Sec. 4 of TNPPDL Act has been registered in which one Selvasekar died.

7) On 22.05.2018 in order to control virulent mob and to prevent ransacking of the aforesaid Government establishments and to save lives of Public and to prevent damages to property, Thiru. Kannan, Zonal Deputy Tahsildar, Executive Magistrate who was on duty to Thiresapuram on 22.05.2018 at around 3 p.m had ordered the use of fire power to disperse the crowd in which one women namely Jancy Rani died. In this regard, a case in Thoothukudi North PS Cr. No. 219/18 u/s 147, 148, 323, 324, 353, 307, 436 IPC, 176 Cr.P.C Sec. 3 of TNPPDL Act and Sec. 3 of Explosive Substance Act was registered. Further, three TASMAC shops in Muthukrishnapuram, Ponnagaram and Sundaravelpuram were damaged.

8) As the situation continued to be tense and as there was every likelihood of breach of public tranquillity and peace, as per the orders in Roc No. C2/8196/2018 dated 22.05.2018 of the District Collector, Thoothukudi prohibitory orders u/s 144 Cr.P.C was extended prohibiting any public meeting or assembly of five or more persons or processions or carrying of any arms or objects for a period commencing from 0100 hrs, on 23.05.2018 to 0800 hrs on 25.05.2018 and also to prohibit entry of all type of vehicles carrying persons intending to participate in any form of agitations to and within the entire revenue talus of Thoothukudi, Tiruchendur and the entire revenue firkas of Vembar, Kulathur, Arumugamangalam, Vedanatham, Ottapidaram and Eppodumventran considering law and order disturbances in several areas in Thoothukudi District.

9) On 23.05.2018 at 1330 hrs a violent mob of around 1000 people started rioting at Anna nagar main road and damaged a TASMAL shop at Toovipuram 5<sup>th</sup> street and Anna nagar 7<sup>th</sup> street Junction, Tuticorin Town and set ablaze the Govt and Public Properties around the area. Considering the seriousness of the situation after due warning and use of gas non lethal riot weapon, in order to save the life of public, police personnel and to prevent damage to the public property further, left with no option the police had to resort to use of fire to control the violent mob in which one person Kaliappan (22), S/o Subramanian, Mappillaiyurani, Thalamuthunagar died and a few were injured. In this regard, a case in Thoothukudi South PS Cr. No. 312/18 u/s 147, 148, 323, 324, 353, 427, 307 IPC, Sec. 3 of TNPPDL Act, Sec. 3 of Explosive Substance Act and 176 Cr.P.C was registered on the complaint of Thiru. Chandran, Regional Excise Officer – the executive magistrate, Thoothukudi. Few Police Officers including the then Superintendent of Police, Thoothukudi Thiru. P. Mahendran have also sustained injuries in the attack by the violent mob melee.

10) It is respectfully submitted that the Honourable Supreme Court of India in the case of Peoples Union for Civil Liberties Versus State of Maharashtra reported in 2014 (10) SCC Page 635 issued certain guidelines and the important guidelines are as follows;

a. Pursuant to the encounter and as a result of that, if any death occurs, an FIR to that effect shall be registered and the same shall be forwarded to the court under section 157 of the Code.

b. An Independent investigation into the incident/encounter shall be conducted by the CID Police team of another Police station under the Supervision of the Senior Officer.

c. Post Mortem shall be conducted by two doctors in the District Hospital, one of them, as far as possible, should be in charge or Head of the District Hospital. Post mortem shall be video graphed and preserved.

d. A Magisterial inquiry under section 176 of the Code must be invariably be held in all cases of death which occur in the course of Police firing and a report thereof must be sent to Judicial Magistrate having jurisdiction under section 190 of the Code.

11) As per the Hon'ble Supreme Court of India's directions and the National Human Rights Commission guidelines, inquest and postmortem, for the 7 dead bodies have been conducted in the presences of Hon'ble Judicial Magistrate nominated by the Chief Judicial Magistrate, Thoothukudi.

12) As per the Hon'ble Supreme Court of India's directions and the National Human Rights Commission guidelines, postmortem of 7 dead bodies were conducted by the team of doctors (for each dead body two forensic doctors conducted postmortem and the entire postmortem process were video graphed separately for each dead body.

Details of 7 dead bodies in which postmortem conducted as per Supreme Court / NHRC guidelines

<b>S.No</b>	<b>Name and Address</b>	<b>Team Doctors</b>	<b>Name of the Judicial Magistrate conducted inquest as per 176 Cr.P.C.</b>
1.	Snowlin 18/18 D/o Jackson Mini Sahaya Puram Lines Town, Thoothukudi TUT South PS	Dr. Manoharan, Asst. Professor, Department of forensic medicine, Government Thoothukudi Medical College  Dr. Prabhu, Tutor, Department of forensic medicine, Government Thoothukudi Medical College	Tr. Annamalai Judicial Magistrate – I Thoothukudi
2.	Tamilarasan 45/18 S/o Pon Naicker K.Ramachandrapuram Kurukkusalai Ottapitaram PS	Dr. Mohamed Nazim Asst. Professor, Department of forensic medicine, Government Thoothukudi Medical College  Dr. Mumoorthy Tutor, Department of forensic medicine, Government Thoothukudi Medical College	Tr. Saravanakumar Judicial Magistrate Srivaikundam
3.	Shanmugam 40/18 S/o Balaiah 1 <sup>st</sup> Street Masilamanipuram Thoothukudi TUT South PS	Dr. Mohamed Nazim Asst. Professor, Department of forensic medicine, Government Thoothukudi Medical College	Tr. Annamalai, Judicial Magistrate – I, Thoothukudi

		Dr. Mumoorthy Tutor, Department of forensic medicine, Government Thoothukudi Medical College	
4.	Kanthaiyah 55/18 S/o Guru samy Ceylon Colony Miller Puram TUT South PS	Dr. Sudalaimuthu Associate Professor, Department of forensic medicine, Government Thoothukudi Medical College  Dr. Somasundaram Tutor Department of forensic medicine, Government Thoothukudi Medical College	Tr.Sankar, Judicial Magistrate-I Kovilpatti
5.	Karthick (20) S/o Muthpandi, Sivanthakulam Thoothukudi TUT South PS	Dr. Sudalaimuthu Associate Professor, Department of forensic medicine, Government Thoothukudi Medical College  Dr. Somasundaram Tutor, Department of forensic medicine, Government Thoothukudi Medical College	Tr. Saravanakumar Judicial Magistrate Srivaikundam
6.	Kaliappan (22) S/o Subramanian Mappillaiyurani, Thalamuthunagar TUT South PS	Dr. Manoharan, Asst. Professor Department of forensic medicine, Government Thoothukudi Medical College  Dr. Prabhu Tutor, Department of forensic medicine, Government Thoothukudi Medical College	Tr. Dinesh Kumar, Judicial Magistrate, Tiruchendur
7.	Selvasekar (42) S/o Palavesam Narayanasamy Koil Street Iruvappapuram, Peikulam	Dr. Sudalaimuthu Associate Professor, Department of forensic medicine, Government Thoothukudi Medical College  Dr. Somasundaram Tutor, Department of forensic medicine, Government Thoothukudi Medical College	Tmt. Tamilselvi Judicial Magistrate – III Thoothukudi

It is submitted that by adopting all procedures and based on the Specific directions / guidelines of Hon'ble Supreme Court and NHRC, the above mentioned Postmortem were conducted.

13) It is submitted that due to the absence of the relatives, the post mortem with regard to the other six deceased persons is still not completed.

**Details of dead bodies in which post mortem is yet to be completed**

<b>S.No</b>	<b>Name and Address</b>	<b>Team of Doctors</b>	<b>Judicial Magistrate nominate to conducted inquest as per 176 Cr.P.C.</b>
1.	Glaston 40/18 S/o Koil Pitchai Lourthammalpuram Thalamuthu Nagar PS	Post Mortem not completed	Tr. Dinesh Kumar Judicial Magistrate Tiruchendur
2.	Mani Raj 25/18 S/o Soundrapandi Damothara Nagar Thoothukudi TUT South PS	Post Mortem not completed	Tr. Annamalai Judicial Magistrate – I Thoothukudi
3.	Antony Selvaraj 46/18 S/o Joseph Stalin Annai Velankanni Nagar 1 <sup>st</sup> Street Thalamuthunagar PS	Post Mortem not completed	Tmt. Thavoothammal Judicial Magistrate – II Kovilpatti
4.	Ranjith Kumar 22/18 S/o Baskar 3/334, Pushpa Nagar Misba Sabai Back side SIPCOT SIPCOT PS Limit	Post Mortem not completed	Tr. Sankar Judicial Magistrate – I, Kovilpatti
5.	Jancy 37/18 W/o Jesu Balan Threshpuram TUT South PS	Post Mortem not completed	Tr. Saravanakumar Judicial Magistrate Srivaikundam
6.	Jeyaraman (42) S/o Kandan, Usilampatti	Post Mortem not completed	Tmt. Thavoothammal. J Judicial Magistrate – II Kovilpatti

It is submitted that based on the orders of the Honourable High Court, all the 13 corpse are preserved in the Government Hospital at Thoothukudi.

14) In all the above incidents, 141 vehicles including 20 police vehicles, 63 Govt. vehicles and 58 private vehicles were burnt or damaged, 72 police personnel have sustained injuries of whom 46 were treated as OP and 26 as In-patients. So far, 185 cases have been registered in various police station of Thoothukudi District and 177 accused concerned in these cases were arrested till now.

15) It is submitted that the second respondent herein issued an order in Rc. No. 098542/Crime 3(2)/2018 dated 28.05.2018, by transferring the above 5 cases in which Police opened fire and lathi charge which were all the cases registered during the Anti Sterlite protest on 22.05.2018 and 23.05.2018 in Thoothukudi district, to the Crime Branch CID for thorough investigation. It is humbly submitted that a one man Judicial Commission headed by Honourable High Court Judge (Retired) Mrs. Justice Aruna Jagadeesan, has been constituted to enquiry into these incidents.

16) It is submitted that post mortem has been conducted against 7 dead bodies and post mortem for the 6 bodies are yet to be completed as per the guidelines of the Hon'ble Supreme Court of India and NHRC.

17) It is therefore humbly submitted that in the light of the above submissions, this Honourable court may be pleased to accept this Status report by dismissing the above Writ Petition as devoid of merits and to pass any appropriate orders deemed fit and proper in the facts and circumstances of the case and render justice.

Solemnly affirmed at Chennai  
on this        day of May, 2018  
and signed his name in my  
presence.

Sd/-  
Asst. Inspector General of Police  
Law & Order  
Chennai – 600 004.

Sd/-  
Administrative Officer  
O/o the Director General of Police  
Tamilnadu, Chennai – 600 004.

**IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(Special Original Jurisdiction)**

WP Nos. 13183 of 2018

**J. VIJAYAKUMAR  
S/O. JAYABALAN  
20<sup>TH</sup> WARD CIRCLE SECRETARY,  
DMDK POLITICAL PARTY  
41 NEW MGR NAGAR 1<sup>ST</sup>  
STREET MANALI CHENNAI - 68**

**...PETITIONER**

**VS**

**1. THE STATE OF TAMILNADU  
REP BY ITS CHIEF SECRETARY FORT ST GEORGE  
SECRETARIAT CHENNAI-009.**

**2. THE STATE OF TAMILNADU  
REP BY ITS HOME SECRETARY FORT ST GEORGE  
SECRETARIAT CHENNAI -009.**

**3. THE DIRECTOR GENERAL OF POLICE  
TAMIL NADU CHENNAI.**

**4. THE DISTRICT COLLECTOR  
THOOTHUKUDI DISTRICT, THOOTHUKUDI.**

**5. THE SUPERINTENDENT OF POLICE  
THOOTHUKUDI DISTRICT, THOOTHUKUDI.**

**6. THE INSPECTOR OF POLICE  
SIPCOT P.S THOOTHUKUDI.**

**7. THE INSPECTOR OF POLICE  
VADAPAGAM P.S. THOOTHUKUDI**

**8. MR. SEKAR  
SPECIAL ZONAL DEPUTY TAHSILDAR TALUK  
OFFICE THOOTHUKUDI.**

**9. MR. KANNAN  
DEPUTY TAHSILDAR TALUK OFFICE  
THOOTHUKUDI**

**.... RESPONDENTS**



### COUNTER AFFIDAVIT ON BEHALF OF THE 3<sup>rd</sup> RESPONDENT

I, Murali Rambha, S/o. Satya Narayanan aged about 40 years serving as Superintendent of Police, Thoothukudi District and do hereby solemnly affirm and sincerely state as follows :

It is submitted that, I am the 5<sup>th</sup> respondent herein and I am well acquainted with the facts of the case. I am filing this Counter Affidavit on behalf of the other respondents.

1) I submit that the present Writ Petition has been filed by the petitioner with the following Prayer:-

*"To pay Rs. 1,00,00,000/- (Rupees one crore) as compensation to the family of the deceased killed in Thoothukudi Police firing dated 22.05.2018 and suitable employment in Tamilnadu Government service to the wife/ son/ daughter of the deceased killed in Thoothukudi Police firing took place on 22.05.2018 Departmental action as per Tamilnadu Police conduct and Disciplinary Rules as against the erred Policemen and also direct the to pay Rs.1,00,00,000/- as compensation to the family of the deceased killed in Thoothukudi police firing dt.22.05.18 and suitable employment In Tamilnadu government service to the wife/son/daughter of the deceased killed in thoothukudi police firing took place on 22.05.18 departmental action as per Tamilnadu police conduct and disciplinary rules as against the erred policeman and also direct the 1<sup>st</sup> and 5<sup>th</sup> respondent to initiate police criminal action and departmental action as per Tamilnadu Civil servants conduct and disciplinary rules as against 10<sup>th</sup> and 11<sup>th</sup> respondents.*

*To direct the 6<sup>th</sup> and 7<sup>th</sup> respondent to register a case under sec.302 of IPC. As against the policemen in both in police uniform and in plain clothes those who killed 13 innocent publicby firing on 22.05.18 and 23.05.18 at various places in thoothukudi on the basis of shooting orders issued by 10<sup>th</sup> and 11<sup>th</sup> respondents.*

*To direct the 2<sup>nd</sup> respondent to order the 3<sup>rd</sup> respondent to constitute a special investigation team with honest top senior IPS Officers and to conduct a fair and impartial enquiry to find out the truth behind in police firing in thoothukudi dt.22.05.18 and the same may pleased to be monitored by this hon'ble Court"*

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No. of Crsns:

2) It is humbly submitted that, I hereby deny all the allegations made in the Writ Petition except those are specifically admitted herein. The Writ Petition filed is not maintainable in law or on facts.

3) It is further submitted that, urging to ban and seal Sterlite Industries India Limited and condemning the implementation of Sterlite expansion of the Sterlite Industries India Limited, the villagers of Ayyareddiyurani @ A.Kumareddiapuram led by one Mahesh, President, Anti-Sterlite Movement resorted to waiting agitation from 0700 Hrs to 2200 Hrs from 12.02.2018 onwards. Subsequently, many villages surrounding the Sterlite Plant joined agitation and started waiting agitations in their villages. Apart from this, fishermen settlements also extended their support. The Merchants Association of Thoothukudi and various local organizations also extended their support for this agitation. During the course of agitation, as the agitation was reaching 100<sup>th</sup> day on 22.05.2018, the representatives of various organizations adopted a resolution to resort to siege agitation at the District Collectorate, Thoothukudi on 22.05.2018. A peace meeting in this regard was organized by the Sub Collector and the Superintendent of Police and in that meeting the representatives of various agitating organizations agreed to conduct a peaceful agitation at SAV School Ground, Thoothukudi. But, there was a widespread opinion among the participants that they should come to Collectorate and resort to siege agitation as per their earlier decision. Assessing the situation, a prohibitory orders under Sec. 144 Cr.P.C was promulgated.

On 22.05.2018, huge unexpected crowd gathered near 'Lady of Snow Church' and they started proceeding towards Collectorate. Similarly, the villagers around Sterlite Plant also assembled near Madathur Junction and they also started to proceed towards Collectorate. Around 20,000 crowd, who started indulging in various violent activities reached Collectorate with a virulent face. Efforts to stop them at various places ended in vain. When they reached Collectorate, the violent mob pelted stones, attacked the police personnel on duty and damaged Police and Public vehicles parked en route, in and around Collectorate. It is further submitted that all the efforts to control and dispose the violent crowd failed.

Simultaneously, a big portion of violent mob entered into the employees residential quarters of Sterlite Company located adjacent to Collectorate. They set fire to all vehicles including police vehicles parked under the apartments and set fire to generator and damaged the properties. The inmates around 150 family members of Sterlite employees were struggling for life. The mob in front of Collectorate did not allow any fire engine and rescue team to enter into the burning premises.

4) It is humbly submitted that, as a last resort to safeguard the lives of 277 employees at the Collectorate, the policemen deployed in and around the Collectorate and to save the lives of around 150 residents at Sterlite quarters, a controlled use of fire was resorted to in and around the Collectorate Complex on the orders of the executive magistrate present and on duty at Collectorate. In this regard, a case in SIPCOT PS Cr.No. 191/18 U/s 188(A), 147, 148, 332, 353, 307, 506(ii), 448 IPC, 176 Cr.P.C. sec. 3 of TNPPDL Act and Sec.4(a) of E.S.Act was registered.

5) It is submitted that, severe damage to public and private properties was caused by the violent mob in this riot in addition to posing a direct threat to the lives of numerous people including the Government officials, Police personnel, residents of Sterlite quarters and other innocent women and children. As per the damage assessment report of Executive Engineer, PWD, Thoothukudi, the damage caused to Collectorate, District Industries Office, District Treasury, District Rural Development Office and District Labour's Welfare Office buildings at Collectorate complex is about Rs.28.12 Lakhs. Further, 331 property damages including the damages of vehicles, barricades, police booths, CCTV cameras, TASMAL shops and other instrument damages have been recorded to the tune of Rs. 15,67,01,954/-.

6) It is humbly submitted that on 22.05.2018 at 1300 hrs, after retreat from the Collectorate, around 3,000 violent mob moved towards Food Corporation of India Roundana and indulged in pelting of stones incessantly. In spite of repeated persuasion and warnings the crowd started behaving violently. In spite of the use of tear gas and lathi charge, the rioters showed no signs of retreat and became more violent. The violent mob started assaulting police personnel, attempted to kill them and caused damage to the private and public properties. Hence, in order to save the lives of police

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No. of Crrns:

personnel and also to prevent the damage to private and public properties as all other methods of controlling the violent mob had failed, left with no other option, controlled use of firearms was resorted to, to disperse the unruly crowd in which some rioters sustained injuries.

7) It is humbly submitted that on 22.05.2018 between 1245 hrs and 1325 hrs. the retreating crowd and the crowd from the other side also joined at the 3<sup>rd</sup> mile attacked the police men, burnt two Jeeps belong to Highway Department using petrol bombs and attempted to kill the police men and government servants. They were duly warned and appropriate force using lathi was resorted to disperse the mob. The injured police men and others were sent to hospital for treatment. In this regard, a case in Thoothukudi South PS Cr. No. 299/18 u/s 341, 143, 147, 324 and Sec 4 of TNPPDL Act has been registered.

8) It is humbly submitted that on 22.05.2018 in order to control the virulent mob and to prevent ransacking of the aforesaid Government establishments and to save lives of Public and prevent damages to property, at around 3 p.m executive Magistrate who was present and on duty at Thirespuram area on 22.05.2018 had ordered the use of the power to disperse the unruly crowd. In this regard, a case in Thoothukudi North PS Cr. No. 219/18 u/s 147, 148/, 323, 324, 353, 307, 436 IPC, 176 Cr.PC Sec. 3 of TNPPDL Act and Sec. 3 of Explosive Substance Act was registered. Further, three TASMALC shops in Muthukrishnapuram, Ponnagaram and Sundaravelpuram were damaged and ransacked.

9) It is humbly submitted that as the situation continued to be tensed and as there was every likelihood of breach of public peace and tranquility, as per the orders in Roc No. C2/8196/2018 dated 22.05.2018 of the District Collector, Thoothukudi prohibitory orders u/s 144 Cr.PC was extended prohibiting any public meeting or assembly of five or more persons or processions of carrying of any arms or objects for a period commencing from 0100 hrs on 23.05.2018 to 0800 hrs on 25.05.2018 and also to prohibit entry of all type of vehicles carrying persons intending to participate in any form of agitations to and within the entire revenue taluks of Thoothukudi, Tiruchendur and the entire revenue firkas of Vembar, Kulathur, Arumugamangalam, Vedanatham, Ottapidaram and Eppodumvendran considering law and order disturbances in several areas in Thoothukudi District.

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No. of Crms:

10) It is humbly submitted that on 23.05.2018 at 1330 hrs a violent mob of around 1000 people started rioting at Anna Nagar main road and damaged, ransacked a TASMAC shop at Toovipuram 5<sup>th</sup> Street and Anna Nagar 7<sup>th</sup> street junction, Thoothukudi Town and set ablaze the Government and public properties around the area. Considering the seriousness of the situation after due warning and use of gas and non lethal riot weapon, in order to save the life, left with no other option the police had to use fire power to control the violent mob on the orders of the Executive Magistrate who was present and on duty at Anna Nagar. In this regard, a case in Thoothukudi South PS Cr. No. 312/18 u/s 147, 148, 323, 324, 353, 427, 307 IPC, Sec 3 of TNPPDL Act, Sec. 3 of Explosive Substance Act and 176 Cr.PC was registered on the complaint of the executive magistrate, Thoothukudi. Police Officers including the then Superintendent of Police, Thoothukudi Thiru. P. Mahendran have also sustained injuries in the attack by the violent mob melee.

11) It is respectfully submitted that the Honourable Supreme Court of India in the case of Peoples union for Civil Liberties Versus State of Maharashtra reported in 2014 (140) SCC Page 635 issued certain guidelines and the important guidelines are as follows.

a. Pursuant to the encounter and as a result that if any ..... occurs and FIR to that effect shall be registered and the same shall be forwarded to the court under section 157 of the Code.

b. An independent investigation in the incident/ encounter .... be conducted by the CID or Police team of another Police station under the Super..... of the Senior Officer.

c. Post mortem shall be conducted by two doctors in the District Hospital one of them, as far as possible should be in charge of Head of the District Hospital. Post mortem shall be video graphed and preserved.

d. A Magisterial inquiry under section 176 of the Code must be invariably be held in all cases of death which occurs in the course of Police firing and support thereof must be sent to Judicial Magistrate having jurisdiction under section 190 of the Code.

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No. of Crns:




12) It is humbly submitted that as per the Hon'ble Supreme Court of India's direction and the National Human Rights Commission guidelines, inquest and postmortem for the 7 dead bodies have been conducted in the presences of Hon'ble Judicial Magistrates nominated by the Chief Judicial Magistrate, Thoothukudi.

13) It is humbly submitted that as per the directions of Hon'ble Supreme Court of India and the guidelines of National Human Rights Commission, postmortem of 7 dead bodies were conducted by the team of doctors for each dead body two forensic doctors conducted postmortem and the entire postmortem examination process have been video graphed separately for each dead body.

**Details of 7 dead bodies in which autopsy conducted as per Supreme court / NHRC guidelines**

SI No.	Name and Address	Team of Doctors	Name of the Judicial Magistrate conducted inquest as per 176 Cr.PC
1.	Snowlin (18/18, D/o Jackson, Mini Sahayapuram, Lions Town, Thoothukudi. Thoothukudi South PS	Dr. Manoharan, Asst. Professor, Department of forensic science medicine, Government Thoothukudi Medical College. Dr. Prabhu, Tutor, Department of forensic Medicine, Government Thoothukudi Medical College	Tr. Annamalal, Judicial Magistrate-I, Thoothukudi.
2.	Thamilarasan 45/18, S/o Pon Naicker, K. Ramachandarapuram, Kurukkusalai. Ottapidaram PS.	Dr. Mohammed Nazim, Asst. Professor, Department of forensic Medicine, Government Thoothukudi Medical College, Dr. Mumoorthy, Tutor, Department of forensic Medicine, Government Thoothukudi Medical College	Tr. Saravanakumar, Judicial Magistrate, Srivaikundam,

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No. of Crns:

  
**SUPERINTENDENT OF POLICE**  
Thoothukudi District  
Thoothukudi

3. Shunmuga 40/18,  
S/o Balalah,  
Masilamanipuram  
Street,  
Thoothukudi.  
Thoothukudi South PS  
Dr. Mohammed Nazim,  
Asst. Professor,  
1<sup>st</sup> Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Dr. Munoorthy, Tutor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College  
Tr. Annamalai, (Judicial  
Magistrate -I,  
Thoothukudi).
4. Kanthaiyah 55/18,  
S/o Gurusamy,  
Ceylon Colony,  
Millerpuram,  
Thoothukudi.  
Thoothukudi South PS.  
Dr. Sudalaimuthu,  
Associate Professor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Dr. Somasudhanaram, Tutor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Tr. Sankar,  
Judicial Magistrate -I,  
Kovilpatti.
5. Karthick 20/18,  
S/o Muthupandi,  
Sivanthakulam  
Road,  
Thoothukudi.  
Thoothukudi South PS.  
Dr. Sudalaimuthu,  
Associate Professor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Dr. Somasudhanaram, Tutor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Tr. Saravanakumar,  
Judicial Magistrate,  
Srivalkundam,
6. Kallappan 22/18,  
S/o Subramanian  
Mappillaiyuranl  
Thalamuthunagar  
Dr. Manoharan,  
Asst. Professor, Department of  
forensic science medicine,  
Government Thoothukudi  
Medical College,  
Dr. Prabhu, Tutor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College  
Tr. Dineshkumar,  
Judicial Magistrate,  
Tiruchendur
7. Selvasekar (42) S/o  
Palavesam,  
Narayanasany Koll  
Street, Iruvappapuram,  
Peikulam  
Dr. Sudalaimuthu,  
Associate Professor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Dr. Somasudhanaram, Tutor,  
Department of forensic  
Medicine, Government  
Thoothukudi Medical College,  
Tmt. Tamilselvi  
Judicial Magistrate -  
III, Thoothukudi

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**SUPERINTENDENT OF POLICE**  
Thoothukudi District  
Thoothukudi

It is submitted that by adopting all procedures strictly and based on the specific directions / guidelines of Hon'ble Supreme Court and NHRC, the above mentioned Postmortem examinations were conducted.

14) In connection with the above incidents, 245 specific cases have been registered in various Police Stations of Thoothukudi District and 259 accused concerned in these cases of rioting and arseing were arrested till now. 186 vehicles including 16 police vehicles, 29 Govt. Vehicles, 28 TNSTC buses and 113 private vehicles (4W-38, 2W-75) were burnt or damaged. 99 police personnel have sustained injuries.

15) Further it is most humbly submitted that the cases registered in connection with the incidents of use of force

a) SIPCOT P.S Crime No 191/18 u/s 188,147, 148, 324, 332,353, 448,450, 307, 436,506(ii) of Indian Penal code and Section 3 and 4 of TNPPDL and 3(a) of ES act r/w 174 Cr.P.C @ 176 Cr.P.C,

b) Thoothukudi South P.S Crime No. 302/18 u/s 147, 148, 323, 324, ,353, 307 , 436, of IPC and 3(a) of ES act @ 176 Cr.P.C,

c) Thoothukudi North P.S Crime No. 219/18 u/s 147, 148, 188, 323, 324, ,353, 307 , 436, 506(ii)of IPC and 3 of THPPDL act, 3(a) of ES act and 174 Cr.P.C @ 176 Cr.P.C,

d) Thoothukudi South P.S Crime No. 312/18 u/s 147, 148, 323, 324, ,353, 427, 307 of IPC and 3 of THPPDL act, 3(a) of ES act and 176 Cr.P.C,

e) Thoothukudi South P.S Crime No. 299/18 u/s 341, 143, 147,148, 324 IPC and 4 of THPPDL act, 3(a) of ES act and 174 Cr.P.C @ 176 Cr.P.C were transferred to the State premier investigation agency, Crime Branch CID for thorough investigation of the cases vide Rc No.098542/Crime 3(2)/2018 dated 28/05/2018 of DGP, Tamil Nadu. The investigation is monitored by a Senior IPS Officer of Crime Branch CID. Therefore the constitution of separate special investigation team is not warranted.

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Thoothukudi District  
Thoothukudi



16) It is humbly submitted that, the inquiry is being conducted by One Man commission headed by a retired Judge of this Hon'ble Court.

**The terms of reference of the Commission of Inquiry shall be as follows, namely:-**

- (i) To inquire into the causes and circumstances leading to the opening of fire resulting in death and injuries to person on 22.05.2018 at Thoothukudi arising out of law and order disturbances including damage to public and private properties;
- (ii) To determine whether appropriate force was used as warranted by the circumstances and whether all prescribed procedures were observed before opening of fire;
- (iii) To ascertain whether there was any excess on the part of police officials and if so, to suggest action to be taken;
- (iv) To recommend suitable measures to prevent the recurrence of such incidents in future;

17) It is humbly submitted that on 30.05.2018, Hon'ble High Court of Madras ordered to conduct re-Post-Mortem to the 7 corpses that were already completed postmortem. Accordingly, re-post mortem was conducted on 31/05/2018 for the 7 corpses by a team of three doctors including Dr.Ambike Bathra, Reader from JIPMER hospital. On completion of re-Postmortem, all the 7 corpses were handed over to the family members. Further on 05/06/2018, The Hon'ble High Court of Madras ordered to conduct Post Mortem to the other 6 corpses as early as possible. Accordingly, Post Mortem for the 6 corpses viz, 1. Gladston, 2. Antony, 3.Selvaraj, 4.Ranjith Kumar, 5. Jancy and 6. Jeyaraman were conducted on 06/06/2018 by a team of doctors, led by Dr.Vinoth Choudary MBBS, MD of JIPMER hospital, Puduchery. After completion of Post Mortem, all the 6 corpses were handed over to their relatives on the same day itself as per the orders of the Hon'ble High Court .

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Thoothukudi

S.No	Name and Address	Team of Doctors	Name of the Judicial Magistrate Conducted Inquest as per 176 Cr.PC
1	Glaston 40/18 S/o Koil Pitchai Lourdammalpuram Thalamuthungar PS limits (Fernando)	1.Dr.Sudalaimuthu. MD. 2.Dr.Somasundaram MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tr. Dinesh Kumar, JM, Tiruchendur
2	Mani Raj 25/18 Soundrapandi Damothara Nagar, TUT South PS limits (Nadar)	1.Dr.Manoharan, MD. 2.Dr.Mumoorthy, MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tr.Annamalai JM-I Thoothukudi.
3	Antony Selvaraj 46/18 S/o Joseph Stalin Annai Velankanni Nagar 1 <sup>st</sup> St. Thalamuthunagar PS limits (Nadar)	1.Dr.Mohamed Nazim, MD. 2.Dr.Prabhu, MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tmt.Thavoothammal JM-II, Kovilpatti.
4	Ranjith Kumar 22/18 S/o Baskar, 3/334 Pushpa Nagar Misba Sabai back side SIPCOT PS limits (Pillai)	1.Dr.Manoharan, MD 2.Dr.Mumoorthy, MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tr.Sekar JM-I Kovilpatti.
5	Jayaram (42) S/o Rajkumar, Ariyapatti village, Usilampatti, Madurai (SC/PR)	1.Dr.Sudalaimuthu, MD. 2.Dr.Somasundaram, MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tr.Saravanakumar JM-I Srivaikundam
6	Jancirani (40) W/o Jesu Balan Threshpuram. TUT North PS limits (Fernando)	1.Dr.Mohamed Nazim, MD. 2.Dr.Prabhu, MBBS. 3.Dr. Vinoth Choudary MD, Associate Professor Jipmer Hospital Pondichery.	Tmt. Thavoothammal JM-II, Kovilpatti.

18) It is humbly submitted that the SHRC, NHRC and SC/ST Commission are also enquiring into the case in a fair and impartial manner and the Government is ready to take effective and prompt action on the basis of the outcome of the Inquiry Commission's report on the erring Officers.

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**M**  
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Thoothukudi District  
Thoothukudi

19) It is humbly submitted that with regard to the prayer of compensation, the Government has initially announced Rs. 10 lakhs for the deceased, Rs. 3 lakhs for the seriously injured and Rs. 1 lakh to those who sustained minor injuries. Later, the compensation was enhanced by the Government from Rs. 10 lakhs to Rs. 20 lakhs to the kins of the family who had lost their lives and from 3 lakhs to 5 lakhs for those who have severely injured and from 1 lakh to 1.5 lakhs to those who have sustained minor injuries. Thus, the prayers in the Writ Petition has become infructuous and liable to be dismissed.

20) It is humbly submitted that the State Government has announced the employment of legal heirs of 13 deceased persons. In this regard, District Collector, Thoothukudi has sent a proposal to the Government for the employment of the legal heirs of the 13 deceaseds. Apart from this, District Collector, Thoothukudi has sent another proposal to the Government seeking employment to the 9 grievously injured persons.

21) It is humbly submitted that the petitioner's prayer that the Police officers and the Revenue Officials concerned should be booked under section 302 of Indian Penal Code for the offence of murder is unsustainable. Further it is pertinent to mention here that the Police officials have acted pursuant to the lawful orders issued by the competent authority. Moreover for having acting in good faith for upholding public order, a police official or revenue official cannot be charged with the offence of the Murder. Now the cause of death of the people being inquired by the team of Magistrate as per 176 (1) CRPC.

It is therefore humbly submitted that in the light of the above submissions, this Honorable court may be pleased to accept this Counter by dismissing the above Writ Petition as devoid of merits and to pass any appropriate orders deemed fit and proper in the facts and circumstance of the case and render justice.

Solemnly affirmed at Chennai on this  
This the        day of July 2018  
and signed his name in my presence

BEFORE ME

Advocate, Chennai

~~M Deponent~~  
**SUPERINTENDENT OF POLICE**  
Thoothukudi District  
The

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GOVERNMENT OF TAMIL NADU

2018

[Regd. No. TN/CCN/467/2012-14.

[R. Dis. No. 197/2009.

[Price: Re. 0.80 Paise.



# TAMIL NADU GOVERNMENT GAZETTE

**EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 187]

CHENNAI, WEDNESDAY, MAY 23, 2018  
Vaikasi 9, Vilambi, Thiruvalluvar Aandu-2049

## Part II—Section 2

**Notifications or Orders of interest to a Section of the public  
issued by Secretariat Departments.**

### NOTIFICATIONS BY GOVERNMENT

#### PUBLIC DEPARTMENT (Law and Order-F)

APPOINTMENT OF COMMISSION OF INQUIRY TO INQUIRE INTO THE CAUSES AND CIRCUMSTANCES LEADING TO THE OPENING OF FIRE RESULTING IN DEATH AND INJURIES TO PERSONS ON 22ND MAY 2018 AT THOOTHUKUDI UNDER THE COMMISSIONS OF INQUIRY ACT.

[G.O. Ms. No. 368, Public (Law & Order-F), 23rd May 2018, வைகாசி 9,  
விளம்பி, திருவள்ளூர் ஆண்டு-2049.]

**No. II(2)/PULO/481(c)/2018.**

WHEREAS the Government of Tamil Nadu is of the opinion that it is necessary to appoint a Commission of Inquiry headed by a Retired Judge of High Court of Madras for the purpose of making an inquiry into a definite matter of public importance hereinafter specified;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby appoints a Commission of Inquiry consisting of a single member, namely Tmt. Justice Aruna Jagadeesan, retired Judge of High Court of Madras.

3. The terms of reference of the Commission of Inquiry shall be as follows, namely:-

- (i) To inquire into the causes and circumstances leading to the opening of fire resulting in death and injuries to persons on 22.05.2018 at Thoothukudi arising out of law and order disturbances including damage to public and private properties;
- (ii) To determine whether appropriate force was used as warranted by the circumstances and whether all prescribed procedures were observed before opening of fire;

## TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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- (iii) To ascertain whether there was any excess on the part of police officials and if so, to suggest action to be taken;
- (iv) To recommend suitable measures to prevent the recurrence of such incidents in future;

4. The Commission will complete its inquiry and submit its report (both English and Tamil) to the Government within a period of three months from the date of publication of this Notification in the *Tamil Nadu Government Gazette*.

5. AND WHEREAS The Government of Tamil Nadu is of the opinion, having regard to the nature of the inquiry to be made by the Commission of Inquiry and other circumstances of the case, that all the provisions of sub-sections (2), (3), (4) and (5) of section 5 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952) shall be made applicable to the Commission of Inquiry;

6. NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 5 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby directs that all the provisions of the said sub-sections (2), (3), (4) and (5) of the said section 5 of the said Act shall apply to the Commission of Inquiry.

P.SENTHILKUMAR,  
*Principal Secretary to Government (FAC).*

TAMIL NADU

# Scope of panel probing May 22 firing expanded

## SPECIAL CORRESPONDENT

CHENNAI, JULY 06, 2018 00:00 IST

### It will also look into events after incident

The State government has expanded the scope of the Commission of Inquiry under retired judge Aruna Jagadeesan to probe events that took place after the police firing in Thoothukudi, leading to the death of 13 persons during anti-Sterlite protests.

Earlier, the terms of reference of the commission was only “to inquire into the causes and circumstances leading to the opening of fire resulting in death and injuries to persons on May 22, 2018, in Thoothukudi, including damage to public and private properties.”

A government order issued by the Public Department on July 4 amended the terms of reference of the Commission to empower it to probe the “subsequent events in Thoothukudi and nearby areas, including damage to public and private properties.”

### Public response

“Therefore, the general public and victims can furnish the facts and information known to them either directly or indirectly through an authorised person or representative to this Commission on or before July 27, 2018, relating to the subject matter,” an official release stated.

The sworn affidavits (three copies) or petitions may be submitted in person or by post either to Government Bungalow, NCB 28, P.S. Kumarasamy Raja Road, (Greenways Road), Chennai 600028 or to the Camp Office at Government Old Circuit House, South Beach Road, Thoothukudi.

**Office of the Hon'ble Tmt Justice Aruna Jagadeesan Commission of  
Inquiry, NCB 28, P.S.Kumarasamy Raja Salai (Greenways  
Road),Chennai-600 028.**

\*\*\*\*

**REGULATIONS FRAMED UNDER SECTION 8 OF THE COMMISSIONS OF  
INQUIRY ACT, 1952**

1.	The Commission of Inquiry shall have its sittings at NCB 28, P.S.Kumarasamy Raja Salai (Greenways Road), Chennai 600 028 (Head Office) and at Government Circuit House, South Beach Road, Thoothukudi – 628 001 and wherever necessary in the State of Tamil Nadu.
2.	The Office of the Commission of Inquiry will function from 10.30 a.m to 5.00 p.m. except Saturdays, Sundays and Government Holidays.
3.	The Inquiry will be open to the public subject to such restrictions regarding admission as may be imposed by the Commission of Inquiry for the proper conduct of the inquiry and in the interest of the public in general. The Commission may sit in-camera if it so decides for good and sufficient reasons.
4.	Notices will ordinarily be sent to the persons concerned by Registered Post with acknowledgement due or through the local police station or by such other manner as the Commission of Inquiry may direct, from time to time.
5.	Summons and every other process issued by the Commission shall be signed by the Secretary /Court Officer and affixed with the seal (Rubber Stamp) of the Commission of



	Inquiry. It shall specify the time and place at which the person concerned is required to attend and also whether his attendance is required for the purpose of giving evidence or for the production of documents or for both purposes.
6.	Persons summoned for the production of the documents may produce them either in person, or through authorized agent / Advocate.
7.	Advocates or other persons appearing for any person or groups of persons, shall file memo of appearance from them authorizing them to so appear. Court –Fee stamps are <u>not</u> required to be affixed to the memo of appearance.
8.	The proceedings of the Commission shall, as far as practicable, be conducted in English or Tamil. The evidence of a witness can be in Tamil or English.
9.	The Commission shall be assisted by a Standing Counsel duly appointed by the Government or by the Commission with the approval of the Government. The Standing Counsel will clarify legal procedural and other issues that may crop up during the inquiry. He shall assist the Commission in arriving at the truth in all the matters under Inquiry.
10.	The Commission may appoint any person as amicus curiae.
11.	<u>Oaths and Affirmation:</u> Evidence will be recorded, on oath, by the Commission of and will be subject to cross-examination by the Advocate or other persons permitted by the Commission of Inquiry.
12.	<u>The form of Oath will be as follows:</u>  I, ....., solemnly affirm in the name of Almighty God that the evidence I shall give to the Commission touching the matter in question shall be the truth, the whole



	truth, and nothing but the truth.
13.	For persons who object to use the above form, the oath shall be administered in the following terms:  I, ....., solemnly, sincerely and truly declare and affirm that the evidence I shall give to the Commission touching the matters in question, shall be the truth, the whole truth and nothing but the truth.
14.	The Commission shall be at liberty to call and examine anyone who, in its opinion is able to give evidence material to the issue raised in the reference and the advocates or other persons will be entitled to cross –examine such persons after permission by the Commission of Inquiry.
15.	The Parties or persons filing affidavits shall submit as many spare copies thereof as there are parties in the affidavit, so as to enable the Commission of Inquiry to serve copies of the affidavit on them.
16.	The Commission of Inquiry may issue a notice to every person, who in its opinion should be given an opportunity of being heard in the Inquiry, to furnish to the Commission of Inquiry, a statement relating to such matters as may be specified in the notice.
17.	The Commission of Inquiry may at its discretion refuse to call any person for oral examination or for cross-examination and instead allow him to be examined on affidavit.
18.	In case oral evidence is recorded, cross-examination shall be allowed to all parties and persons as provided for in Section 8 –C of the Commission of Inquiry Act, 1952.
19.	Every person furnishing a list of witness for examination by the Commission shall

	<p>indicate against the name of each witness the fact for which his oral examination is deemed necessary and why the same evidence cannot be properly obtained by the Commission of Inquiry, on affidavit. The Commission of Inquiry may refuse to summon any witness whose evidence it thinks is unnecessary, or irrelevant, or who in its opinion, has been cited for the purpose of delay and vexation.</p>
20.	<p>Registered documents, in original or their certified copies issued by the Registration Department will, as a rule, be admitted without requiring formal proof or their execution. Similarly, official records pertaining to Government Departments, Statutory Bodies, State Undertakings and Co-operative Societies, including the office noting, orders, etc. may subject to any valid claim of privilege, be admitted without formal proof, unless the Commission, in any particular case, requires it to be proved in any one of the ways laid down in the Evidence Act.</p>
21.	<p>Technical rules of the Evidence Act, as such, do not govern the recording and admissibility of evidence before the Commission. However, the fundamental principles of natural justice underlying the primary provisions of the Evidence Act shall be followed as a guide.</p>
22.	<p>The Commission may, either suo motu or on application made by any person or party, delete or expunge any matter from any petition, affidavit or other document, or return any document presented to the Commission of Inquiry which, in the opinion of the Commission of Inquiry, is irrelevant or needlessly offensive scurrilous or scandalous.</p>
23.	<p>Copies of evidence of witnesses before this Commission will be supplied to interested</p>

	parties and persons on payment of five rupees per page subject to feasibility and availability of time. This is however subject to the discretion of the Commission.
24.	Properties and material objects received, by the Commission of Inquiry shall be entered in the Property Register. Suitable orders shall be passed by the Commission of Inquiry for their final disposal at the end, after the Inquiry is over.
25.	The Register for payment of batta to witnesses to be maintained.
26.	Communications intended for the Commission shall be addressed to the Secretary to the Hon'ble Tmt.Justice Aruna Jagadeesan Commission of Inquiry, NCB.28, P.S.Kumarasamy Raja Salai (Greenways Road), Chennai 600 028 (Head Office) and at Government Circuit House, South Beach Road, Thoothukudi – 628 001 and they shall be entered in the receipt register to be maintained in the office.
27.	<p>(1) When witnesses are examined before the Commission who are called upon by the Commission from general public, who have filed affidavits \ not filed affidavits, they will be given serial numbers as CW1, CW2, CW3 and so on.</p> <p>(2) When witnesses are examined before the Commission on behalf of the Police \ Government they will be given serial numbers as R.W.1 , R.W.2 R.W.3 and so on.</p> <p>(3). When witnesses are examined before the Commission on behalf of the persons alleged to have been affected in the incidents they will be given serial numbers as D.W.1, D.W.2,D.W.3 and so on.</p>
28.	Exhibits admitted in the Inquiry shall be marked as follows:

	<p>(1) When marked by or at the instance of the Commission of Inquiry, they shall bear the capital letter Ex."P" with Arabic numerals in order as Ex.C1, Ex.C-2, Ex.C-3 and so on.</p> <p>(2) When marked by the Police / Government Officials, they shall bear the capital letter Ex. "R" with the Arabic numerals in order as Ex.R-1, Ex.R-2, Ex.R-3 and so on.</p> <p>(3) When marked by the person alleged to have been affected they shall bear the capital letter Ex."D" with Arabic numerals in order as Ex.D-1, Ex.D-2, Ex. D-3 and so on.</p>
29.	Material objects will be marked in Arabic numerals in continuous serials whether marked by the Commission's witness or by other parties.
30.	Court attendant certificate will be issued to Police / Government officers attending the enquiry.
31.	Payment of travelling allowance and daily allowances to needy persons examined before the Commission as a witness other than a Government servant, are governed by the orders of the Commission. In granting the aforesaid allowances, the Commission shall be guided by the economic conditions of the individuals concerned. Actual conveyance allowance shall be paid only to persons who are economically weak and are in actual need of the assistance without which it will be very difficult for them to attend the proceedings of the Commission. On specific orders of the Commission, on the representation of the persons concerned, daily payments shall be made and the vouchers shall be carried over to Permanent Advance Register maintained by the office.

	Actual rate of second class train fare or bus fare and daily allowance of Rupees Fifty shall be paid to the persons. The daily allowances shall be paid for the days on which the sittings of the Commission were held and on the days on which the person concerned appeared.
32.	Permanent Advance Register shall be maintained in proper form for payment out of the contingencies.
33.	The Commission reserves its right to alter, delete, vary, add to or repeal any of these regulations or procedure at any time during the enquiry, as and when it considers necessary.
34.	Further regulations of procedure, consistent with the Act and the rules framed there under, will be devised as and when the necessity for the same arises.

Approved by the Hon'ble Justice

Tmt Aruna Jagadeesan Commission of Inquiry.

## **JUSTICE TMT.ARUNA JAGADEESAN COMMISSION OF INQUIRY**

**(Government Bungalow No.NCB 28, P.S.Kumarasamy Raja Salai,  
Chennai-600 028.)**

**\*\*\***

### **Procedure to be followed by the Inquiry Commission**

1. The proceedings of the Inquiry Commission shall be conducted 'in camera'.
2. Affidavits of witnesses shall be taken on file and treated as Evidence-in-Chief after the witnesses are put in the witness box and administered oath.
3. The Commission / Commission's counsel shall examine the witnesses with reference to the contents and other relevant matters.
4. Opportunity will be given to examine and cross examine the deponents in conformity with Section 8-C of the Commissions of Inquiry Act, 1952.
5. If in the course of its inquiry, the Commission considers it necessary to inquire into the conduct of any person or is of



opinion that the reputation of any person is likely to be prejudicially affected by the inquiry, it can proceed to conduct the enquiry as aforesaid subject to the witness being afforded an opportunity of being heard and permitted to produce evidence in his / her defence.

6. Such of those persons, who have not so far filed affidavits, but are however willing to participate in the inquiry will be at liberty to file sworn affidavits in which event they shall appear before the Commission and be available for examination by the Commission as also cross examination as aforesaid.

7. Any person filing an affidavit and examining himself as a witness may be accompanied and assisted by a legal practitioner or with the permission of the Commission by any other person.

8. Such witnesses shall be provided with identity cards by the District Administration with their photographs affixed thereon. The I.D card will contain the name of the witness, the name of his / her father, the age of the witness, his / her community, occupation and address.

9. The Advocates engaged by the witness shall file memos of appearance before the Commission to entitle them to represent the witness concerned.

10. The documents duly authenticated and presented or filed before the Commission shall be marked through the witnesses examined.

11. In case of any dispute with reference to the admissibility of documents tendered in evidence or of oral evidence of the witness, the decision of the Commission in this regard shall be final.

12. Since the inquiry involves a sensitive issue having far reaching consequences the Commission deems it proper to conduct the inquiry 'in camera' and permit only the witness concerned and his / her counsel / authorized representative and the affected party and his / her / its counsel or representative to be present in the inquiry.

13. The witnesses/ the counsel / the authorized representatives shall conduct themselves with utmost decorum, discipline and decency.

14. It will be the prerogative of the Commission to expel from the premises of inquiry any one indulging in activity prejudicial to the smooth conduct of the inquiry in exercise of its inherent powers.



15. The District Administration shall ensure that the inquiry is conducted in an atmosphere of absolute peace and tranquility if this will require deployment of Police Force other than the Police Personnel of Thoothukudi District, the District Administration shall make arrangements therefor.

16. The District Administration shall ensure that no demonstration of any kind is allowed in the premises which would affect or obstruct the smooth conduct of the inquiry and shall be at liberty either on its own or on the directions of the Commission to eject anyone who indulges in such obstructions.

17. The rules that are followed for the conduct of the General Elections shall be followed for ensuring congenial atmosphere in the premises during the conduct of the enquiry.

18. The witnesses are at liberty to support their stand by producing photographs and video films. In this connection the evidence of a technical expert directly in the know of things is not obligatory. It is enough, if the witness concerned could identify the signatures of the certifying officer of such materials. The statement of persons who speak to the facts based on personal knowledge will be treated as proper evidence. A witness who has studied the photograph or film or the video film

may identify the people on it, and his evidence will be admissible.

Approved by the Hon'ble Justice  
Tmt. Aruna Jagadeesan Commission of Inquiry.

# 144 imposed areas and police firing areas in Thoothukudi

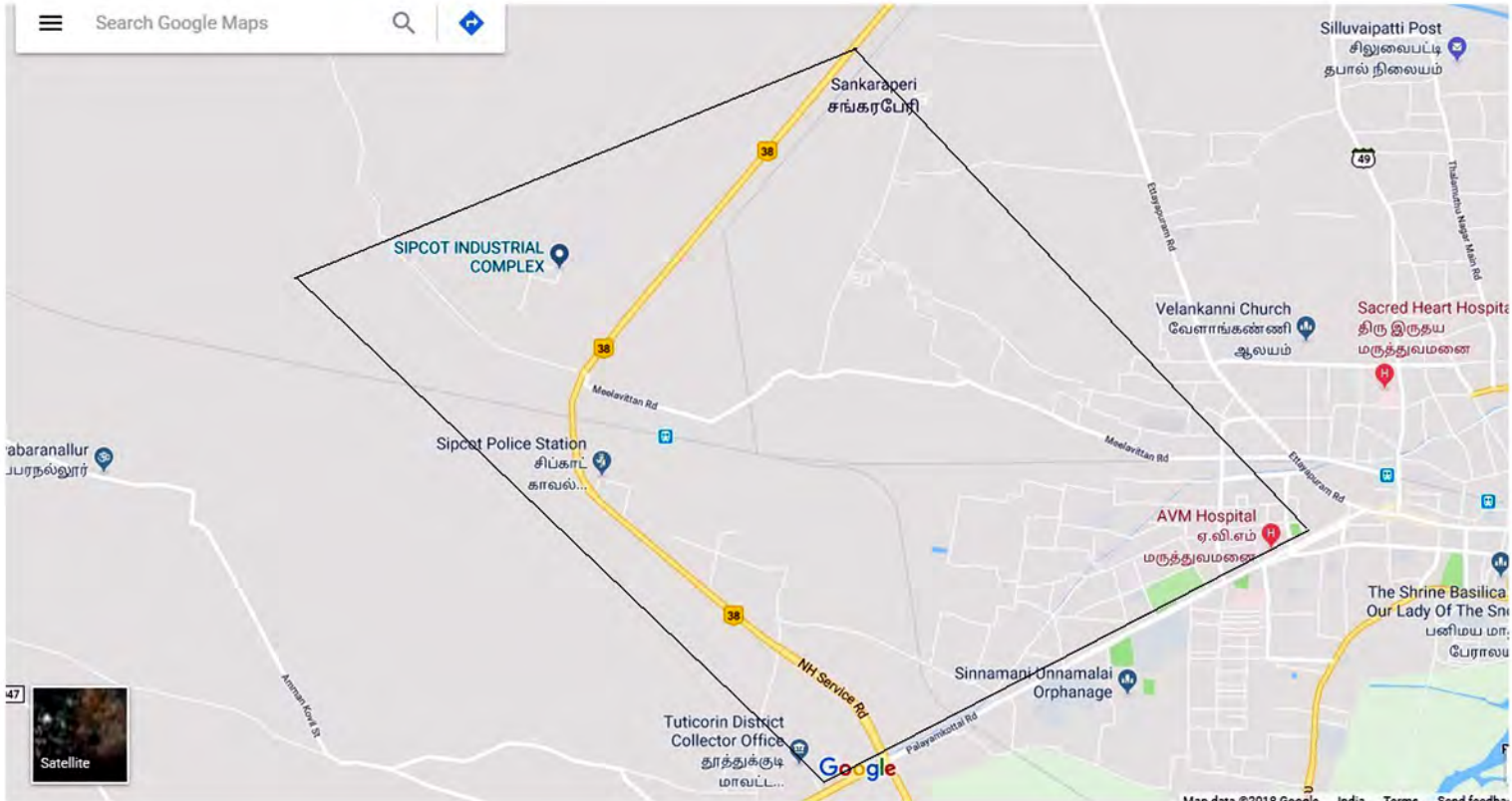


144 imposed area

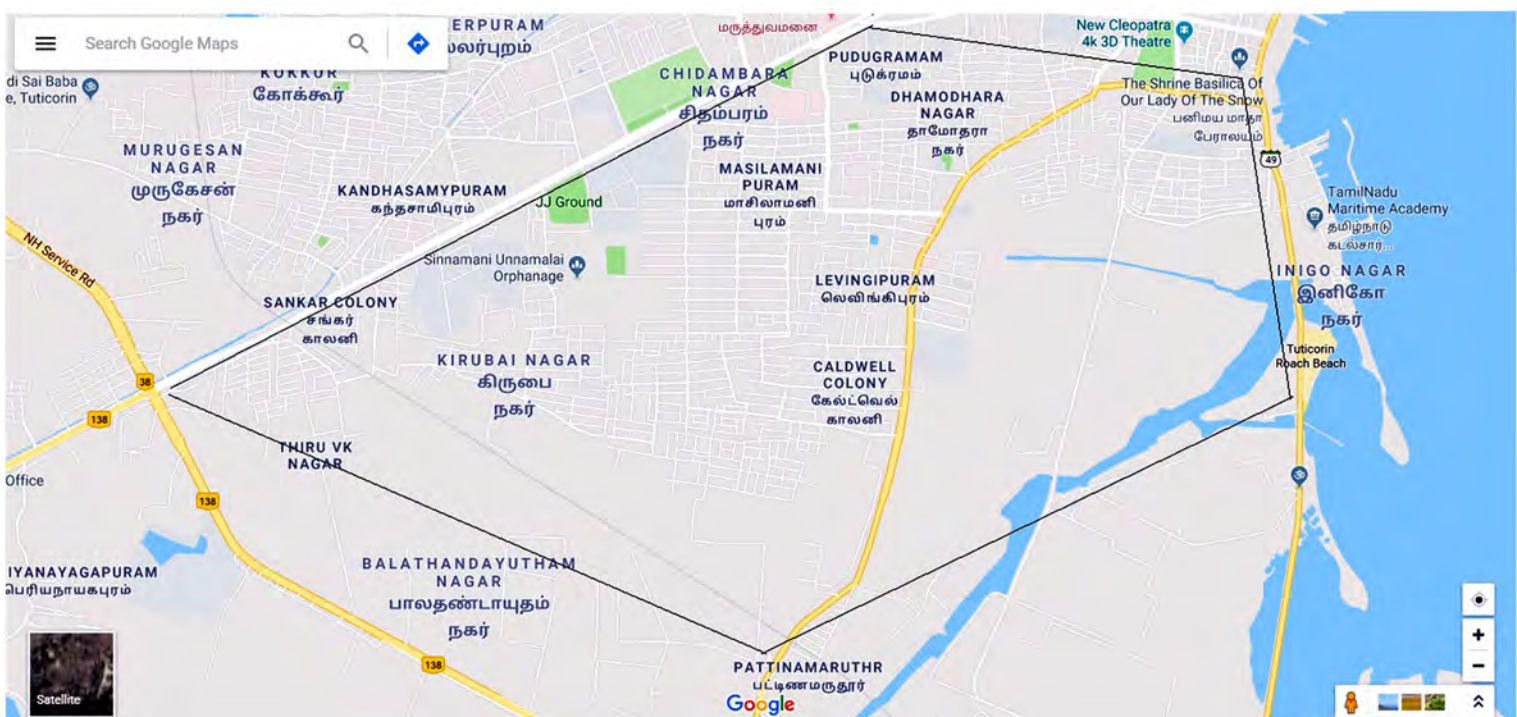




# 144 imposed areas in SIPCOT Police Station Limit

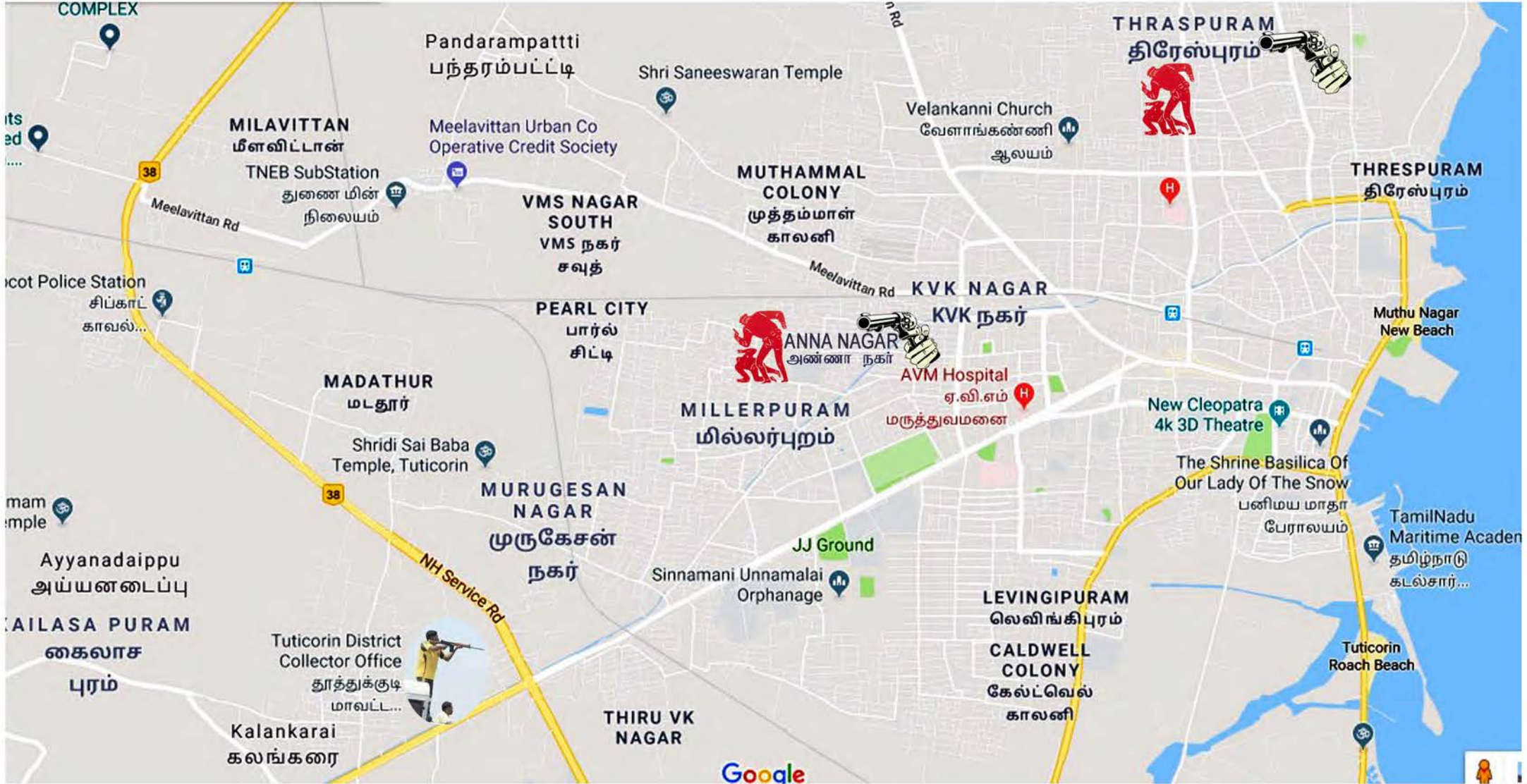


# 144 imposed areas in Tuticorin South PS Limit





# Police Firing Area



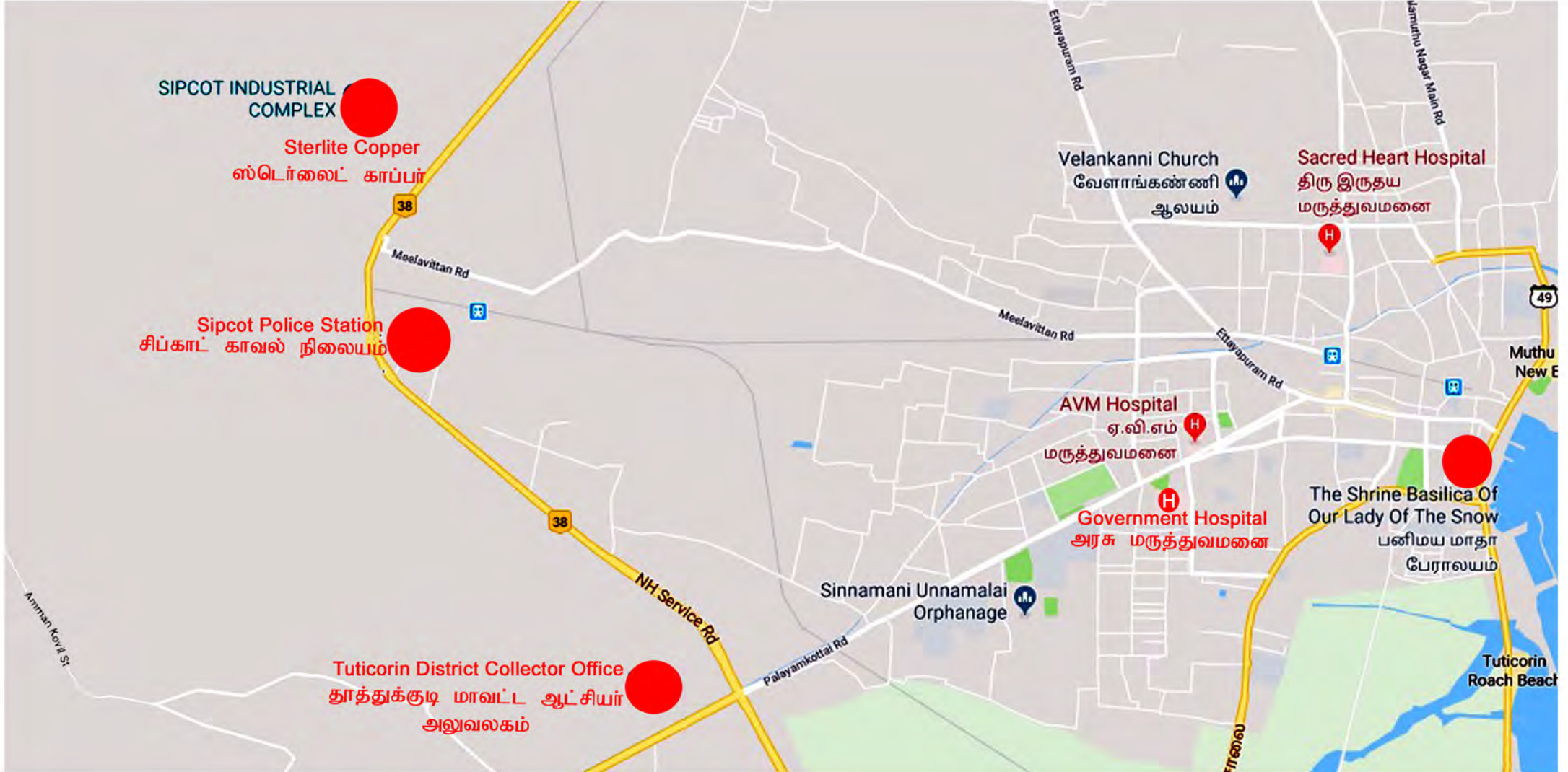
# Illegal Detention



**94 persons were kept in illegal custody at Vallanadu Shooting Range which is around 31 km away from the procession area.  
Among the 94, 25 were juveniles**

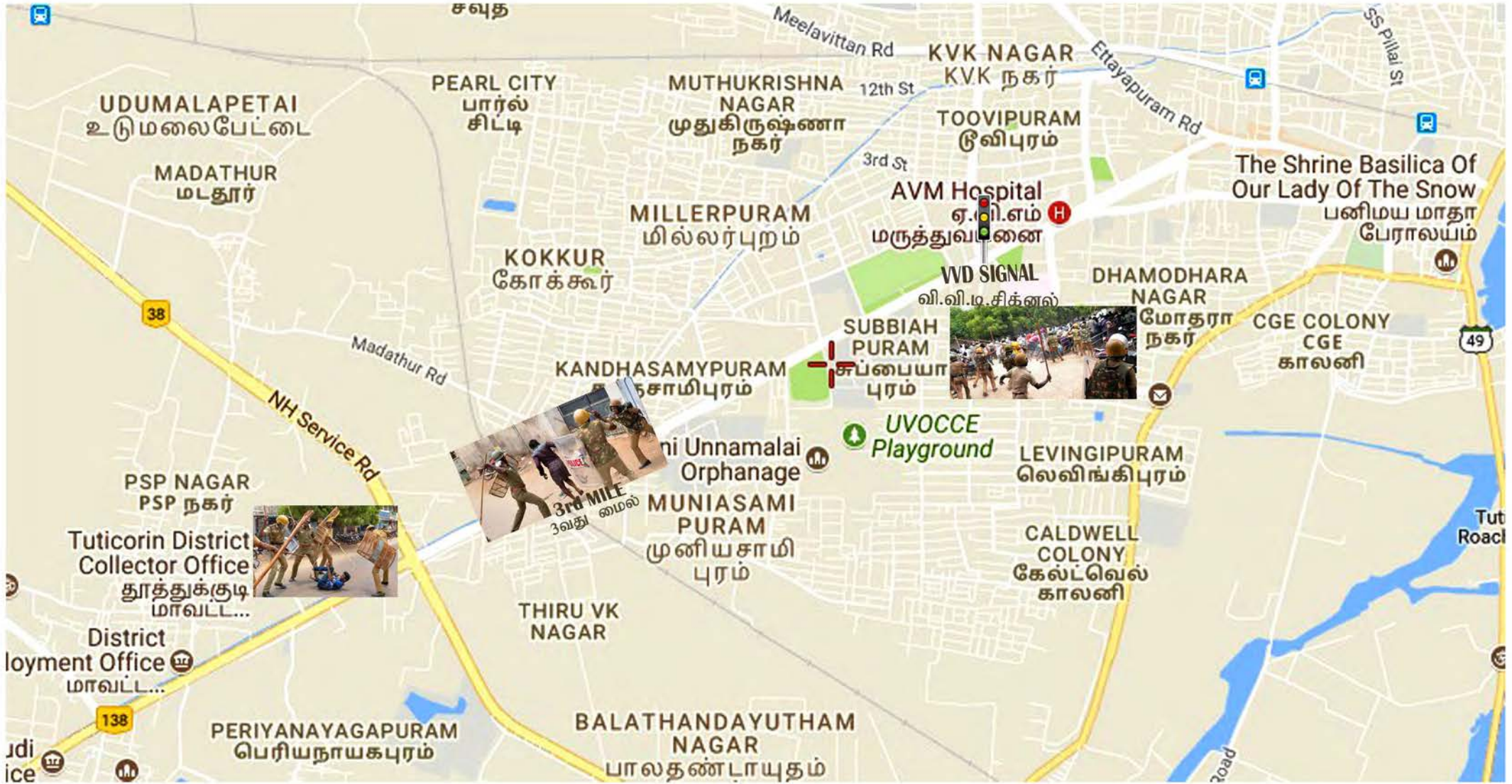


# Important places of the procession



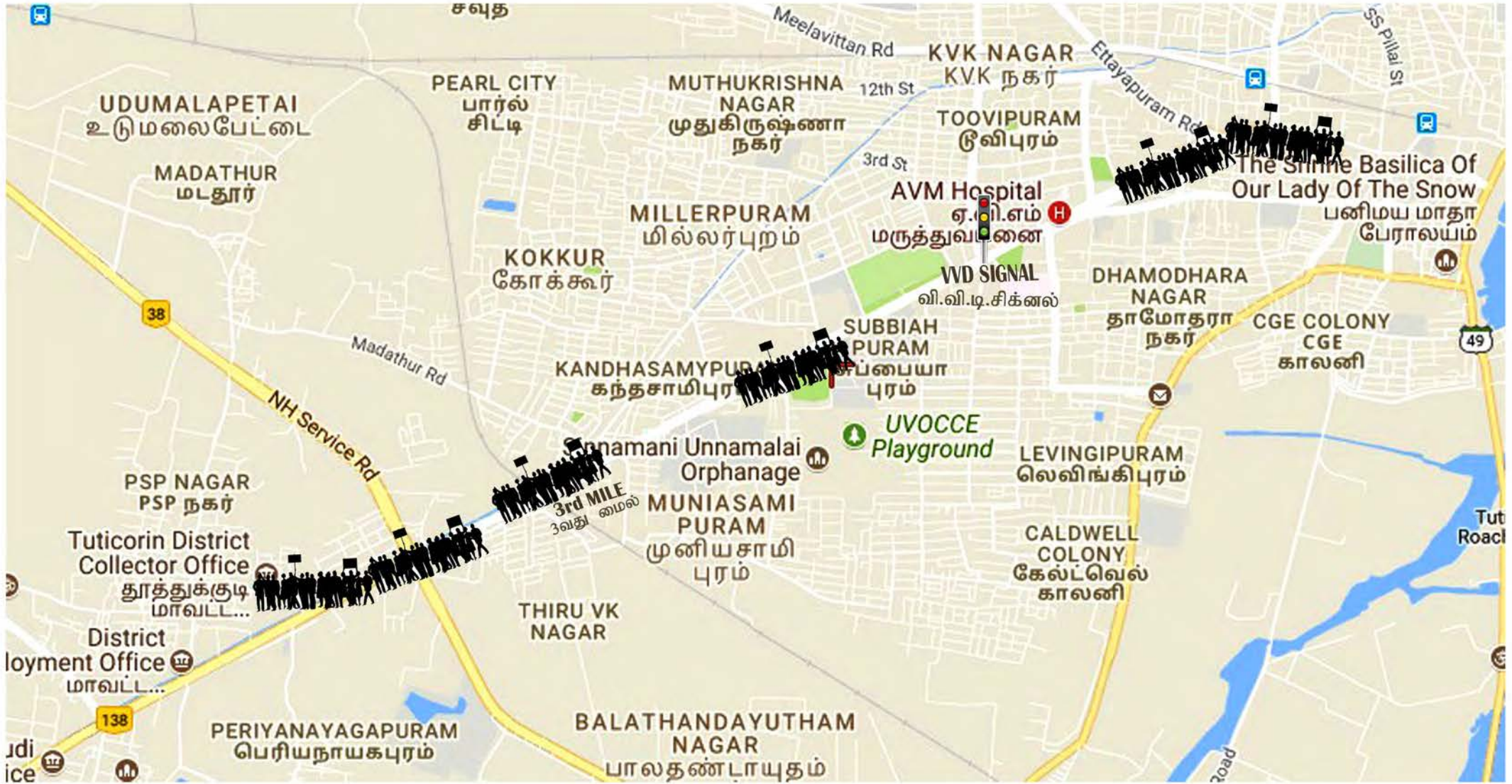


# Lathi Charged Areas



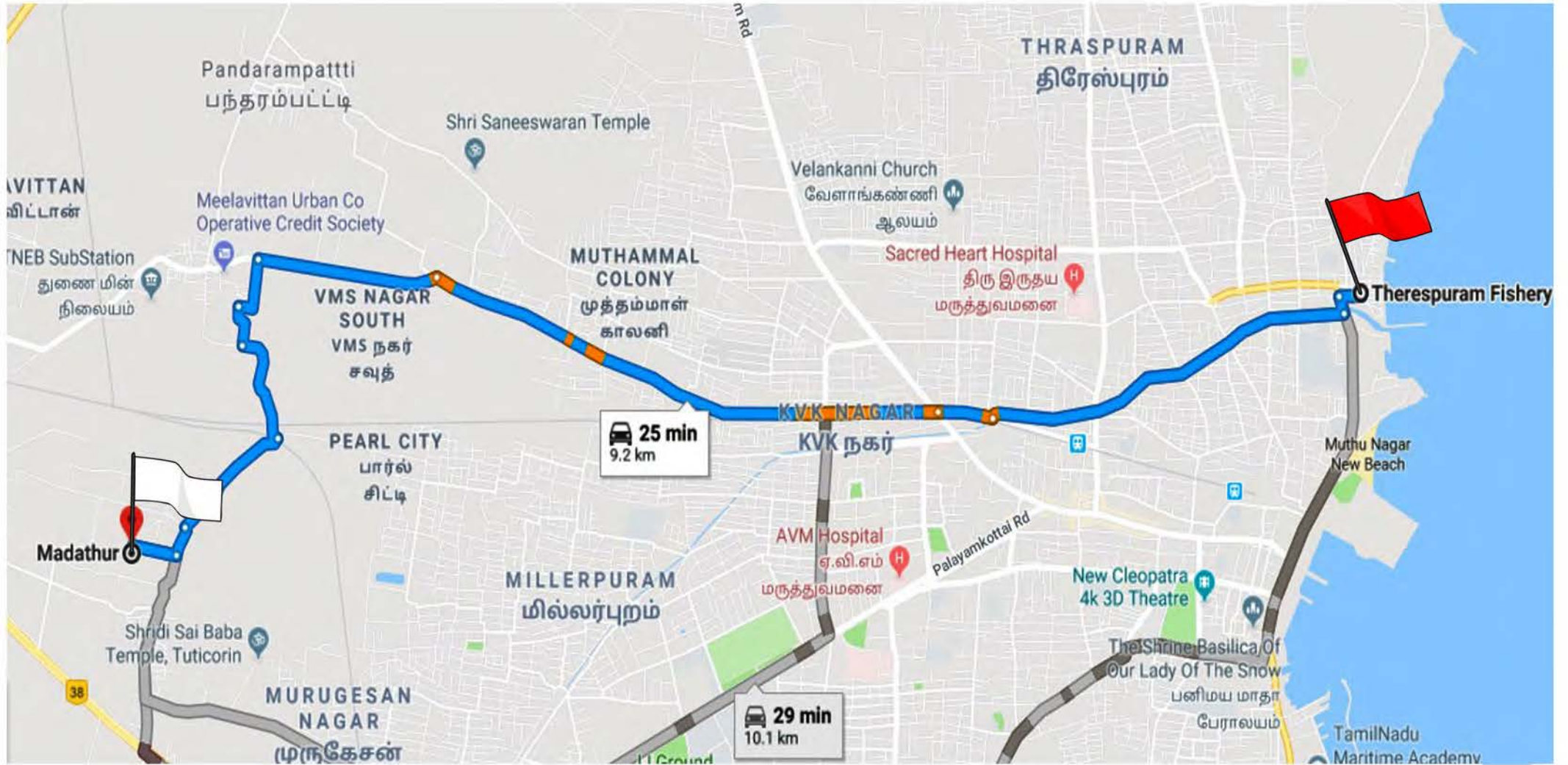


# Procession Path





# Mr.Kannan, Zonal Deputy Thasildar



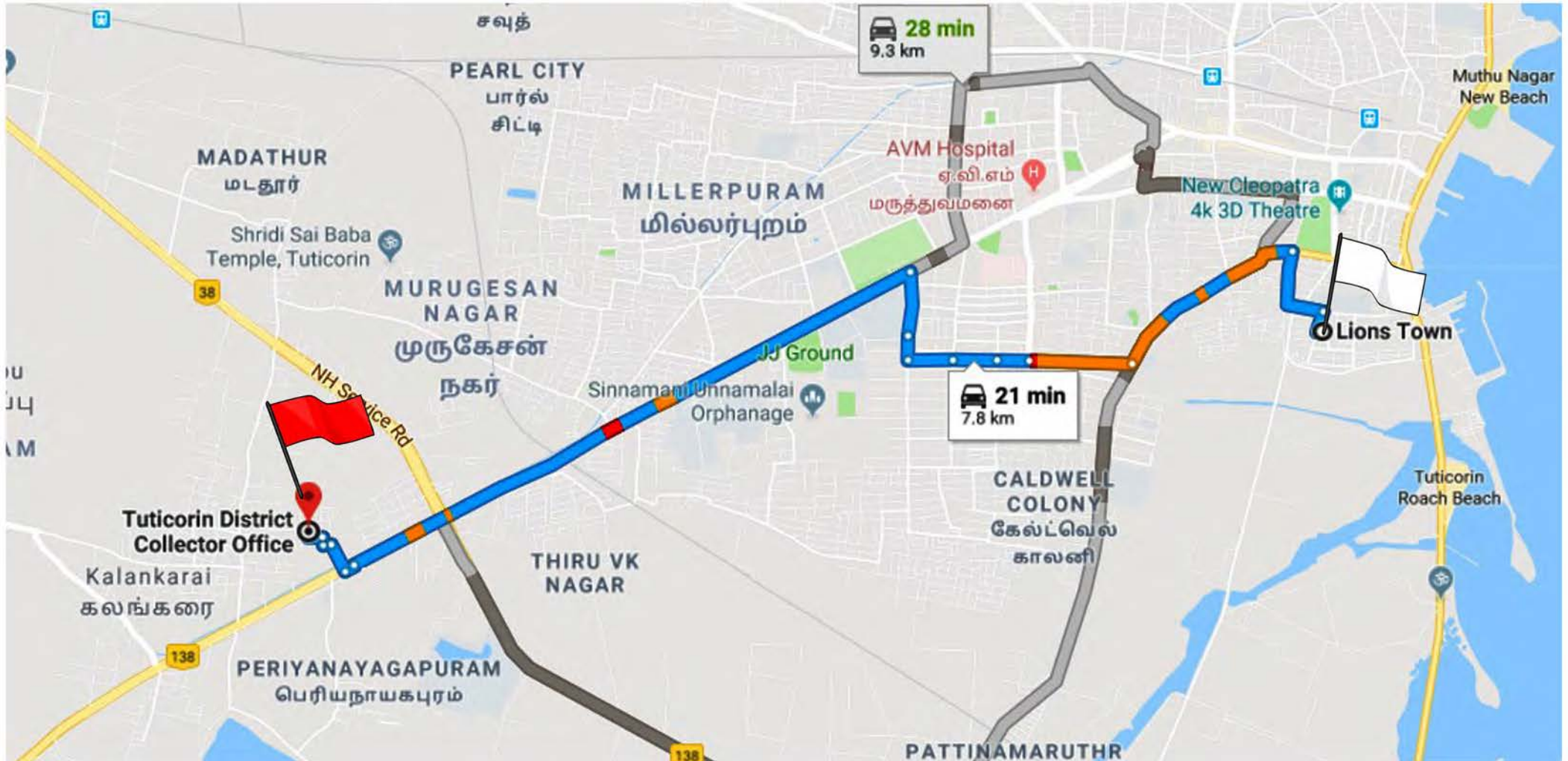
Actual posting area



Area which he ordered for Police Firing according to FIR Cr.No. 219/2018 of North Police Station, Thoothukudi



# Mr. Sekar, Special Deputy Thasildar (Election)



Actual posting area



Area which he ordered for Police Firing according to  
FIR Cr.No.191/2018 of SIPCOT Police Station,  
Thoothukudi

# THOOTHUKUDI DISTRICT



A-115



**In the Court of the District Magistrate and District Collector,  
Thoothukudi.**

**Present: Thiru. N. Venkatesh, I.A.S.,**

Roc.No. C2/8196/2018

Dated: 21.05.2018

Sub: PROMULGATION OF ORDER U/S 144 Cr.P.C-  
Thoothukudi District - Protest by Sterlite Ethirppu  
Thoothukudi Maavatta Makkal Koottamaippu on  
22.05.2018 - Law and Order - Order under Sec.144  
of Cr.P.C Issued.

- Ref: 1) Representation dated: 09.04.2018 and 16.04.2018  
given by General Manager, (Legal) Sterlite Copper,  
Thoothukudi.  
2) The order of Hon'ble Madurai bench of the Madras  
High Court in W.P(MD) No. 11190 of 2018 and W.P.  
(MD) Nos. 10218 and 10219 of 2018 dated  
18.05.2018.  
3) Letter No. C. No. 194- 8/X/SB/TUT/2018 dated  
21.05.2018 from SP, Thoothukudi.

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WHEREAS in the reference 1<sup>st</sup> cited, the General Manager(Legal),  
Sterlite Copper, Thoothukudi had given a representation stating that  
inflammatory messages have been circulating in various social media  
platforms against the Sterlite Copper Industries (P) Ltd., Thoothukudi.  
This may lead to unrest and disturb the peace and tranquility in the area  
and endanger the safety of the industry and its employees. And that there  
have been instances of violence and unlawful gatherings right in front of  
the factory premises. It was also stated that the company also received  
information from several reliable sources that plans to sabotage the  
company as well as to create insecurity in the minds of the employees are  
underway;

2) WHEREAS it was also stated that, in light of the above mentioned  
incidents and occurrences, they apprehend grave physical harm to their  
employees and the factory premises by instigation through inflammatory  
messages and propaganda. He further stated that their factory premises  
have several sophisticated and very expensive equipment and machinery  
and any mishandling or disruption of these equipment and machinery has  
the potential of causing irreparable loss and damage;

3) WHEREAS in view of the above, in their representation, she has  
requested for the imposition of prohibitory orders under Section 144 of  
the Cr.P.C for 500 meters around Copper Smelter and Thermal Power  
Plant factory premises including Tamira - 1 and Tamira 2 (Residential  
Complexes) for a period of 2 months;



4) WHEREAS further the company approached the Hon'ble Madurai Bench of the Madras High Court seeking a direction to the District Collector to impose Prohibitory orders u/s 144 of CrPC. The Hon'ble Court in its order in W.P.(MD) Nos. 11190, 10218 and 10219 of 2018 dated 18.05.2018 stated that "the proposed protest on 22.05.2018 is likely to trigger a law and order situation and invoking section 144 of CrPC would be highly recommended in public interest". The Hon'ble Court also directed the District Collector to pass appropriate orders considering the representations of the company dated 9th and 16th of April 2018;

5) WHEREAS the Superintendent of Police, Thoothukudi in his Letter No. C. No. 194- 8/X/SB/TUT/2018 dated 21.05.2018 stated the following.

*"Urging to ban Sterlite Industry etc., the members of Anti Sterlite Movement, inhabitants of Sterlite surrounding villages, Thoothukudi Town, various Political Parties, Merchant's Assn., Fishermen Assn., Students and other organizations have proposed to stage siege agitations on 22.05.2018 at District Collector Office, Thoothukudi which will severely affect the functioning of District Headquarters and further they are planning to continue the agitation until the closure of the plant."*

6) WHEREAS the following was also stated in the letter.

*"Apart from this, villagers of 13 surrounding villages/ areas around Sterlite Industries and in Thoothukudi Town viz., are resorting to 'Indefinite Waiting Agitations' in this regard."*

7) WHEREAS the following was further stated in the letter from Superintendent of Police, Thoothukudi.

*"Further, it is reliably learnt that some miscreants are planning to utilize the opportunity to instigate violence and create Law and Order problem. Under such circumstances, even a minor incident may snowball into a major clash with serious impact on the law and order situation in Thoothukudi and nearby Districts. Moreover, this will not be limited to this District alone as the past experience suggests.*

*Therefore, considering the above facts, in order to maintain public peace and tranquility, it is requested to promulgate orders under section 144 Cr.P.C., prohibiting the assembly of 5 or more persons or processions or Bicycle/ two wheeler/ four wheeler rallies coming with objectionable materials like sword / lathi / knives / stones/ Party or Communal flags etc., entering into Thoothukudi District from other districts in all types of vehicles carrying volunteers intending to participate in the agitation, except with the prior permission of the District Magistrate from 0800 PM on 21.05.2018 to 0800 AM on 23.05.2018. Regular stage carriages, Tourist vehicles that ply to other places through the district, Goods carriages, vehicles carrying essential*



*commodities, regular omni buses may be expressly exempted.*

*Hence, it is requested that these prohibitory orders may be promulgated throughout the District in the interests of maintenance of public order, peace and tranquility from 0800 PM on 21.05.2018 to 0800 AM on 23.05.2018.”;*

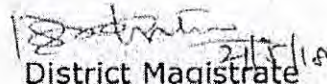
8) WHEREAS the 'Muttrukai Porattam' has been proposed to be conducted within SIPCOT Police Station Limits. It is reliably learned that most of the mobilization for the agitation will happen in SIPCOT police station and Thoothukudi South police station limit;

9) AND WHEREAS emergent circumstances do not permit the serving of notice to the parties concerned, necessitating this order to be passed ex-parte as per proviso 144(2) CrPC;

10) NOW THEREFORE with a view to maintain law and order, and to avoid disturbance of public tranquility, I do hereby, promulgate an order under Section 144 Cr.P.C., in SIPCOT and Thoothukudi South police station limits prohibiting any public meeting or assembly of five or more persons or processions, for a period from 2200 hrs on 21.05.2018 to 0800 hrs on 23.05.2018 and also prohibit entry of all type of vehicles carrying persons intending to participate in 'Muttrukai Porattam' on 22.05.2018 to, and within, SIPCOT and Thoothukudi South police station limits. This order does not apply to regular stage carriages, tourist vehicles plying to other places, goods carriages, vehicles carrying students to schools/colleges, vehicles carrying essential commodities, regular omni buses, etc. This order does not apply to public gatherings that are taking place with the permission of competent Police authorities and if anyone requires special exemption, they may apply to Superintendent of Police, Thoothukudi with required details.

11) This order u/s 144 CrPC will be in force in the entire jurisdictions of Thoothukudi South and SIPCOT police stations.

Given under my hand and seal on this day of 21st May 2018 at Thoothukudi.

  
District Magistrate  
and  
District Collector,  
Thoothukudi

To

1. The concerned (Through the Superintendent of Police, Thoothukudi.)
2. The Superintendent of Police, Thoothukudi.
3. The Sub Divisional Magistrate and Sub Collector, Thoothukudi
4. The Sub Divisional Magistrate and Revenue Divisional Officer, Kovilpatti and Tiruchendur

5. All Taluk Executive Magistrate and Tahsildar, Thoothukudi District (for necessary action)
6. All Deputy Superintendent of Police, Thoothukudi District. (Through the Superintendent of Police, Thoothukudi)

Copy submitted to:

The Principal Secretary to Government,  
Public (L&O-C) Department,  
Secretariat, Chennai-9

*// True Copy //*

*[Signature]* 29/6/18  
PERSONAL ASSISTANT  
(General) TO COLLECTOR  
THOOTHUKUDI DISTRICT  
THOOTHUKUDI

*[Signature]*  
29/6/18



**Remand order in Crime Number 165/2018 of Pudukottai Police Station. Date 24.05.2018**

All the accused named in the remand report produced at Court at 10.30 A.M. Grounds of arrest explained to the accused.

Accused **Manikandan** has contusions in his back and right hand finger and his right solder and he stated that he was assaulted by the police.

Accused **Seenivasan** has contusions on his right and left shoulder. He stated that he was arrested on 22.05.2018 at 2.30 PM and he was assaulted by the police.

Accused **Gopianand** has stated that he was assaulted by the police and he was arrested on 22.05.2018 at 02.30 PM.

Accused **Arul Micheal** assaulted by the police and he was arrested on 22.05.2018 at 02.30 PM at teacher's Colony.

Accused **Sarai Muniyandi** has stated that he was arrested on 22.05.2018 at 4.00 PM at Madha Temple.

Accused **Perem Kumar** has contusion in both hands and he was arrested on 22.05.2018 at 1.00 PM Police seized his gold ring and one cell phone and he was assaulted by the police.

Accused **Selvaraj** has stated that he was assaulted by the police. He has contusions in right eye and back and his cell phone was seized and he was arrested at Selvarayapparam on 22.05.2018 about 1.00 PM.

(one or two lines missing while copying the pages ).... Contusions right left elbow and his back. He stated that he was arrested on 22.05.2018 at 12.00 AM. His cell phone and cash of Rs.500/- were seized. His gold ring was seized. He was arrested at Esakkiamman Temple.

Accused **Rajaprabu** has contusions in left hand and his back and he was assaulted by the police and his silver waist chain and silver ring was seized. His mobile phone was seized and he was arrested on 22.05.2018 at 4.15.

Accused **Maniraj** has stated that he was assaulted by the police and he has contusions on his right hand. He stated that his cell phone and two-wheeler were seized by the police. He was arrested on 22.05.2018 at...

Accused **Kannan** has stated that he has contusions on his back. He stated that he was assaulted by the police. He was arrested on 22.05.2018.

Accused **Vimal** has swelling in left hand, back and his head. He further stated that he was assaulted by the police. A cell phone, silver ring and cash of Rs.400 were seized by the police. He was arrested on 22.05.2018 at 2.00 PM.

Accused **Pirinso** has contusion in his back. He stated that he was assaulted by the police.

Accused **Jothi basu** has contusions in his right hand. He was arrested on 22.05.2018. Accused **Suresh** has a contusion below the .... (missing while Xeroxing) ...

Accused **Ganesan** has stated that he was assaulted by the police. He has contusions on his right side waist. His cell phone and gold chain weighing 1 ¼ sovereign gold chain were seized by the police.

Accused **Palavesamuthu** has contusion on his right shoulder right hand and left leg. He stated that he was assaulted by the police. A gold chain weighing 1 ¼ sovereign, silver ring and ½ sovereign gold ring and a mobile were seized by the police.

Accused **Derence Infant** has stated that he was assaulted by the police and he has contusions on his back. His cell phone and a money purse were seized by the police.

Accused **Vimalkumar** has stated that he has contusion on his left and right legs His mobile, two wheeler and cash of Rs.1900 were seized.

Accused **Ajith** has contusion on his back. His cell phone and two-wheeler were seized.

Accused **Danial** has stated that pattalian police Ravna has assaulted him. He has contusions on his back and **right** hand. He was arrested on 22.05.2018 at 8.00 AM. His cell phone was seized.

Accused **Naresh** has contusion on his stomach. He stated that he was arrested 3 days back. His cell phone, gold Jebamalai ring and a watch were seized by the police.

Accused **Edison** has contusion on his left.....

Accused **Siryl** stated that he was arrested on 22.05.2018. He has no external injury.

**Jhon Samuel** has contusion in his right leg and left hand. Cash of Rs.300/- cell phone were seized by the police.

Accused **Vicknesh** has stated that he was assaulted by the police. He has no external injuries. Cell phone and two-wheeler were seized by the police.

Accused **Karuppasamy** has contusion in his left thick and he stated that his cell phone was broken by the police.

Accused **Jesuraj** has contusions in his back and he stated that he was assaulted by the police. He was arrested on 22.05.2018 at 4.00 PM at Annanagar 6<sup>th</sup> street. His ATM card license cash of Rs.2000 were seized. His gold ring was seized by the police.

Accused **Thiruppathi Alwar** has no external injury. He stated that he was assaulted by the police.

Accused **Jeyaston** has contusions on his back and right and left hand. He stated that he was assaulted by the police. Two cell phones were seized. His ATM card was broken.

Accused **Jhownson** has injury on his right and left hand shoulder and on his left hand. His mobile phone was broken. He was arrested on 22.05.2018 in Government Hospital premises.

Accused **Balamurugan** has contusions in his right and left shoulder. His cell phone was seized. He was arrested on 22.05.2018 at 6.00 PM.

Accused **Vinoth Kumar** has stated that his two-wheeler was damaged at Priyant Nagar. He .....(Omission)

Accused **Jeeva** has stated that on 22.05.2018 at 9.30 AM he was arrested. His cell phone, watch, chain were seized by the police

Accused **Balamurugan** stated that he was arrested on 22.05.2018 at 9.15 AM.

Accused **Antonyraj** has stated that he was assaulted by the police and his two cell phones were seized by the police. He was arrested on 22.05.2018 at 9.00 AM.

Accused **Gunasekaran** stated that he was arrested on 22.05.2018 at 9.00 AM and his cell phone was seized.

Accused **Muniasami** has stated that he was arrested on 22.05.2018 at 9.00 AM.

Accused **Stalin** stated that he was arrested on ,,,(omission) at 9.00 AM. His cell phone was seized ....

Accused **Ayyappan** has stated that he was arrested on 22.05.2018 at 9.00 AM. His cell phone and cash of Rs.250/- were seized by the police.

Accused **Mani** stated that he was arrested on 8.30 AM on 22.05.2018

Accused **Selvam** has a contusion on his right shoulder. He was arrested on 22.05.2018 at 3.30 PM. His cell phone and two-wheeler were seized.

Accused (name not written) has contusion on his left upper hand left side nose and left neck. His cell phone watch and silver waist chain were seized by the police. Cash of Rs.120 was seized by the police.

Accused **Muthukumar** has contusion on his upper left hand and elbow. His cell phone and gold ring weighing 1 ¼ sovereign were seized.

Accused **Mariya viknesh** has contusion on his ;;;;stated that his jebamala was broken .....by the police.

Accused **Suganthar Raj** has contusions on his left and right shoulder and his back. He has swelling on his left wrist. He was arrested on 22.05.2018 at 2.30 PM His chain was missing at the time of assault. The weight of the chain is one sovereign.

Accused **Nicholash Vinith** has stated that he was assaulted by the police. His cell phone, purse, watch silver waist chain were seized by the Police.

Accused **Sakthivel** has contusions in his right hand and back. He stated that his cell phone was seized by the police.

Accused **Arul Sudhagar** has stated that he was arrested at 3.00 PM on 22.05.2018. His cell phone was seized by the police.

Accused **Selvam** has stated that he was ..... He has contusion on his left shoulder, Elbow. His cell phone was broken. He was arrested on 22.05.2018 at 1.30 PM.

Accused **Sivasubramaniam** has an abrasion on his back. He stated that he was assaulted by the police. His cell phone was seized.

Accused **Muniasamy** has stated that he was arrested on 22.05.2018 at 2.30 PM. His two-wheeler was damaged.

Accused **Stalin** has stated that he was assaulted by the police. He was arrested on 22.05.2018 at 1.30 PM. His cell phone was broken

Accused **Vallidurai** has stated that he was beaten by the police. He has abrasion on his neck. His car was damaged. His car was seized. His cell phone was damaged.

Accused **Santharaj** has contusion on his back. He stated that his cell phone and silver waist chain and cash of Rs.200 were seized by the police and he was arrested on 22.05.2018

Accused **Manikandan** stated that his two cell phones and Rs.210 were seized by the police.

Accused **Balaguru** has stated that cell phone, gold chain weighing 1 ¼ sovereign chain and silver kappu, silver ring and cash of Rs.650/- were seized by the police.

Accused **Ulaganathan** has stated that his cell phone, license, 50 rupees currency note were seized. He stated that he was assaulted by the police.

Accused **Shanmugaraj** stated that on 22.05.2018 he was arrested at 1.30 PM. His cell phone and two-wheeler were seized by the police.

Accused **Marimuthu** has stated that on 22.05.2018 at 6.00 PM he was arrested and his cell phone were seized by the police.

..... has blood injury on his head .....on 22.05.2018. He stated that he was assaulted by the police. Gold ear stud and silver ring were seized by the police.

Accused **Mathew Arunan** has contusion on his back. He stated that a small stitch was in the injury on his back. He has blood injury on his left knee. He stated that cash of Rs.400/- was seized. His two-wheeler was seized by the police.

Accused **Edwin Devaraj** has swelling on his left hand. His two wheeler key and cell phone were seized by the police.

Accused **Micheal Adhiban** has contusion on his back. His cell phone was seized. He has blood stain on his pant. He has no blood injuries. He was arrested on 22.05.2018 at 1.30 PM.

Accused **Arun Magesh** has contusion on his left...his right hand. He was arrested on 22.05.2018 ... He stated that his cell phone and Jebamalai and his watch were damaged. He stated that he was not allowed to attend his natural call and he was not given good drinking water.

I have perused the entire records. I am satisfied with the arrest of all the accused. All the accused are remanded to judicial custody till 7.6.2018

Sd.x.x.x.

J.M.III i/c Thoothukudi

165/18

**IN THE COURT OF THE VACATION SESSIONS JUDGE/  
PRINCIPAL SESSIONS JUDGE, THOOTHUKUDI**  
**Present : Dr. V.Charuhasini, M.A.,M.L.,Ph.D.,**  
**Vacation Sessions Judge/Principal Sessions Judge, Thoothukudi**  
**Thursday the 24th day of May 2018.**  
**Cr.M.P.No.1478/2018.**

1. Manikandan (30/18)
2. Srinivasan (37/18)
3. Gopi Ananth (25/18)
4. Arul Micheal (43/18)
5. Sarai Muniyandi (32/18)
6. Prem Kumar (23/18)
7. Selvaraj (50/18)
8. Mariappan (41/18)
9. Raja Prabhu (25/18)
10. Maniraj(32/18)
11. Kannan(35/18)
- 12.Vimal (29/18)
13. Jothi Bazhu (22/18)
14. Suresh (23/18)
15. Prince Show (29/18)
16. Ganesh (25/18)
17. Palavesamuthu(27/18)
18. Terance Inpent (28/18)
19. Vimal Kumar(25/18)
20. Ajith(22/18)
21. Naresh(28/18)
22. Ediston(26/18)
23. Viknesh(22/18)
24. Karuppasamy (22/18)
25. Jesuraj (30/18)
26. Thirupathi Alwar (24/18)
27. Daniel (43/18)
28. Jeyaston (23/18)

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/

31. Vinoth Kumar (23/18)
32. Balamurugan (26/18)
33. Antonyraj (30/18)
34. Gunasekar (45/18)
35. Muniyasamy (26/18)
36. Seril (45/18)
37. John Samuel (23/18)
38. Stalin S/o. Alwin (36/18)
39. Ayyappan (33/18)
40. Mani (37/18)
41. Selvam (27/18)
42. Balamurugan S/o. Lakshmanan (32/18)
43. Davidson (25/18)
44. Muthukumar (23/18)
45. Vicky @ Vignesh (24/18)
46. Suthagar raj (37/18)
47. Nicholas Vinith (24/18)
48. Sakthivel (34/18)
49. Arul Sudhakar (28/18)
50. Selvam S/o. Siluvairaj (28/18)
51. Siva subramanian (30/18)
52. Muniyasamy S/o. Pattani (34/18)
53. Stalin S/o. Kaliappan(27/18)
54. Vallidurai (33/18)
55. Shunmugaraj (23/18)
56. Chandanaraj (40/18)
57. Manikandan (35/18)
58. Marimuthu S/o. Ulaganathan (22/18)
59. Balaguru (28/18)
60. Edwin (22/18)
61. Marimuthu S/o. Vallinayagam (22/18)
62. Mathew Arunan (22/18)
63. Arul Mahesh (21/18)

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65. Micheal Athiban (20/18)

... Petitioners/Accused

/VS/

**State :Sub - Inspector of Police,  
Pudukottai P.S.,  
Crime No.165/2018**

... Respondent / Complainant

Petition dated **24-05-2018** filed u/s. **439** Cr.P.C. Praying to grant **bail** to the petitioners.

This petition coming on this day for hearing before me in the Presence of Thiru . A.W.D. Thilak Thiru.A. Selvin, Thiru. N. Saravanan, Thiru. P. Ponselvan, Thiru. E. Prince Suresh Kumar, Thiru. R. Iyyappan, Thiru.S. Karthikeyan, Thiru. S. Arumugam, Thiru. P. Mayilraja Perumal, Thiru. A.Raja Pandi, Thiru. S. Arumugam, Thiru. R . Ramesh Selva kumar, Thiru. M.A.J. Theiva Tholkappian, Thiru. M. Rajesh Sundar Singh, Thiru. S. Raja, Thiru. J.N. Jegandran, Thiru.E. Joseph victor, Thiru.I. Babu, Thiru.S.N. Balasubramanian, Thiru.R. Santhana Selvam, Thiru.C. Manthira Moorthi, Thiru.J. Robinson, Thiru.P. Manikandan, Thiru.V. Chinnadurai, Thiru. B. Vignesh, Thiru. V.M. Senthil Kumar Advocate for the petitioners and the Public Prosecutor for respondent this court made the following:

**ORDER**

After obtaining permission from the Hon'ble High Court, this bail petition is entertained and heard since it is an emergent matter in nature. Heard both sides. Perused the petition.

The respondent police has registered the case as against the petitioners/accused for the offences u/s. 147, 148, 353 of I.P.C and u/s. 3 of TNPPDL Act. The petitioners have moved this court for bail u/s 439 Cr.P.C.

The petitioners have been charged u/s. 147, 148, 353 of I.P.C and u/s. 3 of TNPPDL Act. The allegation against the petitioners is that on 22.5.18 the defacto complainant, who is the Police Head Constable along with their party, came to CJM court, Thoothukudi in their police while they were nearing Collector Office, all the petitioners unlawfully assembled with deadly weapons, restrained their vehicle and pelted stones to the vehicle and the vehicle fully damaged and deterred from discharging their duty and therefore the case has been registered

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The learned counsels for the petitioners has argued that the petitioners have not known whether the alleged occurrence took place yesterday or day before yesterday and the counsels knew that the petitioners were brought before the learned Judicial Magistrate for remand and this fact knew only today morning and the counsel for the petitioners has filed petition before the concerned Judicial Magistrate under section 97 and 157 Cr.P.C stating that these petitioners sustained external injuries and that injuries are seen, the learned Judicial Magistrate proceeded further and the learned Magistrate visibled the injuries and noticed the injuries and the petitioners/accused stated about the injuries sustained by them to the learned Magistrate at the time of remand before the Magistrate that these injuries were caused by police personnels and the Magistrate also recorded the statements given by the petitioners. The learned counsel for the petitioners has further argued that as per the ruling passed by Hon'ble Supreme Court in A.K.Basu case as per 41 Cr.P.C, the police has not prepared any arrest memo and the petitioners has stated about the injuries caused to the Magistrate at the time of remand and the statements given by the petitioners only voluntarily, not by any force and the petitioners have also stated to the learned Magistrate that proper treatment was not given and A.R copy only produced and hence proper medical treatment has not given to the petitioners for the injuries sustained by them and the properties belongs to the petitioners i.e. mobile phone, gold ornaments, vehicles were seized from the petitioners and damaged by the police, the police has not produced the properties belongs to the petitioners to the court at the time of remand, but they have to be produced the properties belongs to the petitioners and even after the request by the petitioners to the Magistrate for medical treatment, the learned Magistrate did not provide medical facilities to the petitioners and hence the petitioners will not able to argue the allegations mentioned in the complaint given by the police, the Thoothukudi Bar Association Advocates filed petition u/s. 97 Cr.P.C in Cr.M.P.780/18 before the Chief Judicial Magistrate and as per the order of the Chief Judicial Magistrate, the Judicial Magistrate went to the place and prepared list of memorandum regarding the persons confined in the place and

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Magistrate who prepared the list of Memorandum and the police violates the protection given under Article 21 of Constitution of India and as per the order passed in the petition filed under section 97 Cr.P.C and the list prepared by the Magistrate and also from the statements given by the petitioners to the learned Magistrate at the time of remand, it reveals that the police tortured the petitioners and with intention not to release the petitioners on bail, the police implicated the sessions offence and from that the intention of the police can be known and the learned counsel for the petitioners has further argued that not only the rights given to citizens under Article 21 of Constitution of Law violated but also the police violates the human rights and thereby violates the Constitutional law and also Human rights and regarding this case, the name of the petitioners are not mentioned in the FIR, but in the request for remand, the police has stated the names and address of the petitioners and hence the petitioners have permanent residents and hence flew from that place does not arise and if the petitioners are released on bail with condition to execute with sureties, the sureties cannot be produced because of the restrained order under section 144 Cr.P.C and if the petitioners are released on bail with condition to report to the respondent police or any other police, it will cause hindrance because of 144 CrPC proceedings still pending in Thoothukudi and it will cause injuries to the petitioners and after remand, the learned Magistrate has not taken any steps to direct the Investigating Officer to give medical treatment to the petitioners, it is not able to decide whether the injuries are simple or greivous in nature and also the petitioners are need for proper and necessary medical treatment, hence the petitioners may be released on bail and the Hon'ble High Court has passed order in W.P.No.12966/18 in WMP.Nos. 15218 to 15221/18 in that order, para 4 it is stated accordingly a direction is issued to the respondents to preserve the dead bodies of the victims in tact after postmortem until further orders and in para 5, the advocates are entitled to extend the legal assistance to the affected parties in accordance with law and 144 proceedings also still pending similar occurrence cannot be took place in that place and the counsels appeared for the petitioners undertake that the petitioners will not commit any kind of offence in future and they have no

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treatment for their injuries and hence the petitioners may be released on bail, since 144 Cr.P.C is still pending the petitioners may be released on own bond prevailing the situation in Thoothukudi and if the petitioners are released on bail, direction may be given to the concerned Magistrate to send the bond to the Jail Authorities, since Post Offices are also closed because of prevailing circumstances and hence as per the Order of Hon'ble High Court this bail application was filed in special circumstances, bail may be granted.

The learned Public Prosecutor has argued that the case was registered against the petitioners for the offences u/s. 147, 148, 353 of I.P.C and u/s. 3 of TNPPDL Act, the defacto complainant is the Police Head Constable of police station and he has stated that on the particular date while he came to the CJM Court from Muruppanadu, and when nearing Collector officer, there was organized certain group and chased them and there was scuffling between police and public, pelted stones towards the vehicle and the vehicle was fully damaged and deterred the police officials from discharging their duty and objected to release the petitioners on bail.

The defacto complainant is the Police Head Constable and he has stated that in the complaint that on 22.4.2018 they along with Sub Inspector and with head constable to attend the CJM court and after attending the court when they returned near Collector Office, group of people came and one of the person scolded that this is a Government vehicle and pelted stones and the vehicle was fully damaged.

Considering the facts and circumstances of the case and the arguments of the learned counsels for the petitioners that as per 41 Cr.P.C. the police has not prepared any arrest memo and the petitioners has stated about the injuries caused to the Magistrate at the time of remand and the statements given by the petitioners only voluntarily and proper treatment was not given and proper medical treatment has not given to the petitioners for the injuries sustained by them and the properties belongs to the petitioners i.e. mobile phone, gold ornaments, vehicles were seized and not produced by the police and the Thoothukudi Bar Association Advocates filed petition under section 97 Cr.P.C in Cr.M.P.780/18 before the Chief Judicial Magistrate and as per the order of the

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*[Handwritten signature]*



...7...

and 97 persons were there and after that the police has not make any arrangements to produce those 97 persons before the Magistrate and the police violates the protection given under Article 21 of Constitution of India and as per the order passed in the petition filed under section 97 Cr.P.C and the list prepared by the Magistrate and also from the statements given by the petitioners to the learned Magistrate at the time of remand and the police tortured the petitioners and with intention not to release the petitioners on bail, the police implicated the sessions offence and not only the rights given to citizens under article 21 of Constitution of Law violated but also the police violates the human rights and the name of the petitioners are not mentioned in the FIR, but in the request for remand, the police has stated the names and address of the petitioners and hence the petitioners have permanent residents and hence flew from that place does not arise and hence it is necessary to release the petitioners on bail. and if the petitioners are released on bail with condition to execute with sureties, the sureties cannot be produced because of the restrained order under section 144 Cr.P.C and if the petitioners are released on bail with condition to report to the respondent police or any other police, it will cause hindrance because of 144 CrPC proceedings is still pending in Thoothukudi and it will cause injuries to the petitioners and after remand, the learned Magistrate has not taken any steps to direct the Investigating Officer to give medical treatment to the petitioners, it is not able to decide whether the injuries are simple or greivous in nature and also the petitioners are need for proper and necessary medical treatment, hence the petitioners may be released on bail and the petition filed by the counsels under section 97 Cr.P.C, the Magistrate went to the place and knew the fact the petitioners were confined there and thereafter only the petitioners were remanded and at the time of remand the petitioners has stated that they sustained injuries and because of the extraordinary situation, prevailing in Thoothukudi are unable to prepare sureties and the police have not prepared arrest memo and they detained the petitioners in illegal custody and after noted by the Magistrate, the petitioner are produced to the learned Judicial Magistrate and at the time of remand the petitioners have stated about the



...8...

necessary medical treatment to be given to the petitioners and the petitioners also have no previous case and hence it is necessary to release the petitioners on own bail and the learned Public Prosecutor objected to release the petitioners on bail and considering the extraordinary situation prevailing in Thoothukudi and the it is not denied that the learned Magistrate also went to the place and taken the list and after that only the petitioners are produced before the Judicial Magistrate, the petitioners sustained injuries need proper and necessary medical treatment and there is no previous case against these petitioners and except Section 3 of TNPPDL Act other offences are bailable and the value of the damage not mentioned and there is no named accused in the FIR and the name and address of the petitioners are fully mentioned in the request for remand by the police and the petitioners sustained injuries and need for proper and necessary medical treatment immediately and the undertaking given by the the counsels appeared for the petitioners that the petitioners will not commit any kind of offence in future and hence considering the facts and situation of the case and extraordinary situation, it is necessary to release the petitioners on own bail in the interest of justice. The learned counsel for the petitioners has argued since 65 persons were detained and the learned Magistrate also recorded the injuries sustained by the petitioners at the time of remand, they may be released on bail with direction to the learned Magistrate to serve the bond to the jail authorities since the post office in Thoothukudi is not functioning. Hence it is necessary to direct the learned Magistrate to serve the bond to the jail authorities through special messenger since the post office is not functioning at Thoothukudi in this extraordinary

page 534  
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In the result the petitioners/accused are ordered to be released on bail on their executing own bond for Rs.10,000/- to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi with a condition that the petitioners/accused after release on bail, are directed to report before the concerned Judicial Magistrate on the first working day at 10.00 A.M of every English Calendar month from the date of their release until further orders.

Pronounced by me in the open court this the 24th day of May 2018.

Sd/- V.Charuhasani,  
Vacation Sessions Judge/  
Principal Sessions Judge,  
Thoothukudi.

-/t.c.f.b.o/-  
Sheristadar  
To

- > The Judicial Magistrate, ~~Sivakuntam~~ *No. III, Thoothukudi*
- > The Sub - Inspector of Police, Pudukottai P.S.,
- > **The Supdt. of District Jail, Perurani.**
- > The Advocate for the petitioner.

R.P.



*P. NO. 3077  
25-5-18*

*/True Copy/*

*Compared by: Y.F. Resance*

*Balagomapaty  
Head clerk 1/6/18.*

*Page 535  
1/6/18  
KTC*





**IN THE HIGH COURT OF MADURAI BENCH OF  
MADRAS HIGH COURT  
(Criminal Jurisdiction)**

**Cr.I.O.P. (MD) No. 9056 of 2018**

**Against**

**Cr.M.P.No. 1478 of 2018**

(On the file of the Learned Vacation Sessions Judge / Principal  
Sessions Judge, Thoothukudi )

The State, represented by  
The Inspector of Police,  
Pudukkottai Police Station,  
Thoothukudi District.  
Crime No. 165/2018.

... Petitioner / Complainant

-- : Vs : --

1. Manikandan, M/30/18,  
S/o. Karuppasamy,  
3E/15 Sundaravelpuram 6<sup>th</sup> St.,  
Tuticorin.
2. Seenivasan, M/37/18  
S/o. Gopalsamy,  
1/233 Arunjunai Nagar,  
Byepass Road,  
Near Nearthirumalai Mill,  
Avaniyapuram,  
Madurai.
3. Gopi Anand, M/25/18,  
S/o. Selvaraj,  
Krishnapuram 7<sup>th</sup> Street,  
Tuticorin.
4. Arul Micheal, M/43/18,  
S/o. Dharmaraj,  
67A, Vannar 2<sup>nd</sup> Street,  
Shanmugapuram,  
Tuticorin.
5. Sarai Muniyandi, M/32/18,  
S/o. Muthukannu,  
Keelatheru,  
Venkatachalapuram,  
Kulathur,  
Tuticorin.

- 2 -

6. Prem Kumar, M/23/18,  
S/o. Balaji,  
157, J.J.R. Nagar 4<sup>th</sup> Street,  
Konungaiyur,  
Chennai.
7. Selvaraj, M/50/18,  
S/o. Rajupillai,  
9F Ist Street,  
Selvanayakapuram,  
Tuticorin.
8. Mariappan, M/41/18,  
S/o. Sornaraj,  
14/B, Manaikavalan Street,  
Opp. Johnson School,  
Mattakadai,  
Tuticorin.
9. Raja Prabhu, M/25/18,  
S/o. Rajkumar,  
160C/37A, 5<sup>th</sup> Street,  
Kurinji Nagar,  
Tuticorin.
10. Maniraj, M/32/18,  
S/o. Masilamani,  
Kullampatti,  
Kallurani Post,  
Aruppukottai.
11. Kannan, M/35/18,  
S/o. Pichaikani,  
2/89, M.G.R. Nagar,  
Thalamuthu Nagar,  
Tuticorin.
12. Vimal, M/29/18,  
S/o. Miltus,  
226/A, Dhineshpuram,  
Bommaiyar Koil Area,  
Tuticorin.
13. Jothibas, M/22/18,  
S/o. Paulpandi,  
5/225, Ramachandrapuram,  
Palayakayal,  
Tuticorin.



- 3 -

14. Suresh, M/23/18,  
S/o. Perumal,  
5/172, Ramachandrapuram,  
Palayakayal,  
Tuticorin.
15. Prince Show, M/29/18,  
S/o. Antony,  
Poopalrayapuram 3<sup>rd</sup> Street,  
Near Sanjay Bakery,  
Tuticorin.
16. Ganesh, M/25/18,  
S/o. Shanmugam,  
2/135, Therukutheru,  
Agaram, Palayakayal,  
Tuticorin.
17. Palavesamuthu, M/27/18,  
S/o. Perumal,  
5/172, Ramachandrapuram,  
Palayakayal,  
Tuticorin.
18. Terrance Inpent, M/28/18,  
S/o. Spelman,  
Santhanamariammal Koil Street,  
Gurushpuram,  
Tuticorin.
19. Vimal Kumar, M/25/18,  
S/o. Veeranan,  
V.V. Puram,  
17/C, 4<sup>th</sup> Street,  
Tuticorin.
20. Ajith, M/22/18,  
S/o. Baskar,  
288 Siluvaiyarkoil Street,  
Direshpuram,  
Tuticorin.
21. Naresh, M/28/18,  
S/o. Jesuraj,  
281/72, Direshpuram,  
Thomaiyar koil Street,  
Tuticorin.
22. Ediston, M/26/18,  
S/o. Yonas,  
281/53, Direshpuram,  
Thomaiyarkoil Street,  
Tuticorin.

**Page No.3**

**Corrns:**

- 4 -

23. Viknesh, M/22/18,  
S/o. Ganapathy,  
163/4, Arockiapuram,  
Pavisri Nagar,  
Tuticorin.
24. Karuppasamy, M/22/18,  
S/o. Alagar,  
4/265, Keela Street,  
Pudhiyamputhur,  
Tuticorin.
25. Jesuraj, M/30/18,  
S/o. Selvaraj,  
1H/1211 C, Bharathi Street,  
Millarpuram 2<sup>nd</sup> Street,  
Tuticorin.
26. Thirupathi Alwar, M/24/18,  
S/o. Gopalakrishnan,  
103, Kumarar Street,  
Near Hyper Market,  
Tuticorin.
27. Daniel, M/43/18,  
S/o. Delinger,  
177A/1, Gurushpuram,  
Tuticorin.
28. Jeyaston, M/33/18,  
S/o. Mariajesu,  
175 H/5D/A, Direshpuram,  
Sanguli Colony,  
Tuticorin.
29. Joneson, M/25/18,  
S/o. Kandhasamy,  
KVK Nagar,  
Back to Muniasamy koil,  
Tuticorin.
30. Jeeva, M/51/18,  
S/o. Dharmalingam,  
100 Nandhagopalapuram,  
Tuticorin.
31. Vinoth Kumar, M/23/18,  
S/o. Marimuthu,  
3B, 380 Shanthinagar Ist Street,  
Tuticorin.

- 5 -

32. Balamurugan, M/26/18,  
S/o. Kumarasamy,  
2H/252, Kadirvel Nagar 2<sup>nd</sup> Street,  
Tuticorin.
33. Antonyraj, M/40/18,  
S/o. Marimuthu,  
12B/585, Siluvaipatti,  
Thalamuthu Nagar,  
Tuticorin.
34. Gunasekar, M/45/18,  
S/o. Chinnasithevar,  
Thalamuthu Nagar,  
Gunasingh Nagar,  
Tuticorin.
35. Muniasamy, M/26/18,  
S/o. Muthuvel,  
5/90, Vadakku Kalangarai,  
Korampallam,  
Tuticorin.
36. Seril, M/45/18,  
S/o. Penskir,  
Kalavasal,  
Direshpuram,  
Tuticorin.
37. John Samuel, M/23/18,  
S/o. Durairaj,  
AB 36, Devar Colony 2<sup>nd</sup> Street,  
Tuticorin.
38. Stalin, M/36/18,  
S/o. Alwin,  
199, North Raja Street,  
Mattakadai,  
Tuticorin.
39. Ayyappan, M/33/18,  
S/o. Pichaimani,  
584, Koosalipatti,  
Vishudass Colony,  
Kovilpatti,  
Tuticorin.
40. Mani, M/37/18,  
S/o. Palavesamuthu,  
3/78, Periyanaayakapuram,  
Tuticorin.



- 6 -

41. Selvam, M/27/18,  
S/o. Ravi,  
18, Panimaya Nagar 2<sup>nd</sup> Street,  
Tuticorin.
42. Balamurugan, M/32/18,  
S/o. Lakshmanan,  
49C, Selvanayagapuram 3<sup>rd</sup> Street,  
Tuticorin.
43. Davidson, M/25/18,  
S/o. David,  
79/10, Poopal Rayapuram 6<sup>th</sup> Street,  
Tuticorin.
44. Muthukumar, M/23/18,  
S/o. Mani,  
386A/7, George Street,  
Tuticorin.
45. Vicky @ Vignesh, M/24/18,  
S/o. Renganathamoorthy,  
Type 1 - 1/3, Camp - 1,  
Thermal Nagar,  
Tuticorin.
46. Suthagar Raj, M/37/18,  
S/o. Muthiah,  
42/1, Krishnarajapuram Ist Street,  
Tuticorin.
47. Nicholas Vinith, M/24/18,  
S/o. Jebamalai,  
2/93, Sebasthiar Street,  
Tharuvaikulam,  
Tuticorin.
48. Sakthivel, M/34/18,  
S/o. Selvaraj,  
1/102, Jeba Asir Nagar,  
Maravanmadam,  
Tuticorin.
49. Arul Sudhakar, M/28/18,  
S/o. Velraj,  
P & T Colony 4<sup>th</sup> Street,  
Tuticorin.
50. Selvam, M/28/18,  
S/o. Siluvairaj,  
Middle Street,  
Kulaiyankarisal,  
Tuticorin.

- 7 -

51. Sivasubramanian, M/30/18,  
S/o. Perumal,  
C19, Housing Board,  
Korampallam,  
Tuticorin.
52. Muniyasamy, M/34/18,  
S/o. Pattani,  
7/121, Indira Nagar,  
Thalamuthu Nagar,  
Siluvaipatti (Post)  
Tuticorin.
53. Stalin, M/27/18,  
S/o. Kaliyappan,  
132/1, Subbiah mudhaliarpuram 4<sup>th</sup> Street,  
Tuticorin.
54. Vallidurai, M/33/18,  
S/o. Karuppasamy,  
3/110, Therkutheru,  
Pudhupacheri,  
Ottapidaram Taluk,  
Tuticorin.
55. Shunmugaraj, M/23/18,  
S/o. Duraipandi,  
7/129, Middle Street,  
Kootampuli,  
Tuticorin.
56. Chandanaraj, M/40/18,  
S/o. Periyasamy,  
12/812, Samarviyas Nagar,  
Thalamuthu Nagar,  
Tuticorin.
57. Manikandan, M/35/18,  
S/o. Raj,  
12/621, Samarviyas Nagar,  
Thalamuthu Nagar,  
Tuticorin.
58. Marimuthu, M/22/18,  
S/o. Ulaganathan,  
12/826, Samarviyas Nagar,  
Thalamuthu Nagar,  
Tuticorin.
59. Balaguru, M/28/18,  
S/o. Esakimuthu,  
107/1D, TMB Colony,  
Tuticorin.

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60. Edwin, M/22/18,  
S/o. Aravind Jebakumar,  
12, Sathya Street,  
Mattakadai, Tuticorin.
  61. Marimuthu, M/22/18,  
S/o. Vallinayagam,  
19-K/1, Sundararamapuram,  
Tuticorin.
  62. Mathew Arunan, M/22/18,  
S/o. Jelastin,  
145/1, Direshpuram,  
Anna Colony, Tuticorin.
  63. Arul Mahesh, M/21/18,  
S/o. Antony Jupiter,  
4/265, Loudhammalpuram Ist Street,  
Tuticorin.
  64. Muniyadoss, M/22/18,  
S/o. Eswaran,  
5A/598, Sivandhakulam Middle Street,  
Murugankoil Street,  
Tuticorin.
  65. Micheal Athiban, M/20/18,  
S/o. John Sekar,  
4/153, Kurusadi Street,  
Tharuvaikulam,  
Tuticorin.
- ... Respondents/ Accused  
Nos. 1 to 65

**AFFIDAVIT FILED BY THE PETITIONER/  
COMPLAINANT**

I, R. Thirumalai, Son of Ramasamy Hindu, aged about 55 years serving as Inspector of Police, Pudukkottai District, Thoothukudi District, now temporarily come down to Madurai and do hereby solemnly affirm and sincerely state as follows :-

1. I respectfully submit that I am the petitioner herein as well as the investigation officer in this case as such I am well acquainted with the facts and circumstances of the case.



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2. I respectfully humbly submit, I approached this Hon'ble Court with the prayer to cancel the bail order granted in Cr.M.P.No. 1478/2018, Dated 24.05.2018 by the Hon'ble Vacation Session Judge / Principal Sessions Judge, Thoothukudi as null and void and hence the same is liable to set aside as its violated the principal of natural justice. I respectfully submit that a case has been registered by the petitioner's police station against the respondents / accused persons for the offence under sections 147, 148, 353 of IPC and under section 3 of TNPPDL Act.

The brief facts of the prosecution case is as follows :-

3. I respectfully submitted that the prosecution case is that on 22.05.2018, the defacto complainant in this case namely Thiru. Kavaskar, serving as Gr. I. police constable No. 209, attached with Murappanadu police station, Thoothukudi. When he along with other police officials were on bandobust duty near about Employment Exchange, at that time, the present respondents / accused herein unlawfully assembled and restrained the police vehicle and pelted stones in discriminately thereby caused damaged to the police vehicle and deterred the police from discharging their duty. A criminal case came to be registered for the offence under section 147, 148, 353 of IPC and Under Sec. 3 of TNPPDL Act before the Pudukkottai police station.

4. I respectfully submitted that the respondents / accused have arrested on 23.05.2018, by the petitioner during the course of investigation and they have been remanded to judicial custody on 24.05.2018. It is further submitted that, the respondents / accused have moved their bail application before the Learned Vacation Sessions Judge / Principal Sessions Judge, Thoothkudi on 24.05.2018 i.e., on the same day of their remand.

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5. It is submitted that the respondents/accused were produced before the Learned Judicial Magistrate after their arrest. The learned vacation Sessions Judge without giving any proper notice to refute the contention seeking grant of bail by the complainant / petitioner. However the Hon'ble Court granted bail to the respondents/accused and ordered to be released on bail on their executing own bond for Rs.10,000/- to the satisfaction of the learned Judicial Magistrate, Thoothukudi with a condition that the petitioners/accused after release on bail, are directed to report before the concerned judicial Magistrate on the first working day at 10 a.m. of every English Calender month from the date of their release until further orders is null and void and the same has to be set aside. Unless the above order of granting bail in Cr.M.P.No.1478/2018 is cancelled much prejudice will caused to the petitioner/complainant in maintaining the law and order situation.

7. I further respectfully submitted that the Learned Vacation Sessions Judge, Thoothukudi, while considering the application for their bail, without following any due process of law such as giving notice to the prosecution for grant of bail to the respondents / accused, allowed the bail application is totally erroneous and contrary to the provisions of criminal procedure code. Unless the order of granting bail to the respondents/accused is cancelled much prejudice would caused to the petitioner /complainant. Henceforth the present petition for cancellation of bail is filed on the following among other

#### **GROUND**

- i) The order of granting bail in Cr.M.P. No. 1478/2018 dated 24.05.2018 by the Vacation Sessions Judge / Principal Sessions Judge, Thoothukudi is erroneous and contrary to the settled position of law while granting bail to the accused under section 437, Cr.P.C.



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- ii) The order by releasing the respondents / accused on bail on their own bond on the same day is erroneous and untenable in the eye of law, as the respondents / accused are charged under section 3 of TNPPDL Act is punishable with extreme severity.
- iii) The learned Vacation Sessions Judge ought to have issued notice to the prosecution before the granting bail to the respondents / accused which is detrimental and in failure of such notice to the public prosecutor, which has deprived by the State its opportunity to explain the case of prosecution.
- iv) The Vacation Sessions Judge ought to have taken judicial notice of prevailing fact that an extraordinary situation at Thoothukudi District thereby granting bail of their own bond would lead the prosecution to secure the respondents / accused whenever their presence is required for interrogation purpose.
- v) The Vacation Sessions Judge, failed to note that by releasing the respondents / accused they would indulge in same nature of offence in future and also chances of tamper the prosecution case.
- vi) The Learned Vacation Sessions Judge taken note of the fact that these accused persons were formed part of unruly mob which indulged in destruction of public and private properties, which caused huge loss to the Government.
- vii) The Learned Judge ought to have assailed the present situation is still in volatile and it is the duty of state to protect life and limb of law abiding citizens and by enlarging the accused person on bail will be made difficult for the police to maintain law and order situation in and around Thoothukudi.



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Under these circumstances it is therefore prayed that this Hon'ble Court may be pleased to cancel the bail granted to the respondents / accused by the Learned Vacation Sessions Judge / Principal Sessions Judge, Thoothukudi in Cr.M.P.No. 1478/2018, Dated 24.05.2018 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

The contents of the above affidavit is read over by me and having satisfied and solemnly affirmed at Madurai on this the 30<sup>th</sup> day of May 2018 and affixed his signature in my presence

  
**Inspector of Police**  
**Pudukottal Police Station**  
**Thoothukudi Dist**

Before Me

Advocate

Last and Page No.12  
Corrns:

**FIRST INFORMATION REPORT**

முதல் தகவல் அறிக்கை  
(Under Section 154 Cr.P.C)  
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

**TAMIL NADU POLICE**

INTEGRATED INVESTIGATION FORM-I

C 8328396

Received at 9:00 PM Army residence

1. District: **THOOTHUKUDI** PS: **SIPCOT** Year: **2018** FIR No. **194** Date: **22-05-2018**  
மாவட்டம் காவல் நிலையம் ஆண்டு மு.த.அ. எண் நாள்

2. Act(s) சட்டம்  
INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860  
TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992  
TN PUBLIC PROPERTY (PRVNT.OF DAMAGE & LOSS) ACT, 1992

Sections பிரிவுகள்  
147  
148  
188  
353  
436  
506(2)  
3  
4

3. (a) Occurrence of Offence Day: **TUESDAY** Date From: **22-05-2018** Date To:  
குற்ற நிகழ்வு நாள் நாள் முதல் நாள் வரை  
Time Period: **On** Time from: **11.30 Hrs** Time To:  
நேர அளவு நேரம் முதல் நேரம் வரை

(b) Information received at PS. Date: **22-05-2018** Time: **19.30 Hrs** (c) General Diary Reference: Entry No(s)  
காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள் நேரம் பொது நாட்குறிப்பில் பதிவு விவரம் எண்

4. Type of Information: **WRITTEN** Time: நேரம்  
தகவலின் வகை நேரம்

5. Place of Occurrence: (a) Direction and Distance from PS: **SOUTH-WEST & 3.0 Km** Beat Number: **BEAT 3**  
குற்ற நிகழ்விடம் (அ) காவல் நிலையத்திலிருந்து எவ்வளவு தூரமும், எத்திசையும் முறைக் காவல் எண்

(b) Address: **தூத்துக்குடி FCI ROUNDANA மேம்பாலத்திற்கு கீழ் உள்ள ரோட்டில்**  
முகவரி

(c) In case, outside limit of this Police Station, then the Name of P.S.:  
இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின் அந்நிலையில், அந்த கா.நி பெயர் District:  
மாவட்டம்

6. Complainant/Informant (a) Name: **SELVAM** (c) Date/Year of Birth: நாள் / பிறந்த ஆண்டு (d) Nationality: **INDIA**  
குற்றமுறையிட்டாளர் / தகவல் தந்தவர் பெயர் நாள் / பிறந்த ஆண்டு நாட்டினம்

(b) Father's/Husband's Name : தந்தை / கணவர் பெயர்

(e) Passport No.: வெளிநாட்டு கடவுச்சீட்டு எண் Date of Issue: வழங்கப்பட்ட நாள் Place of Issue: வழங்கப்பட்ட இடம்

(f) Occupation: **POLICE OFFICER** தொழில்

(g) Address: **GR.I. 2449, KURUMPUR POLICE STATION ,, THOOTHUKUDI DISTRICT** முகவரி

7. Details of Known/Suspected/Unknown accused with full particulars தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றம் சாட்டப்பட்டவரின் முழுமையான விவரங்கள்

தூத்துக்குடி ஸ்டெர்லைட் ஆலைக்கு எதிராக போராடும் கலவரகும்பம்

8. Reasons for delay in reporting by the complainant/Informant: குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

9. Particulars of the properties stolen/Involved: களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் விவரம்

Property Name	Property Values	Description
MOTOR CYCLE	0	TN 72 G 783 TVS APACHE (GOVT. VEHICLE)

10. Total value of properties stolen/Involved: களவாடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு

11. Inquest Report/ Un-natural death Case No. If any: பிண விசாரணை அறிக்கை / இயற்கைக்கு மாறான இறப்பு எண் ஏதேனும் இருந்தால்

240-4(Type-1) 11,00,000 Cps.05-01-2017(HCL-12E)

PS: SIPCOT (THOOTHUKUDI) (v2.5d)

1

FIR No. 194

**12. FIR Contents :**

முதல் தகவல் அறிக்கையின் சுருக்கம்

பணிந்து சமர்ப்பிக்கிறேன்: இன்று 22.05.18 ம் தேதி தூத்துக்குடி சிப்காட் காவல் நிலைய உதவி ஆய்வாளர் முத்துமாலை ஆகிய நான் நிலைய அலுவலில் இருக்கும் போது தூத்துக்குடி மாவட்ட குரும்பூர் காவல் நிலையம் முதல்நிலை காவலர் 2449 திரு.எ.செல்வம். என்பவர் நிலையத்தில் ஆஜராகி கொடுத்த புகார்மனுவை பெற்று அவரின் புகார்மனுவின் தன்மைக்கேற்ப சிப்காட் காவல் நிலைய குற்ற எண்.194/18 u/s 147,148 ,188 ,353 ,436 ,506.(ii).IPC. & 3, 4 of TNPPDL Act, வழக்கு பதிவு செய்தேன். அதன் விபரம் பின்வருமாறு . அனுப்புநர். E. செல்வம். Gr.I.PC.2449. குரும்பூர் காவல் நிலையம், தூத்துக்குடி மாவட்டம். 9498195430. பெறுநர் காவல் ஆய்வாளர், சிப்காட் காவல் நிலையம், தூத்துக்குடி மாவட்டம். ஐயா, நான் குரும்பூர் காவல் நிலையத்தில் முதல் நிலை காவலராக பணிபுரிந்து வருகிறேன். தூத்துக்குடி ஸ்டெர்லைட் ஆலைக்கு எதிராக நடைபெறும் போராட்டத்தில் சட்ட ஒழுங்கு சீர்குலையாமல் இருக்க அழைக்கப்பட்ட பாதுகாப்பு அலுவலுக்காக TN 72 G 0783 TVS APACHIA என்ற இருசக்கரவாகனத்தோடு 21.05.18ம் தேதி மாலை தூத்துக்குடி மாவட்ட காவல் அலுவலகத்தில் பணிக்கு அறிக்கை செய்தேன். இன்று 22.05.18 ம் தேதி காலை 06.00 மணி முதல் தூத்துக்குடி TO திருநெல்வேலி ரோட்டில் FCI ரவுண்டானவில் என்னுடன் மனியாச்சி DSP மற்றும் கடம்பூர் ஆய்வாளர் மற்றும் 50 க்கும் மேற்பட்டோர் ஆலைக்கு எதிராக விடியோ கேமரா மூலம் போராடும் கலவர கும்பலை படம் பிடிக்கும் பணியில் FCI ரவுண்டானவில் பணியில் இருந்த எங்களை மிரட்டி பணி செய்ய விடாமல் தடுத்தும் FCI ரவுண்டானாவில் நிறுத்தி வைத்திருந்த 20 க்கும் மேற்பட்ட இரு சக்கர வாகனத்தை கலவர கும்பல் தீ வைத்து கொளுத்தி சேதப்படுத்தினர் மற்றும் TN 72 G 0783 எண்ணுடைய வண்டியையும் தீ வைத்து எரித்துவிட்டார்கள் எரித்ததில் எனது இரு சக்கர வாகனம் முழுவதும் எரிந்து சாம்பலாகி விட்டது. ஆகவே நடந்த சம்பவத்திற்கு நடவடிக்கை எடுக்கும்படி கேட்டுக் கொள்கிறேன். (S/d).ESelvam.Gr.I.PC.2449. Sir, Recieved the petition and registered a case in SIPCOT PS. Cr.No. 194/18 u/s 147,148 ,188 .353 , 436, 506(ii). IPC. & 3, 4 of TNPPDL Act, on 22/05/18. at 19.30 hrs. (S/d).ப.முத்துமாலை. சா.ஆ. C5.PS. 22.05.18.

இதன் அசல் முதல் தகவல் அறிக்கை மற்றும் வாதியின் புகார் மனுவையும் இணைத்து கானம் JM.NO.III நீதிமன்றம் தூத்துக்குடி அவர்களுக்கு அனுப்பியும் மற்ற நகல்களை சம்பந்தப்பட்ட அதிகாரிகளுக்கு அனுப்பியும் புலன்விசாரணைக்காக ஒரு நகலை சிப்காட் காவல் நிலைய ஆய்வாளர் திரு. M.அரிஹான் அவர்களுடன் பார்வைக்கு நிலையத்தில் வைத்தேன்.

13. Action Taken: Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered the case and Directed HARIHARAN M , INSPECTOR OF POLICE to take up the investigation.  
எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2 -ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து HARIHARAN M , INSPECTOR OF POLICE பணியாளரின் புலனாய்வுக்கு எடுத்துக்கொள்ள பணிக்கப்பட்டது

FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.  
மு.த.அ. குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக்கொள்ளப்பட்டு, அதன்படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது

*G. Mahesh Kumar*

14. Signature / Thumb Impression of the Complainant/Informant  
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

15. Date & Time of despatch to the court: 22-05-2018  
நீதிமன்றத்திற்கு அனுப்பப்பட்ட நாளும், நேரமும்

*M. Muthumalai* 22/5/18

Signature of the Officer in-charge, Police Station  
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

Name : MUTHUMALAI P  
பெயர்

Rank : SUB INSPECTOR No.:  
OF POLICE எண்  
நிலை

*M. Muthumalai*



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*MS*  
*HK*

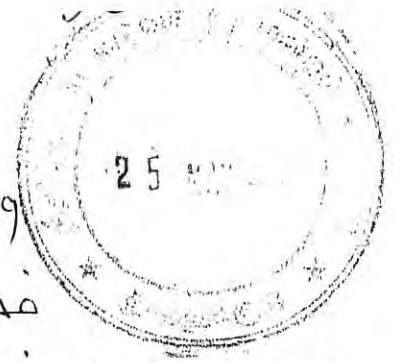
அனுப்புநர்

19A/18

E.செல்வம் CrI 2449

குருந்தூர் காவல் நிலையம்

தூத்துக்குடி - மாவட்டம் - 9498195430



பெறுநர்

உயர்க்கு காவல் ஆய்வாளர் அயர்க்கம்

செங்கட காவல் நிலையம்

தூத்துக்குடி மாவட்டம்

ஆய்வு:

நான் குருந்தூர் காவல் நிலையத்தில் முதல் நிலை

காவலராக பணியாற்றி வருகிறேன். தூத்துக்குடி மாவட்டம்  
காவலகத்தில் நேராக நடை செய்து மெட்ராட்டத்தில் சட்ட குற்றம்  
செய்துள்ளதாகவும் அங்கு சந்திக்கப்பட்ட பாதகம் அல்லது காரண  
Tn 72 G 0783 Tns Apache என்ற ஒரு சக்கர வாகனத்திற்கு  
21.05-18ல் அதே மாதம் தூத்துக்குடி மாவட்ட காவல் ஆய்வகத்தில்  
பணிக்க அறிக்கை அளிக்கப்பட்டது. தனது 22-05-18-ல் அதே  
மாதம் 06.00 மணி முதல் தூத்துக்குடி TO சித்திரை வெளி தேவியல்  
FCI இயக்குநரகத்தில் அங்குள்ள பக்கவாதி TSP பஞ்சம் கடமையுள்  
ஆய்வாளர் பஞ்சம் 50 க்கும் மேற்பட்டவர் பணியில் குற்றம்  
செய்தார் 11:30 மணியளவில் அங்கு மாவட்ட காவலகத்திற்கு அறிக்கை  
மேலும் காவலர் உட்பட FCI இயக்குநரகத்தில் பணியில் குற்றம்  
பெறும் விடயம் பணி நெய் உட்பட இரண்டு FCI இயக்குநர்  
அளவில் திருத்தி தயாரிக்கப்பட்ட மேலும் ஒரு சக்கர வாகனத்தை  
காவலர் குடியில் கிழைத்து அங்குள்ள தேவியல் திரை வெளி மாவட்ட  
TN72 G 0783 அங்குள்ள உண்மையான கிழைத்து அறிக்கை அளிக்க  
பெறும். அங்கு 50 க்கும் மேற்பட்ட வாகனம் குற்றம்

பெறு  
[Signature]



നീക്കം ചെയ്യാൻ വിട്ടുപോയ കേസുകളിൽ  
മുൻകൈയെടുത്തു നടപടികൾ  
എടുക്കേണ്ടതാണ്.

E. Jahan GF 2444

Sir Received the petition and registered a case  
in SIPCOT PS Crime 194/18, U: 147, 148, 188, 353, 436,  
506 & 7A and 3, 4 of TNPPDL Act. on 22/05/18 at  
19-30 hrs. J. Mahesh An-28.  
SIPS 22/5/18

Received  
SIPS  
/





TAMILNADU POLICE



## PRAYER FOR REMAND

SUBMITTED BEFORE THE HON'BLE COURT OF JUDICIAL MAGISTRATE-III -  
THOOTHUKUDI

STATE REPRESENTED BY  
INSPECTOR OF POLICE  
SIPCOT POLICE STATION

VS

ACCUSED DETAILS:

A-1	MAHESH ALAIS MAHESKUMAR, aged 30/2018, S/O.MURUGAN, 2/39 WEST STREET SOUTH VEERAPANDIYAPURAM, THOOTHUKUDI DISTRICT
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REF: Cr. No 194/2018 U/s 147,148,188,353,436,506(2) IPC, 3,4 TNPPDL ACT  
SUB: CASES - CRIMINAL CASES - REQUESTING REMAND FOR THE ACCUSED - REG.

Prayer For Remand:

பணிந்து சமர்ப்பிக்கிறேன்.

இவ்வழக்கின் வாதி செல்வம்தூத்துக்குடி மாவட்டம் குரும்பூர் காவல் நிலையத்தில் முதல் நிலைக்காவலராக பணிபுரிந்து வருவதாகவும், தூத்துக்குடி மாவட்டத்தில் ஸ்டெர்லைட் ஆலைக்கு எதிராக நடைபெறும் போராட்டத்தில் சட்ட ஒழுங்கு சீர்குலையாமல் இருக்க அழைக்கப்பட்ட பாதுகாப்பு அலுவலுக்காக அவருடைய TN 72 G 0783 TVS APACHI என்ற இரு சக்கர வாகனத்தில் 21.05.18 ம் தேதி காலை தூத்துக்குடி மாவட்ட காவல் அலுவலகத்தில் வீடியோ பதிவு செய்யும் பணிக்கு அறிக்கை செய்ததாகவும், 22.05.18 ம் தேதி காலை 06.00 மணி முதல் தூத்துக்குடி TO திருநெல்வேலி செல்லும் FCI ரவுண்டானா நெடுஞ்சாலையில் பாலத்தின் கீழ்புறம் மணியாச்சி துணை கண்காணிப்பாளர் திரு. ஞானசம்மந்தம் மற்றும் காவல் அதிகாரிகளுடன் பணியில் இருக்கும்போது சுமார் 11.30 மணிக்கு FCI ரவுண்டானாவில் வீடியோ கேமிரா எடுக்கும் பணி செய்து கொண்டிருந்தபோது அங்கு ஸ்டெர்லைட் ஆலைக்கு எதிராக போராட்டத்தில் தூத்துக்குடி மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்திற்கு அனுமதி மறுக்கப்பட்டு 144 தடை உத்தரவு பிறப்பிக்கப்பட்டுள்ளது என்று தெரிந்தும் தடை உத்தரவை மீறி போராட்டகாரர்கள் ஊர்வலமாக வந்து கொண்டிருந்த சுமார் ஆயிரக்கணக்கான மக்கள் ஸ்டெர்லைட் ஆலைக்கு எதிரான போராட்ட

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காரர்கள், மக்கள் அதிகாரம், நாம் தமிழர் கட்சி, புரட்சிகர இளரஞர் முன்னனி அமைப்பு மற்றும் இதர அமைப்புகளை சேர்ந்தவர்கள் மூடு மூடு ஸ்டெர்லைட்டை மூடு என்று ஆவேசமாக கோசங்கள் போட்டும் அரசுக்கு எதிரான கோசங்கள் எழுப்பி போராட்டத்தை கலவரமாக மாற்றி வந்தவர்களை மாவட்ட ஆட்சியர் அலுவலகத்திற்கு செல்ல விடாமல் தடுத்த பாதுகாப்பு பணியில் இருந்த போலீஸ் பார்ட்டிகள் மீது கலவர கும்பல் கற்கலால் எறிந்ததாகவும், அவர்கள் கையில் வைத்திருந்த கம்பு, கம்பி போன்ற ஆயுதங்களை காட்டி எங்கள் போராட்டத்தை தடுத்தால் உங்களை அடித்தே கொண்டு விடுவோம் என்று ஆவேசமாக சத்தம்போட்டு போலீஸ் பார்ட்டிகளை மிரட்டி விரட்டியதாகவும், மேற்படி போலீஸ் பார்ட்டிகள் உயிருக்கு பயந்து அங்கிருந்து ஓடியதாகவும், பணிக்கு வந்த போலீஸ்காரர்கள்திறுத்தி வைக்கப்பட்டிருந்த வாகனங்களை கலவரகும்பல் தீவைத்து கொழுத்தியதாகவும், அங்கு நிறுத்திவைக்கப்பட்டிருந்த வாகனங்கள் அனைத்தும் தீயில் எரிந்து சேதமாகிவிட்டதாகவும், புகார்தாரர் பின்னர் வந்து பார்த்த போது அவருடைய இரு சக்கர வாகனமும் எரிந்து சேதமாகிவிட்டதாகவும், மேலும் பொது அமைதிக்கு பங்கம் விளைவித்து அவர்களை அரசு பணி செய்யவிடாமல் சட்டவிரோதமான கலவரகும்பல் போலீஸ்காரர்களை கற்கலால் எறிந்தும் அரசு சொத்துக்களுக்கு தீவைத்தும் பலத்த சேதங்கள் உண்டுபண்ணியதாகவும் மேற்படி கலவர கும்பல்காரர்கள் மீது நடவடிக்கை எடுக்கவேண்டி 22.05.18 ம் தேதி 19.30 மணிக்கு வாதி சிப்காட் காவல் நிலையம் ஆஜராகி கொடுத்த எழுத்து மூலமான புகாரை பெற்று சிப்காட் காவல் நிலைய குற்ற எண்: 194/18, U/S. 147, 148, 188, 353, 436, 506 (II) IPC and 3, 4 of TNPPDL Act படி வழக்கு பதிவு செய்து உயர் அதிகாரிகளுக்கு அனுப்பி விட்டு நிலைய காவல் ஆய்வாளர் அவர்கள் மற்றொரு வழக்கு சம்மந்தமாக விசாரணை மேற்கொண்டுள்ளதால் தொடர்ந்து ஒரு நகலை உதவி ஆய்வாளர் திரு.முத்துமாலை விசாரணைக்கு எடுத்துக்கொண்டு 22.05.18ம் தேதி சம்பவம் இடம் சென்று இரவு 08.00 மணிக்கு சம்பவ இடமான FCI ரவுண்டானா சென்று அங்கு வந்த அழைப்பு சாட்சிகள் முன்பு சம்பவ இடத்தில் உள்ள லைட் வெளிச்சம், சர்ச் லைட் வெளிச்சம், வாகனத்தின் முன் முகப்பு வெளிச்சத்தில் பார்வையிட்டு அதன் விபரத்திற்கு ஒரு பார்வை மகஜரும் மாதிரி வரைபடமும் தயார் செய்துள்ளார் அப்பால் சம்பவ சாட்சிகளை விசாரித்தும் காவல் நிலையத்தில் வைத்து வாதி மற்றும் சம்பவத்தை நேரில் பார்த்த சாட்சிகளை விசாரணை செய்தும் 161(3) குவிமுச வாக்குமூலம் பதிவு செய்துள்ளார். சாட்சிகளின் வாக்குமூலங்களில் இருந்து உதவி ஆய்வாளர் திரு.முத்துமாலை ரகசிய விசாரணையில் இருந்தும் இவ்வழக்கின் வாதி 22.05.18ம் தேதி காலை 06.00 மணி முதல் FCI ரவுண்டானா பகுதியில் பணியில் இருந்த போது சுமார் 11.30 மணியளவில் ஸ்டெர்லைட் ஆலைக்கு எதிராக போராடும் கலவரகும்பல் FCI ரவுண்டானாவில் பாதுகாப்பு பணிக்கு இருந்த காவலர்களை கல்லால் எறிந்து விரட்டியதால் அங்கும் இங்குமாக ஓடிய போது எதிரி மற்றும் அவனுடன் வந்த நண்பர்களும் சேர்ந்து கல்லால் எறிந்ததில் சிலருக்கு காயங்கள் ஏற்பட்டும்.



பாலத்திற்கு கீழ் இருபுறமும் பாதுகாப்பு வந்த காவலர்கள் நிறுத்தியிருந்த வாகனங்களையும் அதில் சில அரசு இரு சக்கர வாகனங்களையும் போராட்டகாரர்கள் தீயினால் எரித்து சேதம் உண்டுபண்ணியுள்ளார்கள்.

மேலும் தூத்துக்குடி மாவட்டத்தில் தற்சமயம் நடந்த போராட்டத்தில் சிப்காட் காவல் நிலைய சரகத்திற்கு உட்பட்ட குற்ற வழக்குகள் சம்பந்தமாக தூத்துக்குடி மாவட்ட காவல் துறை கண்காணிப்பாளர் அவர்கள் நடவடிக்கை உத்தரவுபடி 01.06.18ம் தேதி முதல் சிப்காட் காவல் நிலைய குற்ற எண் 194/18 u/s 147,148,188, 353, 436, 506 (ii) IPC and 3, 4 of TNPPDL ACT படி உள்ள வழக்கின் விசாரணை அதிகாரி ஆவேன் மேற்படி எதிரியான மகேஷ் என்ற மகேஷ்குமாரை வழக்கு சம்பந்தமாக காவல் நிலைய சார்பு ஆய்வாளர் திரு. முத்துமாலை என்பவர் உடன் பலமுறை தேடி வந்த நிலையில் இன்று 10.06.18 ம் தேதி எங்களுக்கு கிடைத்த ரகசிய தகவல் படி தெற்குவீரபாண்டியபுரம் பஸ் ஸ்டாப் அருகில் நின்று கொண்டிருந்த எதிரியை சார்பு ஆய்வாளர் அடையாளம் காட்டி கூறவும் 12.30 மணிக்கு மேற்படி எதிரியிடம் வழக்கு பற்றிய விபரத்தினை கூறி கைது செய்தும், கைது பற்றி உறவினர்களுக்கு தகவல் தெரிவித்தும், உச்சநீதி மன்ற கட்டளைகளை நிறைவேற்றியும், அழைத்தன் பேரில் வந்த ஆஜர் சாட்சிகள் முன்பு வைத்து எவ்வித துண்புறுத்தலோ, தூண்டுதலோ, இன்றி, விசாரிக்க தானாக முன் வந்து எதிரி கொடுத்த ஒப்புதல் வாக்குமூலத்தினை பதிவு செய்தும், அதே இடத்தில் வைத்து ஒப்புதல் வாக்குமூலத்தில் சாட்சிகளிடம் கையெப்பம் பெற்றும் 14.30 மணிக்கு எதிரி சகிதம் நிலையம் வந்து திரேக பரிசோதனை செய்து நிலைய பாரா வசம் ஒப்படைத்தேன்.

மேலும் எதிரி கைது பற்றி நிலைய ஆவணங்களில் பதிவு செய்தும் மேலும் எதிரி அவர்களது நண்பர்களுடன் சேர்ந்து 7 ஆண்டுகளுக்கு மேல் தண்டனை பெறக்கூடி குற்றம் புரிந்திருப்பதாலும் மேற்படி காவல் நிலைய குற்ற எண் 1)45/18 U/S 147, 148, 294(b), 506(ii) IPC 2)46/18 U/S 147, 148, 294(b), 506(ii) IPC 3) 119/16 U/S 147, 148, 341, 294(b), 353, 506(ii) IPC and 3 of TNPPDL Act 4)141/18 U/S 147, 148, 341, 294(b), 352, 506(ii) IPC and 3 of TNPPDL Act 5)156/18 U/S 143, 148 IPC வழக்குகளில் எதிரியாக சம்பவத்தின் போது உடன் இருந்தும் வழக்கின் தேடி வந்த போது தலைமறைவாகியும் மேற்படி வழக்கின் முன் ஜாமீன் எதும் நீதிமன்றம் மூலம் பெறாமலும் தொடர்ந்து தலைமறைவாகி இருந்து வந்துள்ளார் எனவே இவ்வழக்கின் மேலே குறிப்பிட்டுள்ள எதிரியை பிணையத்தில் விடுவித்தால் இதுபோன்று குற்ற சம்பவங்களில் தொடர்ந்து ஈடுபடக்கூடும் என்பதாலும் வெளிநாடு சென்று தப்பித்து செல்லக்கூடும், இதுபோன்று பொது மக்களின் அமைதியை குலைத்து சமூக அமைதிக்கு சீர்குலைவு ஏற்படுத்தக்கூடும் என்பதாலும் தங்கள் முன்பு கைதி வழக்கில் மூலம் ஆஜர்படுத்தப்படும் எதிரிக்கு காவல் அடைப்பு தந்து வழங்குமாறு

SIPCOT(v2.5d) : 194/2018





வேண்டுகிறேன்.

*[Signature]*

Signature of IO:  
BALAMURUGAN K S  
INSPECTOR OF POLICE  
Tenkasi

Investigation Officer.

10.06.2018 at 11.00 PM

Aswipudu before me  
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Pani to Jui case #11

அய்யா,  
நாடல் அலாய்யம்  
இலட்ச சீட உதவையம்  
இலாய்யம் ரொந்த  
கொண்டேன்.

சுய்யா

அய்யா,  
கொய்யம்,  
வாரணலயம் ரொந்த  
கொண்டேன்

① *[Signature]*

② *[Signature]*

22.06.2018

*[Signature]*  
10.6.18

Copy of the FIR furnished  
IT necessary /

Completed by. *[Signature]*

*[Signature]*  
Head Clerk

*[Signature]*

C.A. No. : 367

Advocate Name : *mani kanchan*

Name of the

Court : J.M.No. III Court, *Th*

Case No.

: *J.M.No. 194/18*

Document :

*FIR, complaint, Remand Report*

C.A. Number

: 367

Date of Receipt

: 12.6.18

Date of Grand

: 14.6.18

Addl Called for

: -

Addl Received

: -

Date of Ready

: 18.6.18

Date of Delivery

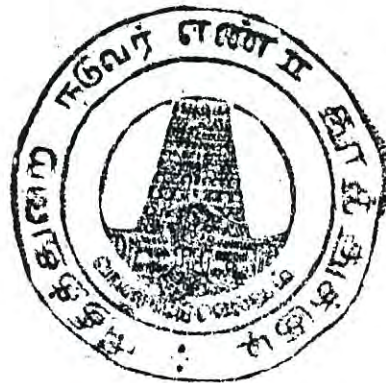
: 18.6.18

By order

*R. Subramanyam*  
18/6/18

HEAD CLERK

Judicial Magistrate No. III Court  
Thoothukudi





**காவல் நிலையத்தில் தமது உண்மைகளை அறிவித்துக் கொடுக்கும் அபாயம் முன்பாக  
பணிந்து வழங்கப்படுகிறது**

பொருள் : பார்வையில் கண்ட வழக்கில் போலீஸ் காவலுக்கு  
எடுக்கப்பட்ட மார்ஜினில் கண்ட எதிரியை நீதிமன்றத்தில்  
ஆஜர் செய்வது தொடர்பாக  
பார்வை : தூத்துக்குடி சிப்காட் காவல் நிலைய குற்ற எண்: 2018  
US 147, 148, 149, 150 IPC & P.O. (NPPDL) ACT.

21/11/18

**எதிரிகள்**

- மகேஷ் மகேஷ்குமார் வயது 30/15
- தம்பி முருகன்
- 2009 மேலத்தெரு
- தெற்கு வீரபாண்டியாபுரம்,
- தூத்துக்குடி

பார்வையில் கண்ட வழக்கில்  
பொருளிய மார்ஜினில் கண்ட  
எதிரியை தங்கள் மேலான நீதிமன்றம்  
முலம் 2018 ம் தேதி 1600 மணிக்கு  
போலீஸ் காவலுக்கு எடுத்து 1600  
மணிக்கு தூத்துக்குடி அரசு  
மருத்துவக்கல்லூரி மருத்துவமனையில்  
மருத்துவ பரிசோதனை செய்து 16.45  
மணிக்கு சிப்காட் காவல் நிலையம்

கொண்டு வந்து வழக்கு சம்மந்தமாக சாட்சிகள் முன்னிலையில் சிப்காட் காவல்  
நிலையத்தில் வைத்து 17.00 மணிக்கு மகேஷ் மகேஷ்குமார் என்பவரிடமும்  
விசாரிக்கும் போது எதிரி எந்தவித துன்புறுத்தல் இல்லாமல் தானாக முன்வந்து  
ஒப்புதல் வாக்குமூலம் கொடுத்தார் மேற்படி ஒப்புதல் வாக்குமூலத்தை  
சாட்சிகள் முன்னிலையில் பதிவு செய்து மேற்படி ஒப்புதல் வாக்குமூலத்தில்  
வழக்கிற்கு கைப்பற்றக்கூடிய பொருட்கள் எதுவும் பற்றி வாக்கு மூலம்  
கொடுக்காததால் சிப்காட் காவல் நிலைய ஆவணங்களில் பதிவு செய்து  
எதிரிக்கு போதிய ஓய்வு கொடுத்து, உணவு கொடுத்து அப்பால் எதிரியை  
தூத்துக்குடி அரசு மருத்துவ கல்லூரி மருத்துவமனைக்கு அழைத்து சென்று  
மருத்துவ வசதி செய்து தங்களது மேலான நீதிமன்றத்தில் ஆஜர் செய்கிறேன்  
என்ற விபரம் பணிந்து அறிக்கை.

21-7-18  
INSPECTOR OF POLICE  
KANNIYAKUMARI PS



ஒப்புதல் வாக்குமூலம்  
 இன்று 02.07.18 ம் தேதி மாலை 15:00 மணிக்கு கன்னியாகுமரி மாவட்டம் கன்னியாகுமரி காவல் ஆய்வாளர் ஜெயலட்சுமி ஆசியநான், மாண்புமிகு குற்றவியல் நீதித்துறை நடுவர் எண் 11 தூத்துக்குடி நீதிமன்ற குற்றவியல் பல்வகை மனு எண் 8275/2018 நான் 02.07.2018 ல் கண்ட உத்தரவு படி தூத்துக்குடி மாவட்டம் சிப்காட் காவல் நிலைய குற்ற எண் 270/18 w/o 147,148,188,436. PC & Sec 3 & 4 of N.P.S. Act வழக்கின் எதிரி திருமகேஷ் என்ற மகேஷ்குமார் வயது-30/2018 த/பெ.முருகன், 239, மேலத்தெரு, தெற்கு வீரபாண்டியாபுரம் தூத்துக்குடி என்பவரை 02.07.18 அன்று மாலை 03:00 முதல் 03:07.18 மாலை 05:00 வரை போலீஸ் காவலில் வைத்துக் கொள்ள அனுமதி பெற்று மேற்படி எதிரியை 18:00 தூத்துக்குடி அரசு மருத்துவமனை சென்று எதிரிக்கு மருத்துவ வசதி செய்து 16:45 மணிக்கு சிப்காட் காவல் நிலையம் கொண்டு வந்து போதிய ஓய்வு கொடுத்து இன்று 02.07.18 ம் தேதி மாலை 17:00 மணி அளவில் அழைப்பு சாட்சிகள் சக்திவேல் வயது 49/18 த/பெ.சின்னத்துரை கோக்கூர் 13/10 கோக்கூர் தூத்துக்குடி 2) பழனிசாமி வயது 69/18 த/பெ.காசி 13/10 கோக்கூர் தூத்துக்குடி ஆசிரியர்கள் முன்னிலையின் வழக்கின் வழக்கின் எப்பவம் பற்றி விசாரிக்க எதிரி மகேஷ் என்ற மகேஷ்குமார் எவ்வீத தூண்டுதலோ, தூன்பறுத்தலோ, அச்சுறுத்தலோ, ஆசைவார்க்கையோ இன்றி தானாக முன்வந்து கொடுத்த ஒப்புதல் வாக்குமூலம்

எனக்கு சொந்தஊர் தூத்துக்குடி மாவட்டம் தெற்குவீரபாண்டியாபுரம் மேற்கு தெரு ஆகும் என அப்பா பெயர் முருகன் எனது அம்மா பெயர் மாரியம்மாள் எனக்கு திருமணமாகி ஒரு வருடமாகிறது எனது மனைவி பெயர் ஜெயலட்சுமி முத்தமிழ் முருகன் என்ற 2.1/2 வயது மகனும் இருக்கிறார்கள் நான் v.v. டைடானியம் கம்பெனியில் ஒப்பந்த தொழிலாளியாக வேலை செய்து வருகிறேன். இந்து சைவபிள்ளை ஜாதியை சேர்ந்தவன். நான் தூத்துக்குடி வஉசி கல்லூரியில் BA வரலாறு படித்துள்ளேன். எங்கள் ஊரில் உள்ள ஜாதிகாரர்களிடமும் நான் சகாசமாக பழகுவேன் எனக்கு சீமான் கட்சியான நாம் தமிழர் கட்சி கொள்கைகள் பிடிக்கும் அதுபோல கூட்டங்களில் நாம் தமிழர் கட்சி தலைவர் பேச்சும் ரொம்ப பிடிக்கும் அவரது கூட்டங்களில் கலந்து கொள்வேன். என்னுடைய கைபேசி எண் 9791123059 ஏட்டெல் பர்பெய்டு என்னுடைய பெயரில் உள்ளது எனது வாட்சப் ப்ரூப் டெர்லைட் எதிர்ப்பு கிராம கட்சி என்னுடைய பேஸ் புக ஐடி வீரபாண்டி மகேஷ் என்னுடைய ஈ மெயில் ஐடி maheshmahesh307@gmail.com தூத்துக்குடி மதுரை பைபாஸ் ரோட்டில் ஸ்டெர்லைட் தாமிர கம்பெனி இயங்கி வருகிறது அந்த கம்பெனியினால் சுற்றுவட்டார பகுதியில் உள்ள நிலத்தடிநீர் மாசுபட்டு விவசாயம் எதுவும் இல்லை. கேன்சர் போன்ற நோய்கள் ஏற்பட்டு மக்களும் பாதிப்படைஞ்சிட்டு வந்தாங்க. இப்படியே ஆலை இயங்கிச்சின்னா அந்த வரியாவே சுகொடு ஆகிரும் அதனால் ஆலையை நிரந்தரமாக மூடவேண்டி ஸ்டெர்லைட் ஆலையைக்கு அருகில் உள்ள எங்க ஊரு A குமரெட்டியாபுரம், மடத்தூர் முருகேசநகர் பண்டாரம்பட்டி, சில்லர்புரம்.



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 காவலி புத்தெரு மற்றும் தூத்துக்குடி சேர்ந்த மக்கள் சுமார் 15 ஆண்டுகளாக  
 போராட்டங்கள் நடத்தி வந்தார்கள். நானும் எங்கள் நாம் தமிழர் கட்சியை  
 சேர்ந்தவர்களும் அந்த போராட்டங்களில் கலந்துகொண்டு போராடி வந்தோம். ஆனால்  
 அரசாங்கம் ஸ்டெர்லைட் ஆலையை மூட எந்த நடவடிக்கையும் எடுக்கவில்லை.  
 மாவட்ட ஆட்சியரிடமும் பலமுறை மனு கொடுத்தோம். எந்த பதிலும் இல்லை. அப்பப்ப  
 ஸ்டெர்லைட் கம்பெனியில் இருந்து ஆலையை மேலும் விரிவாக்கம் செய்ய  
 மாவட்ட மக்கள் கூட்டணி என்ற பெயரில் அமைப்பு தொடங்கி போராடி வந்தோம்.  
 இந்த (2018) ஆண்டு கடந்த பிப்ரவரி மாதத்தில் ஸ்டெர்லைட் விரிவாக்கத்திற்கு எதிராக  
 சுற்றுலா துறைமுக சேர்ந்த மக்கள் A குமரேசுவரத்தின் பந்தல் அமைத்து  
 தொடர் உண்ணாவிரத போராட்டத்தில் ஈடுபட்டனர். அதில் நானும் எங்கள் ஊரைச்  
 சேர்ந்தவர்களும் A குமரேசுவரம் ஊருக்கு அரசாங்கத்தில் இருந்து ஆழ்தள  
 சின்று சத்தப்படுத்த வந்தவர்களை நாங்கள் பணி செய்யவிடாமல் தடுத்து அவர்களை  
 அவதூறாக பேசி திருப்பி அனுப்பிவிட்டோம். அதன் பின்பு உயர் அதிகாரிகளுடன்  
 வந்து வேலை செய்தவர்களை மீண்டும் ஏசி அவர்கள் பயன்படுத்திய பைப்பை  
 பிடுங்கி உடைத்துபோட்டு அவர்களை மிரட்டி தடுத்தோம். அப்போது அங்கு  
 பாதுகாப்புக்கு இருந்த காவல் துறையினர் எங்களை சத்தம்போட்டு அனுப்பினர்.  
 அதனால் என் மீது சிப்காட் கவால் நிலையத்தில் வழக்கு பதிவு செய்தார்கள். பின்  
 உண்ணாவிரதப்போராட்டத்திற்கு தமிழகத்தில் இருந்து பல்வேறு கட்சி மற்றும்  
 அமைப்பைச் சேர்ந்தவர்கள் நேரடியாக கலந்து கொண்டு போராட்டத்திற்கு அதரவு  
 தெரிவித்து வந்தனர். ஆனால் ஸ்டெர்லைட் விரிவாக்க பணி தொடர்ந்து நடைபெற்று  
 வந்ததால் அதனால் ஸ்டெர்லைட் எதிர்ப்பு தூத்துக்குடி மாவட்ட மக்கள் கூட்டணி என்ற  
 பெயரில் அமைப்பு தொடங்கி போராடி வந்தோம். அந்த அமைப்புக்கு பாத்திமாபாய்  
 என்பவர் தலைவராக செயல்பட்டு வந்தார். அதில் கிருஷ்ணமூர்த்தி வணிகர்சங்கம்  
 தூத்துக்குடி வழக்கறிஞர் அரிசாக்கவன் வழக்கறிஞர் ராஜேஷ் நான் மற்றும் சிலர்  
 போராட்டத்திற்கு ஆதரவு கேட்டு மீனவ கிராமங்களுக்கு சென்று ஆதரவு கேட்டோம்.  
 எங்கள் போராட்டம் குறித்த நிகழ்வுகளை அப்பப்ப வாட்ஸ்அப், பேஸ்புக் மூலம்  
 ஊறுப்பினர்களுக்கு தெரியப்படுத்தி கூட்டத்தை கூட்டி அடுத்தக்கூட்ட நடவடிக்கை பற்றி  
 முடிவெடுப்போம். 20.03.18 ம் தேதி நீதிமன்ற அனுமதி பெற்று கண்டன பொதுகூட்டம்  
 நடத்தினோம். அடுத்தக்கூட்ட நடவடிக்கை பற்றி முடிவெடுக்க கடந்த 21.04.2018 ம் தேதி  
 எங்கள் ஸ்டெர்லைட் எதிர்ப்பு தூத்துக்குடி பெல் ஹோட்டலில் ரகசிய  
 கூட்டம் நடத்தினோம். கூட்டத்தில் தலைவர் பாத்திமாபாய் தூத்துக்குடி, SM புரத்தை  
 சேர்ந்த வழக்கறிஞர் அரிசாக்கவன் தூத்துக்குடி முத்தையாபுரம், நாம் தமிழர் கட்சியை



சேர்ந்த வேல்ராஜ் கந்தாவேல்புரம் இசக்கிதுரை தூத்துக்குடி திரைப்புரம் விளாபட்டு தொழிலாளர் சங்க கலைவர் ஜானகன் திரைப்புரம் சங்க குறிசங்க கலைவர் இசக்கிமுத்து திரைப்புரத்தை சேர்ந்த தினாரி ஆண்டன் குமரெட்டியாபுரத்தை சேர்ந்த வெள்ளத்தாய் பாப்பம்மாள், மடத்தூர் பொன்பாண்டி, மடத்தூர் காமராஜ், மடத்தூர் செவ்வராஜ், பண்டாரம்பட்டி சகாயம், முத்தம்மாள் காலனி ரெங்கநாதன் தூத்துக்குடி முன்றாவதுமைல், சகாயம், கண்ணன் தூத்துக்குடி, மத்திய வியாபாரிகள் வர்த்தகசங்க செயலாளர் பாஸ்கர் ஆகியோருடன் நானும் இன்னும் சிலரும் கலந்து கொண்டோம் கூட்டத்தில் தலைவர் பாத்திமாபாபு நாம் இதுவரை போராட்டம் நடத்தியும் அதை மாவட்ட நிர்வாகம் கண்டு கொள்ளவில்லை அதனால் நாம் 100 வது நாள் போராட்டத்தின்போது மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிட வேண்டும் அப்படி முற்றுகையிடும்போது மாவட்ட ஆட்சியர் அலுவலகத்தை அடித்து நொறுக்கி தீவைத்து கொழுத்தி நாடே நம்மள திரும்பி பார்க்குமாறு செய்யவேண்டும் அதனால் அன்று நாம் எல்லோரும் சேர்ந்து போராட்டம் என்ற பெயர்ல கூட்டத்தோடு கூட்டமாக போகவேண்டும் நம்மள போலீஸ் தடுத்தால் போலீஸை அடித்து விரட்ட வேண்டும் போலீஸ் வண்டிகளையும் தீ வைத்து கொழுத்த வேண்டும். அதுபோல ஸ்டெர்லைட் குவாட்டர்சையும் அங்கு வேலை செய்பவர்களின் கார், மோட்டார் சைக்கிள்களையும் பெட்ரோல் குண்டு வீசியும், தீ வைத்து கொழுத்தியும் எரித்து சேதப்படுத்த வேண்டும். அவ்வாறு செய்யும்போது தான் நம்ம பலம் என்னென்று அரசாங்கத்துக்கு தெரியும் நாடே நம்மள திரும்பி பார்க்கும் என்று பேசினாங்க கூட்டத்தில் கலந்துகொண்ட நாங்க

21/11/18  
எல்லாம் அப்படியே செய்வோம் என்று கலைந்துபோனோம். அதன்பிறகு 30.04.2018 -ம் தேதி அதே பெல் ஹோட்டலில் சாயங்காவம் ஸ்டெர்லைட் எதிர்ப்பு போராட்டக்குழு தலைவர் பாத்திமாபாபு என்பவர் தலைமையில் ரகசிய கூட்டம் நடந்தது கூட்டத்தில் தூத்துக்குடி தெர்மல்நகர், வியாபாரிகள் சங்க பொருளாளர், ராஜா, முத்தையாபுரம், நாம் தமிழர் கட்சியை சேர்ந்த, வேல்ராஜ் கந்தாவேல்புரம் இசக்கிதுரை, தூத்துக்குடி, நாம் தமிழர் கட்சியை சேர்ந்த பாக்கியராஜ் தூத்துக்குடி மால் ஆம்புலன்ஸ் ஒனர் தமிழ்செல்வன், சமூகஆர்வலர் தங்கையா, பண்டாரம்பட்டியை சேர்ந்த வழக்கறிஞர் ராஜேஷ், சகாயம், மடத்தூர் பொன்பாண்டி, மடத்தூர் காமராஜ், பிரபு ஆம்ஆத்மி கட்சியை சேர்ந்த ஜெயந்தன், தூத்துக்குடி வையன்ஸ் டவுன் காஸ்ரோ, தூத்துக்குடி பாத்திமாநகரை சேர்ந்த ஜேசு கெனிஸ்டன் மக்கள் அதிகாரம் கட்சியை சேர்ந்த அரிதாகவன் ஆகியோர்களுடன் நானும் இன்னும் சிலரும் கலந்து கொண்டோம். அந்த கூட்டத்தில் ஏற்கனவே நடந்த கூட்டத்தில் பேசினதுபோல 100 வது நாள் போராட்டத்தின்போது மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிட்டு அடித்து நொறுக்கி பெட்ரோல் குண்டு வீசியும் தீ வைத்து கொழுத்தி எரித்து சேதப்படுத்த வேண்டும் என்று பேசினார்கள் நாங்கள் சரி என்றோம். அதன்பிறகு 02.05.2018 -ம் தேதி



அதே தகுதிக்குட்பட்ட உள் பெயர் போர்ட்டில் வைத்து ரகசிய கூட்டம் நடத்தினோம் அந்த கூட்டத்திற்கு நாம் தமிழர் கட்சியை சேர்ந்த முத்தையாபுரம் வேலராஜ் சுந்தரவேல்புரம் இசக்கிதுரை துத்துக்குடி பாக்கியராஜ் புரட்சிகர இளைஞர் முன்னணியை சேர்ந்த சுர்ஜிக் பண்டாரம் பட்டி வழக்கறிஞர் ராஜேஷ் இந்திய ஜனநாயக கட்சியை சேர்ந்த துளாப்பாண்டி ஸ்டீபன்ஸன் எதிர்ப்பு போராட்டக்குழு கிருஷ்ணமூர்த்தி ஆம் ஆத்மி கட்சியை சேர்ந்தவர்களான ஜெயந்தன் மடத்தூர் பொன்பாண்டி மக்கள் அதிகாரம் அரிசாகவன் ஆகியோர்களுடன் நானும் எங்கள் கட்சியை சேர்ந்த இன்னும் சிலரும் கலந்து கொண்டோம் அந்த கூட்டத்தில் ஏற்கனவே நடந்த கூட்டத்தில் பேசினதுபோல 100 வது நாள் போராட்டத்தின்போது மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிட்டு ஆடித்து தொறுக்கி பெட்ரோல் குண்டு வீசிப் பீ வைத்து கொழுந்தி எரித்து சேதப்படுத்த வேண்டும் என்று பேசினார்கள் நாங்கள் சரி என்றோம் இந்த போராட்டம் 100 வது நாளை எட்டும் வரையில் எங்கள் இயக்கத்தை சேர்ந்த பாத்திமாபாபு மக்கள் அதிகார வழக்கறிஞர் ராஜேஷ் கிருஷ்ணமூர்த்தி நாம் தமிழர் கட்சியை சேர்ந்த பாக்கியராஜ் புரட்சிகர இளைஞர் அணியை சேர்ந்த முருகபெருமாள் மாதாகோவில் ஆர்தர் மற்றும் ஜானி பொன்பாண்டி ஆகியோர் 13.05.18 ம் தேதி மாவட்ட நாட்டுப்புரு சங்கம் புள்ளக்காயலில் வைத்து கண்டன ஆர்ப்பாட்டத்திற்கு நீதிமன்றத்தில் அனுமதி பெற்றது போல் இந்த முறையும் அனுமதி பெற்றுவிடுவோம் என கூறி மாவட்ட நாட்டுப்புரு மீனவர்கள் சங்ககூட்டத்தில் மீனவ மக்களிடம் போராட்டத்திற்கு ஆதரவு கேட்டோம் நாங்கள் ஏற்கனவே ரகசிய கூட்டம் போட்டு பேசி முடிவு செய்தபடி 22.05.2018 -ம் தேதி 100 வது நாள் மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டம் நடத்துவதாக அறிவித்தோம் போராட்டத்துக்கு அனுமதி வழங்கவில்லை மாவட்ட ஆட்சியர் 144 தடைஉத்தரவு பிறப்பித்தார். 21.05.18 எங்கள் இயக்கத்தை சேர்ந்த இயக்கத்தலைவர் பாத்திமாபாபு மக்கள் அதிகார அமைப்புகளிடம் காவல்துறை தடுத்தால் எந்தவிதத்திலும் கலெக்டர் அலுவலகம் நாம் செல்ல தயாராக இருக்கவேண்டும் என்றும் S A V மைதானத்திற்கு வரும் மக்கள் அனைவரையும் நம் தோழர்கள் மூலமாக கலெக்டர் அலுவலகத்திற்கு அழைத்து சென்று முற்றுகையிடவேண்டும் என்று மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிட்டு தமிழ்நாடே திரும்பி பார்க்கும் அளவிற்கு நிகழ்ச்சி நடவடிக்கைவேண்டும் என்று நாளை நடைபெறும் போராட்டத்தில் நாங்கள் S A V மைதானத்திற்கு செல்வது போல் சென்றுவிடுவோம் நீங்கள் நாம் முடிவு செய்தது போல் செய்யவேண்டும் என்று கூறியதை நாங்கள் ஏற்றுக் கொண்டு மீனவ மக்கள் மற்றும் அமைப்புகளை சேர்ந்த அனைவரும் மாதகோவிலில் இருந்து ஊர்வலமாக கிழம்ப வேண்டும் என்றும் நாங்கள் எங்கள் கிராமத்தில் இருந்து கிழம்பி 3 வது மையில் வரும்போது கூட்டத்தில் கலந்து கொள்வோம் என்றும் காவல்துறையினர் தடுத்தாலும் எந்தவிதத்திலும் மாவட்ட



கலெக்டர் அலுவலகத்தை முறையாகப் பேசும் என்று கூறி வருகிற சேர்ந்தவர்கள் சிட்டிமிட்டி போல 22.05.2018-ம் தேதி காலை 10 மணிக்கு ஊர்வலம் மாதாகோவில்லி இருந்த சிழம்பி வருவது அறிந்து எதிர்ப்பு இயக்கத்தை சேர்ந்த எங்கள் ஊர்காரர்களுடன் நான் ஒன்றுகூடி ஊர்வலமாக தூத்துக்குடி 3 வது மைலுக்கு வந்து ஊர்வலத்துடன் கூட்டத்தோடு கூட்டமாக கலந்து கொண்டு அங்கிருந்த கூட்டத்தினருடன் சேர்ந்து ஊர்வலமாக கிளம்பி அப்போது ஊர்வலத்தில் ஸ்டெர்லைட் எதிர்ப்பு இயக்கத்தினருடன் மக்கள் அதிகாரம், புதிய ஜனநாயக தொழிலாளர் முன்னணி எங்கள் நாம் தமிழர் கட்சியை சேர்ந்தவர்கள், புரட்சிகர மாணவர்படை மற்றும் பல அமைப்புகளை சேர்ந்த மதுரை, கே.கே.நகரை சேர்ந்த வழக்கறிஞர் வாஞ்சிநாதன், லயோனல் அந்தோனி ராஜ் குருசாமி, திருநெல்வேலி, விகே புரம், சிவா, தூத்துக்குடி சந்திரவேல்புரம் 6 வது தெருவை சேர்ந்த கெங்கையன் மகள் அரிராகவன், சவலாபேரியை சேர்ந்த தங்கபாண்டியன் அன்பு விஜயகுமார், மக்கள் அதிகாரம் தென்மண்டல பொறுப்பாளர் குமார் & அசோக், கோவில்பட்டி, சரவணன், கோவில்பட்டி, கூசலிபட்டி, மாரிமுத்து தூத்துக்குடி மாப்பிள்ளையூரணி ராமர், தூத்துக்குடி, P & T காலனி கிராஷ்ணமூர்த்தி உசிலம்பட்டி கோட்டையன், ஆலங்குளம், புதுப்பட்டி, வேல்முருகன் & முருகன் திருநெல்வேலி, கலிலூர் ரகுமான் முகமது அனஸ், முகமது இர்ஷாந்த், மதுரை ஒத்தக்கடை சதீஷ், மதுரை நடராஜன், திருப்பரங்குன்றம் மருது & கணேசமூர்த்தி, மதுரை ஒத்தக்கடை முருகேசன், சரவணன், தூத்துக்குடி, மாதாகோவில் தெரு ஜோவர் ஆகியோர்களுடன் கலவர கூட்டத்தை சேர்ந்தவர்கள் கோஷமிட்டுக் கொண்டே வந்தார்கள். கூட்டம் அதிகமாக இருந்தது நான் மற்றும் எங்கள் இயக்கத்தை சேர்ந்தவர்கள் போகும் வழியில் போலீஸ் வண்டிகளுக்கும் தீவைத்தார்கள். கூட்டம் பகல் 11:30 மணியைப்போல P & R ரவுண்டானா பக்கம் வரும்போது போலீஸ் தடுத்தார்கள் போராட்ட கும்பலை சேர்ந்தவர்கள் போலீஸ்காரர்களை கற்களால் எறிந்தும் கம்புகளால் அடிக்கவும் போலீஸ்காரர்களுக்கு காயம் உண்டாகி அங்குமிங்கும் ஓடினார்கள். அதை பயன்படுத்தி P & R ரவுண்டானா பாலத்தின் கீழ் நிறுத்தியிருந்த போலீஸ் வண்டிகளை அடித்து நொறுக்கி தீவைத்து கொழுத்தினோம். அதன்பிறகு அங்கிருந்து கலெக்டர் அலுவலகத்தை நோக்கி ஆளாளுக்கு கையில் கம்பு, கம்பிகளை வைத்து கொண்டு மூடு மூடு ஸ்டெர்லைட் ஆலையை மூடு என்று கோஷமிட்டுக் கொண்டே போய் கூட்டத்தோடு கூட்டமாக மாவட்ட ஆட்சியர் அலுவலக மெயின் வாசலில் பாதுகாப்பில் இருந்த போலீஸ் மீது கற்களை எடுத்து எறிந்தும் கட்டையாலும் கம்பியாலும் அடித்து விரட்டிவிட்டு கலெக்டர் ஆபீஸ் கதவு கண்ணாடிகளையும் ஜன்னல் கண்ணாடிகளையும் அங்கிருந்த ஜாமான்களையும் கற்களால் எறிந்தும் கட்டைகளால் அடித்தும் சேதப்படுத்தினோம். பிறகு கலெக்டர் ஆபீஸ் டீவீலர் ஸ்டேன்டில் நிறுத்தியிருந்த வண்டிகளை தீ வைத்து கொழுத்தியும் உடைத்தோம். அதில் TN 69 SE 7139 HERO MESTRO



என்ற மோட்டார் சைக்கிளும் மற்றும் வரிசையாக நிறுத்தியிருந்த எல்லா மோட்டார் சைக்கிள்களும் எரிந்து சேதமானது நாங்கள் ஏற்கனவே திட்டமிட்டபடி துயரமெய்து வாயில் மறைத்துவைத்து கொண்டுவரப் பெறாமல் குண்டுகளை கலவரகாரர்களோடு நாங்களும் சுவந்து பெட்ரோல் குண்டு வீசியும் தீவைத்து கொழுத்தியும் கடடை கம்புகளால் எரிந்தும் கலெக்டர் ஆபீஸ் வளாகத்தில் நிறுத்தியிருந்த அரசாங்க வண்டிகளை சேதப்படுத்தினோம் அதில் தீவைத்து கொழுத்தியதில் ஆவின் பூத் மற்றும் ATM இன்னும் பல அரசாங்க வண்டிகளும் எரிந்து சேதமானது நாங்கள் கற்களால் எரிந்தும் கடடை கம்புகளால் அடித்தும் வேறு பல வண்டிகளையும் உடைந்து சேதப்படுத்தினோம் பிறகு கலவரக்கூட்டத்தை சேர்ந்த கொஞ்சம் பேர் பக்கத்தில் உள்ள ஸ்டெர்லைட் கம்பெனி குவாட்டர்ஸ்குள் போய் அங்கிருந்த வண்டிகளையும் காரர்களையும் மோட்டார் சைக்கிள்களையும் அடித்து உடைத்து தீவைத்து கொழுத்தியும் பெட்ரோல் குண்டு வீசியும் எரித்து சேதப்படுத்தினார்கள் அந்தசமயம் அங்கு பணியில் இருந்த அரசு அதிகாரி ஒருவர் மாதிரி உத்தரவு அமலில் உள்ளதாலும் நீங்கள் கூடியிராப்பது சட்டவிரோதமாக கூட்டம் நீங்கள் அனைவரும் உடையதாக சுவந்து செல்ல வேண்டும் என எச்சரித்தார் நாங்கள் அதை பொருட்படுத்தாமல் தொடர்ந்து போராட்டத்தில் ஈடுபட்டு அரசு சொத்துக்களை தீவைத்தும் பெட்ரோல் குண்டு வீசியும் எரித்து சேதப்படுத்திக் கொண்டே போனதால் காவல் துறையினர் கண்ணீர்புகை குண்டு வீசினார்கள் அதிலும் கூட்டம் கலந்து செல்லாமல் தொடர்ந்து வன்முறைகளில் ஈடுபட்டதால் காவல் துறையினர் துப்பாக்கியால் கூட்டத்தில் எங்களில் சிலர் குண்டடி பட்டு கீழே சாய்ந்தனர் அதை பார்த்தும் நாங்கள் பயந்து பின்வாங்காமல் இன்னும் பலமடங்கு வெறித்தனமாக காவல்துறையினரை தாக்கினோம் மீண்டும் துப்பாக்கு குண்டு நடத்தவே கூட்டத்தினர் சிதறி நாலாபக்கமும் ஓடி மீண்டும் மீண்டும் போலீஸ்காரர்களை தடிகளாலும் கம்பிகளாலும் தாக்கினோம் திரும்பி போகும்போது காவல்துறையினரை தாக்கியதால் ஆட்சியர் அலுவலகம் முன்புறம் நான்கு வழிசாலையிலும் துப்பாக்கி குண்டு நடத்தியதில் ஒருவர் சாய்ந்தார் உடனே நாங்கள் அனைவரும் அங்கிருந்து ஓட்டமும் நடையுமாக போகும்போது எங்களில் சிலர் தொழில்மைய கட்டிடத்தில் நுழைந்து அங்கிருந்த வாகனங்களை பெட்ரோல் குண்டு வைத்து எரித்து சேதப்படுத்தினார்கள் போராட்டத்தில் கலந்துகொண்ட பலரை போலீஸார் கைது செய்தார்கள் அதனால் நான் எனது ஊருக்கு செல்லபாமல் கோவில்பட்டியில் உள்ள சண்முகம் என்பவரின் வீட்டில் தலைமறைவாக தங்கியிருந்தேன் எனது வீட்டுக்கு யாரும் தேடி வரல அதனால் போன 10.06.2018 -ம் தேதி காலையில் நான் எனது ஊருக்கு வந்தபோது என்னை சிப்காட் உதவி ஆய்வாளர் மற்றும் தென்காசி காவல் ஆய்வாளர் பிடித்து விசாரித்தார்கள் நான் அப்போது அந்த மே 22ம் தேதி 100 வது நாள் போராட்டத்தின்போது நடந்த செய்கைகளை சொன்னேன் ஆனால் ஸ்டெர்லைட் எதிர்ப்பு போராட்டகுழு தலைவர்



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 பாத்திமாபாபு. நாம் தமிழர் கட்சியை சேர்ந்த முத்தையாபுரம், வேல்ராஜ் ஆகியோர்கள் போட்ட ரகசிய கூட்டங்கள் பற்றியும் அதுல மே 22 ம் தேதி 100 வது நாள் போராட்டத்தின் போது மாவட்ட ஆட்சியர் அலுவலகத்தை தீ வைத்து கொழுத்தி எரித்து சேதப்படுத்தவேண்டும் என்று போட்ட திட்டத்தை பற்றியோ அந்த கூட்டங்களில் கலந்து கொண்டவர்கள் பற்றிய விபரத்தையோ சொல்லவில்லை என்னை பிறகு கோர்டுல ஆஜர்படுத்தி பாளையங்கோட்டை மத்திய சிறையில் அடைதார்கள் என்னை கன்னியாகுமரி மாவட்டம் கன்னியாகுமரி காவல் நிலையம் ஆய்வாளர் 22.05.2018 -ம் தேதி நடந்த போராட்டத்தின் போது நானும் எனதுடன் சேர்ந்த போராட்ட குழுவினரும் சேர்ந்து மாவட்ட ஆட்சியர் அலுவலக வளாகத்தில் இருசக்கா வாகனம் நிறுத்துமிடத்தில் நிறுத்தியிருந்த வாகனங்களை அடித்து உடைத்து தீ வைத்து சேதப்படுத்திய கேசில் என்னை சம்பிரதாய எகது செய்து நீதிமன்றத்தில் ஆஜர் படுத்தினீர்கள் மேற்படி வழக்கில் தூத்துக்குடி நீதிமன்றத்தில் இருந்து என்னை டோலீஸ் காவலில் பெற்று சிப்காட் காவல் நிலையம் கொண்டு வந்து விசாரணை செய்ய இந்த வாக்குமூலத்தை சொன்னேன் என்னை கூட்டிக்கொண்டு போனால் ஒவ்வொரு சம்பவ இடங்களையும் தனித்தனியாக அடையாளம் காட்டுவேன்.

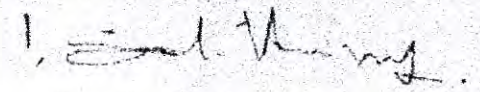
என்னை காவலகத்தில் சம்பவம் நடந்தது.

2/7/18



மாண்புமிகு ஆய்வாளர்  
 கன்னியாகுமரி PS.  
 CEN0270112

சாட்சி

1. 

2. K. P. Senthil Kumar





A Network Towards Human Rights Monitoring, Intervention, Campaign, Research and Documentation  
(A Programme Unit of the Centre for Promotion of Social Concerns)

09.07.2018

மாண்புமிகு.திரு.ஜெயச்சந்திரன்  
உறுப்பினர்  
மாநில மனித உரிமைகள் ஆணையம்  
143, P.S.குமாரசாமிராஜா சாலை,  
சென்னை,  
தமிழ்நாடு

**பொருள்:** தூத்துக்குடி துப்பாக்கிச்சூடு குறித்து தேசிய மனித உரிமைகள் ஆணையத்தின் விசாரணைக் குழுவினரிடம் நேரடியாக வாக்குமூலம் அளித்தவர்கள் மீது பழிவாங்கும் நோக்கில் காவல்துறையினர் உணமைக்குப் புறம்பாக "ஒப்புதல் வாக்குமூலம்" பெறுவது தொடர்பாக

தமிழகத்தை தலைமையிடமாகக் கொண்டு 1993ஆம் ஆண்டு மதுரையில் மக்கள் கண்காணிப்பகம் எனும் மனித உரிமை அமைப்பு துவங்கப்பட்டது. மனித உரிமைகளை பாதுகாத்து, வளர்த்தெடுக்கும் பணிகளை எமது அமைப்பு முன்னெடுத்து வருகிறது. குறிப்பாக, மனித உரிமைகளைக் கண்காணித்தல், சட்டத் தலையீடு, சட்ட உதவி, ஆவணக்காப்பகம், வெளியீடுகள், பயிற்சி, பரப்புரை, ஆய்வுகள், மனித உரிமைக் கல்வி ஆகிய பணிகளில் ஈடுபட்டு வருகிறது. தமிழகத்தில் மனித உரிமை மீறல்களால் கொடூரமாகப் பாதிக்கப்பட்டவர்கள் சார்பாக பல்வேறு விதமான நடவடிக்கைகளை முன்னெடுக்கும் பணிகளையும் எமது அமைப்பு முன்னெடுத்து வருகிறது. மனித உரிமைக் கல்வியை பாடமாகக் கல்லூரிகளில், பள்ளிகளில் கொண்டு செல்லும் பணிகளை தமிழகத்தில் துவக்கி அதன் அனுபவங்களை இந்தியாவில் இருபதுக்கும் மேற்பட்ட மாநிலங்களில் அரசு அனுமதியோடு கொண்டு செல்லும் பணிகளையும் எமது அமைப்பு ஆற்றிவருகிறது.

தூத்துக்குடி மாவட்டத்தில் "ஸ்டெர்லைட் ஆலை" மிகக் கடுமையான மனித உரிமை மீறல்களையும் பாதிப்பினையும் தொடர்ந்து ஏற்படுத்தி வருவதை அங்கு பணியாற்றும் பல்வேறு அமைப்புகள் வெளிக்கொணர்ந்து வந்தன. குறிப்பாக பேராசிரியர் பாத்திமா பாபு தலைமையில் செயல்பட்டு வரும் "ஸ்டெர்லைட் எதிர்ப்பு

மக்கள் இயக்கம்” தூத்துக்குடி மாவட்டத்தில் ஸ்டெர்லைட் பாதிப்பு குறித்து தொடர்ந்து பணியாற்றி வருவதை அறிந்தோம். இந்த ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்திற்கு ஆதரவாக, “தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கம்” செயல்பட்டு வருகிறது. தூத்துக்குடி நகரத்தில் 68 வியாபாரிகள் நலச் சங்கங்கள் செயல்பட்டு வருகின்றன. இந்தச் சங்கங்களின் நிர்வாகிகள் இணைந்த அமைப்பாக “தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கம்” செயல்பட்டு வருகிறது.

தூத்துக்குடி நகர வர்த்தகர்களின் மத்தியச் சங்கம் “ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்திற்கு” ஆதரவாக இப்பணிகளை முன்னெடுப்பதற்காக “தூத்துக்குடி நகர் நல வணிகர் குழு” என்ற புதிய அமைப்பினை ஏற்படுத்தி அதனை ஒருங்கிணைக்கும் பொறுப்பினை திரு.தெர்மல் S.ராஜா என்பவரிடம் ஒப்படைத்தார்கள். தூத்துக்குடி நகர் நல வணிகர் குழுவும் ஸ்டெர்லைட் பாதிப்புகள் குறித்து மக்கள் மத்தியில் விழிப்புணர்வு ஏற்படுத்தும் சட்டத்திற்குட்பட்ட பல்வேறு பணிகளை முன்னெடுத்து வந்தது. மேலும் ஸ்டெர்லைட் எதிர்ப்பு பணியில் மனித உரிமை வழக்கறிஞர் திரு.அதிசயகுமார் உள்ளிட்ட பலரும் ஆதரவாக இருந்து வருகின்றனர்.

இந்நிலையில், குமரெட்டியாபுரம் மக்களின் நூறாவது நாள் போராட்டம் மே மாதம் 22ஆம் நாளன்று வருவதை அனுசரிக்கும் பொருட்டு மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்தை நடத்துவது என ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கம் முடிவு செய்துள்ளது. ஆனால், இதற்கு காவல்துறையின் அனுமதி கிடைக்கவில்லை. கடந்த மே மாதம் 20ஆம் நாளன்று மாவட்ட ஆட்சியர் அலுவலகத்தில் அமைதிப் பேச்சுவார்த்தை நடைபெற்றுள்ளது. இதில் இருபதுக்கும் மேற்பட்டவர்கள் அழைக்கப்பட்டுள்ளார்கள். இக்கூட்டத்தில் ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்தின் பொறுப்பாளர்களும் தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கத்தின் பொறுப்பாளர்களும் பங்கேற்றுள்ளனர். இந்த அமைதி பேச்சுவார்த்தையை தூத்துக்குடி மாவட்ட உதவி ஆட்சியர், காவல்துறை கண்காணிப்பாளர் உள்ளிட்ட அரசு அலுவலர்கள் வழிநடத்தியுள்ளனர். இக்கூட்டத்தில் மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்தினை கைவிடுமாறும் அமைதி வழியில் போராட்டத்தை முன்னெடுக்குமாறும் அதற்கு காவல்துறை அனுமதியும் பாதுகாப்பும் வழங்கும் என்று அதிகாரிகள் தெரிவித்துள்ளார்கள்.

அமைதிப் பேச்சுவார்த்தையில் எடுக்கப்பட்ட முடிவினை ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்தின் பொறுப்பாளர்களும் தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கத்தின் பொறுப்பாளர்களும் ஏற்றுக்கொண்டு கூட்ட பதிவேட்டில் கையொப்பமிட்டுள்ளார்கள். ஆனால், மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்தை நடத்துவதற்காக களத்தில் பணியாற்றி வந்த சில அமைப்புகளை இந்த அமைதிப் பேச்சுவார்த்தைக்கு அரசு அழைக்கவில்லை. அதனால் இந்த அமைப்புகள் அமைதிப் பேச்சுவார்த்தை முடிவினை ஏற்றுக் கொள்ளாமல் மே மாதம் 22ஆம் நாளன்று மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்தை நடத்துவது என தன்னிச்சையாக அறிவித்து அதற்கான பணிகளை முன்னெடுத்தார்கள். மாவட்ட நிர்வாகத்தின் தவறான யுத்தியால் ஸ்டெர்லைட் எதிர்ப்பு பணிகளில் களம் காணும் அனைத்து அமைப்புகளையும் ஒருமித்த முடிவை நோக்கி கொண்டு செல்லமுடியவில்லை. இதன் விளைவாகவே மே மாதம் 22ஆம் நாளன்று “ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கம்”, “தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கம்” உள்ளிட்ட அமைப்புகள் SAV மைதானத்தில் அறவழியில் போராட்டத்தினையும், வேறு சில அமைப்புகள் மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிடும் போராட்டத்தையும் நடத்தினார்கள். பொது மக்கள் மத்தியில் SAV மைதானத்தில் நடைபெறவுள்ள அறவழிப் போராட்டம் குறித்து எவ்வித அறிவிப்பினையும் அரசு வெளியிடவில்லை என்பது குறிப்பிடத்தக்கது.

மாவட்ட ஆட்சியர் அலுவலக முற்றுகைப் போராட்டத்தின் போது ஏற்பட்ட பிரச்சனையால் காவல்துறை துப்பாக்கிச்சூட்டில் 15 உயிர்கள் பலியாயின. பலர் காயமடைந்தனர். தூத்துக்குடி நகரமே காவல்துறையினரின் கொடூர தாக்குதலுக்குள்ளானது. முதல் துப்பாக்கிச்சூட்டில் ஒருவர் உயிர் இழந்ததாக அறிந்தவுடன் அறவழியில் SAV மைதானத்தில் நடந்த போராட்டத்தினை காவல்துறையினர் முன்னிலையில் முடித்துக்கொண்டார்கள்.

தற்போது காவல்துறையினர் மாவட்ட ஆட்சியரின் வேண்டுகோளை மதித்து மே மாதம் 22ஆம் நாளன்று SAV மைதானத்தில் அறவழியில் போராடியவர்கள் மீது திட்டமிட்டு உணமைக்குப் புறம்பாக வழக்கு பதிவு செய்யும் நோக்கில் செயல்பட்டு வருகிறது. குறிப்பாக கருத்து வேறுபாடு ஏற்பட்டு பிரிந்து சென்று மாவட்ட ஆட்சியர் அலுவலக முற்றுகைப் போராட்டத்தில் பங்கேற்ற தெற்கு வீரபாண்டியாபுரம்



கிராமத்தைச் சார்ந்த முருகன் என்பவரின் மகன் மகேஷ் என்ற மகேஷ்குமாரிடம் காவல்துறையினர் உண்மைக்குப் புறம்பாக "ஒப்புதல் வாக்குமூலம்" பெற்றுள்ளனர்.

இதில் SAV மைதானத்தில் அறவழி போராட்டத்தில் பங்கேற்றவர்களான ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்தின் தலைவர் பாத்திமா பாபு, தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கத்தின் செயலாளர் திரு.பாஸ்கர், திரு.தெர்மல் S.ராஜா, வழக்கறிஞர்.அதிசயகுமார், முத்தையாபுரம் நாம் தமிழர் கட்சியைச் சார்ந்த திரு.வேல்ராஜ், மாஸ் ஆம்புலன்ஸ் நிர்வாகி திரு.தமிழ்செல்வன், சமூக ஆர்வலர் திரு.தங்கையா, பண்டாரம்பட்டி திரு.சகாயம், ஆம் ஆத்மி கட்சி திரு.ஜெயந்தன், விசைப்படகு தொழிலாளர் சங்க தலைவர் திரு.ஜான்சன் மற்றும் திரேஸ்புரம் சங்குகுளி சங்க தலைவர் திரு.இசக்கிமுத்து உள்ளிட்டோருக்கு எதிராக மகேஷ் என்ற மகேஷ்குமாரிடம் மே மாதம் 22ஆம் நாள் மாவட்ட ஆட்சியர் அலுவலக முற்றுகைப் போராட்டத்தில் கலவரத்தை தூண்டியதாக ஒப்புதல் வாக்குமூலம் பெறப்பட்டுள்ளது.

இன்னும் குறிப்பாக, 21.04.2018, 30.04.2018 மற்றும் 02.05.2018 ஆகிய நாட்களில் தூத்துக்குடி பெல் ஹோட்டலில் மேற்கண்டவர்கள் ரகசியக் கூட்டம் நடத்தியதாகவும் அதில் மே மாதம் 22ஆம் நாள் மாவட்ட ஆட்சியர் அலுவலகத்தை முற்றுகையிட வேண்டும் எனவும், அப்போது "மாவட்ட ஆட்சியர் அலுவலகத்தை அடித்து நொறுக்கி, பெட்ரோல் குண்டு வீசி தீ வைத்து கொளுத்தி நாடே திரும்பி பார்க்குமாறு செய்யவேண்டும் எனவும், போராட்டக்குழுவினரை காவல்துறையினர் தடுத்தால் அவர்களை அடித்து விரட்ட வேண்டும் எனவும், காவல் வாகனங்களுக்கு தீ வைத்து கொளுத்த வேண்டும் எனவும், அதுபோலவே ஸ்டெர்லைட் பணியாளர்கள் குடியிருப்பு பகுதியில் பெட்ரோல் குண்டு வீசி, கார் - மோட்டார் வாகனங்களுக்கு தீ வைத்து கொளுத்தி எரித்து சேதப்படுத்த வேண்டும் எனவும், அவ்வாறு செய்யும்போது தான் நம் பலம் என்னென்னு அரசுக்கு தெரியும், அப்போது நாடே நம்மை திரும்பி பார்க்கும் என்று கூட்டத்தில் பங்கேற்றவர்கள் கூறியதாக", உண்மைக்குப் புறம்பாக, அவதூறு ஏற்படுத்தும் எண்ணத்திலும், பல வழக்குகளில் சிக்கவைக்கும் எண்ணத்திலும், குண்டர் தடுப்புச் சட்டம், தேசிய பாதுகாப்புச் சட்டம் உள்ளிட்ட பிரிவுகளில் வழக்குப்பதிவு செய்யும் எண்ணத்திலும் 02.07.2018 அன்று மகேஷ் என்ற



மகேஷ்குமாரை போலீஸ் காவலில் எடுத்து மேற்கண்ட ஒப்புதல் வாக்குமூலத்தை பெற்றுள்ளார்கள்.

இந்த ஒப்புதல் வாக்குமூலத்தை கன்னியாகுமரி காவல்நிலைய ஆய்வாளர் திரு.ஜெயச்சந்திரன் அவர்கள் சிப்காட் காவல்நிலையத்தில் சிறப்பு பணியில் இருந்த போது மகேஷ் என்ற மகேஷ்குமாரிடம் இருந்து பெற்று தூத்துக்குடி குற்றவியல் நீதிமன்றத்தில் தாக்கல் செய்துள்ளார் என அறிய முடிகிறது. இதன் நகல் இத்துடன் தங்களின் பார்வைக்கு இணைக்கப்பட்டுள்ளது.

மேலும் இதுவரை மேற்கண்ட அமைப்பினர் முன்னெடுத்த அனைத்துப் போராட்டங்களும் மாவட்ட நிர்வாகத்தின் அனுமதிபெற்றும், நீதிமன்றத்தின் அனுமதி பெற்றுமே நடத்தி இருக்கிறார்கள். இதுவரை ஸ்டெர்லைட் எதிர்ப்பு மக்கள் இயக்கத்தின் தலைவர் பாத்திமா பாபு, தூத்துக்குடி நகர வர்த்தகர்களின் மத்திய சங்கத்தின் செயலாளர் திரு.பாஸ்கர், திரு.தெர்மல் S.ராஜா, வழக்கறிஞர்.அதிசயகுமார், முத்தையாபுரம் நாம் தமிழர் கட்சியைச் சார்ந்த திரு.வேல்ராஜ், மாஸ் ஆம்புலன்ஸ் நிர்வாகி திரு.தமிழ்செல்வன், சமூக ஆர்வலர் திரு.தங்கையா, பண்டாரம்பட்டி திரு.சகாயம், ஆம் ஆத்மி கட்சி திரு.ஜெயந்தன், விசைப்படகு தொழிலாளர் சங்க தலைவர் திரு.ஜான்சன் மற்றும் திரேஸ்புரம் சங்குகுளி சங்க தலைவர் திரு.இசக்கிமுத்து உள்ளிட்ட பலரும் சட்டப்படி அறவழியிலேயே பல போராட்டங்களை முன்னெடுத்துள்ளார்கள். இவர்கள் அனைவரும் மனித உரிமைக் காப்பாளர்கள். இந்திய அரசியலமைப்புச் சட்டத்தின் அடிப்படைக் கடமைகள் பிரிவு 51Aயை செயல்படுத்தும் நோக்குடன் தான் மேற்கண்ட அமைப்பினர் இத்தனை ஆண்டுகளாகவும் குறிப்பாக கடந்த 100 நாட்களாகவும் அதற்குப் பிறகும் செயல்பட்டு வருகிறார்கள்.

இந்நிலையில் மே 22இல் நடந்த தூத்துக்குடி துப்பாக்கிச்சூடு குறித்த பிரச்சனையில் தலையீடு செய்வதற்காக மேற்கண்ட அமைப்புகளும், வழக்கறிஞர்களும், மனித உரிமை செயல்பாட்டாளர்களும் ஒருங்கிணைந்து, "தூத்துக்குடி துப்பாக்கிச்சூடு மக்கள் விசாரணைக்கான ஒருங்கிணைப்புக்குழு" எனும் அமைப்பு உருவாக்கப்பட்டுள்ளது. மனித உரிமை மீறல்களை ஆய்வு செய்து, தலையீடு செய்யும் நிலைகளில் எமது மக்கள் கண்காணிப்பகம் அமைப்பு இந்த ஒருங்கிணைப்புக்குழுவிற்கு வழிகாட்டும் பணியினை முன்னெடுத்து வருகிறது.

தூத்துக்குடி சம்பவம் குறித்து விசாரணை செய்வதற்காக தூத்துக்குடி வந்திருந்த “தேசிய மனித உரிமைகள் ஆணையத்திடம்” அறவழியில் போராடிவரும் மேற்கண்ட அமைப்பினர் நேரில் வாக்குமூலம் அளித்துள்ளார்கள். இதனையெல்லாம் மனதில் வைத்தே அரசு அறவழியில் போராடிவரும் மேற்கண்ட அமைப்பினரை பழிவாங்கும் நோக்கில் மேற்கண்ட உண்மைக்குப்புறம்பான, கையொப்பம் இல்லாத ஒப்புதல் வாக்குமூலத்தை மகேஷ் என்ற மகேஷ்குமார் என்பவரிடம் பெற்றுள்ளதாக நீதிமன்றத்தில் தாக்கல் செய்துள்ளது.

ஆகவே, உண்மைக்குப் புறம்பாக, பொய்யாக, கையொப்பம் இல்லாத ஒப்புதல் வாக்குமூலத்தை பெற்ற கன்னியாகுமரி காவல்நிலைய ஆய்வாளர் திரு.ஜெயச்சந்திரன் அவர்களிடம் மாண்புமிகு ஆணையம் விசாரணை மேற்கொள்ள வேண்டும். உடனடியாக திரு.ஜெயச்சந்திரன் அவர்களுக்கு அழைப்பாணை அளித்து அவரை மாண்புமிகு ஆணையத்திற்கு வரவழைத்து விசாரணை மேற்கொண்டு உண்மை நிலையை கண்டறிய வேண்டுமாறு எமது அமைப்பு கோருகிறது.

மேலும், இதுவரை அறவழியில் போராடி வந்த மேற்கண்ட அமைப்பினர் மீது உண்மைக்குப் புறம்பாக, அவதூறு ஏற்படுத்தும் எண்ணத்திலும், பல வழக்குகளில் சிக்கவைக்கும் எண்ணத்திலும், குண்டர் தடுப்புச் சட்டம், தேசிய பாதுகாப்புச் சட்டம் உள்ளிட்ட பிரிவுகளில் வழக்குப்பதிவு செய்யும் எண்ணத்திலும் இந்த ஒப்புதல் வாக்குமூலம் பெறப்பட்டுள்ளது. காவல்துறை இது போன்ற செயல்களில் ஈடுபடாதவாறு தேவையான அறிவுறுத்தல்களையும், குறிப்பாக இவர்கள் அனைவரின் மீதும் எவ்வித பொய் வழக்கும் பதிவு செய்யக் கூடாது என்ற அறிவுறுத்தலையும் அரசுக்கு பரிந்துரைக்க வேண்டும் என எமது அமைப்பு கோருகிறது. இதில் தாமதம் ஏற்பட்டால் இவர்களது உயிருக்கும், உடமைக்கும் பாதிப்பு நேரிடும் என்பதாலும் இவர்கள் அனைவரும் மனித உரிமைக் காப்பாளர்கள் என்பதாலும் மாண்புமிகு ஆணையம் விரைந்து செயல்பட வேண்டுமாறு எமது அமைப்பு கோருகிறது.

இப்படிக்கு



(ஹென்றி திபேன்)

S.ARUN (Aged 32),  
S/O Subramani,  
Murugeasan Nagar,  
Mataththur Road,  
Thootukudi.

Sipcot Police Station,  
Thootukudi.

S.No.	Crime No.	Off U/S	Date of Occurance & Time	Date of FIR & Time	Date of Arrest & Time	No. of Accused	Order and Bail	Occurance
1	193/2018	147,148,188 of IPC & 3 of TNPPDL ACT			18-06-2018; 12.21			
2	194/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.25			
3	195/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.29			
4	196/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.33			
5	197/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.37			
6	198/2018	147,148,188,353,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.41			
7	199/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.45			
8	200/2018	147,148,188,353,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.49			
9	201/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			15-06-2018; 12.53			
10	202/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.57			
11	203/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.01			
12	207/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.05			
13	208/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.09			
14	209/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.10			
15	210/2018	147,148,188,324,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			17-06-2018; 12.12			
16	211/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.14			
17	213/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.16			
18	215/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.18			
19	216/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.20			
20	217/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.22			
21	218/2018	147,148,188,294(b),353,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.24			
22	221/2018	147,148,188,294(b),506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.26			
23	222/2018	147,148,294(b),353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.30			
24	223/2018	147,148,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.32			
25	224/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.34			



Annexure-27A: Chart showing Arun, Mataththur was remanded in 72 cases in SIPCOT PS

26	225/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.36		
27	226/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.38		
28	227/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.02		
29	228/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.04		
30	229/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.06		
31	230/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.08		
32	231/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.10		
33	232/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.12		
34	233/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.14		
35	234/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.16		
36	235/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.18		
37	236/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 14.20		
38	237/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.22		
39	238/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.24		
40	239/2018	147,148,188,353 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.26		
41	240/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 14.28		
42	241/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 14.30		
43	245/2018	147,148,188,324,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.45		
44	246/2018	147,148,188,324,353,506(ii) of IPC & 3 of TNPPDL ACT			29-06-2018; 09.38		
45	247/2018	147,148,188,353,506(ii) of IPC & 3 of TNPPDL ACT			29-06-2018; 09.40		
46	248/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.47		
47	249/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.49		
48	250/2018	436,511 of IPC & 3 of TNPPDL ACT			18-06-2018; 13.51		
49	253/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.53		
50	254/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.55		
51	255/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.57		
52	257/2018	147,148,188 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.59		
53	258/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 14.01		
54	260/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.43		
55	261/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.41		
56	262/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			18-06-2018; 13.19		
57	301/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			26-06-2018; 08.26		
58	302/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			26-06-2018; 08.28		
59	303/2018	147,148,188 of IPC & 3 of TNPPDL ACT			26-06-2018; 08.30		





P.ESSRAVEL (Aged 26),  
S/O Pakkiyaraj,  
3/82, west street,  
Kumarareddypuram,  
Thootukudi.

Sipcot police Station,  
Thootukudi.

S.No.	Crime No.	Off U/S	Date of Occurance & Time	Date of FIR & Time	Date of Arrest & Time	No. of Accused	Order and Bail	Occurance
1	193/2018	147,148,188 of IPC & 3 of TNPPDL ACT			18-06-2018; 11.43			
2	194/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.39			
3	195/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.47			
4	196/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.51			
5	197/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.55			
6	198/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.59			
7	199/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.03			
8	200/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.07			
9	201/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.11			
10	202/2018	147,148,188,353,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.15			
11	203/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.19			
12	210/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.36			
13	211/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 12.08			
14	213/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.38			
15	215/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.40			
16	216/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.42			
17	217/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.44			
18	218/1018	147,148,188,294(b),353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.46			
19	219/2018	147,148,453,294(b),506(ii) of IPC & 3,4 of TNPPDL ACT			25-06-2018; 10.56			
20	221/2018	147,148,188,294(b),353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.48			
21	222/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.50			
22	223/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.52			
23	224/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.54			
24	225/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.56			
25	226/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.58			
26	227/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 15.02			



## Annexure-27C: Chart showing Makesh, South Veerapandipuram was remanded in 34 cases in SIPCOT PS

M.MAKEASH (Age 30)  
S/O Murugan,  
Kureadipuram,  
2/39, Mealathearu,  
South Veerapandipuram,  
Thootukudi.

Sipcot Police Station ,  
Thootukudi.

S.No.	Crime No.	Off U/S	Date of occurrence & Time	Date of FIR and Time	Date of Arrest & Time	No. of Accused	Order and Bail	Occurance
1	141/2018	147,148,294(b),341,352,506(ii),511 of IPC & 3 of TNPPDL ACT			19-06-2018; 12.06			
2	156/2018	143,188 of IPC			19-06-2018; 12.04			
3	227/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.02			
4	228/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.04			
5	229/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.06			
6	230/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.08			
7	231/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.10			
8	232/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.12			
9	233/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.14			
10	234/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.16			
11	235/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.18			
12	236/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 16.20			
13	237/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.22			
14	238/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 16.24			
15	239/2018	147,148,188,353 of IPC & 3 of TNPPDL ACT			20-06-2018; 16.26			
16	240/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 16.28			
17	241/2018	147,148,188 of IPC & 3 of TNPPDL ACT			20-06-2018; 16.30			
18	244/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			21-06-2018; 17.06			
19	246/2018	147,148,188,353,506(ii) of IPC & 3 of TNPPDL ACT			29-06-2018; 09.46			





M.RAJKUMAR (Aged 32),  
S/o Murugan,  
2/39, West Street,  
South Veerapandipuram,  
Thootukudi.

Sipcot Police Station,  
Thootukudi.

S.No.	Crime No.	Off U/S	Date of occurrence & Time	Date of FIR & Time	Date of Arrest & Time	No. of Accused	Order and Bail	Occurance
1	193/2018	147,148,188 of IPC & 3 of TNPPDL ACT			18-06-2018; 11.41			
2	194/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.37			
3	195/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.45			
4	196/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.49			
5	197/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.53			
6	198/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 11.57			
7	199/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.01			
8	200/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.05			
9	201/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.09			
10	202/2018	147,148,188,353,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.13			
11	203/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			18-06-2018; 12.17			
12	210/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.08			
13	211/2018	147,148,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 11.08			
14	213/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.10			
15	215/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.12			
16	216/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.14			
17	217/2018	147,148,188,353,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.16			
18	218/2018	147,148,188,294(b),353,506(ii) of IPC & 3 of TNPPDL ACT			19-06-2018; 13.18			
19	219/2018	147,148,453,294(b),506(ii) of IPC & 3,4 of TNPPDL ACT			25-06-2018; 10.46			
20	221/2018	147,148,188,294(b),353,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.20			
21	222/2018	147,148,188,436,506(ii) of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.22			
22	223/2018	147,148,188,353,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.24			
23	224/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.26			
24	225/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.28			
25	226/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			19-06-2018; 13.30			
26	227/2018	147,148,188,436 of IPC & 3,4 of TNPPDL ACT			20-06-2018; 14.32			





SELVAKUMAR (Aged 24),  
S/O PRAMASIVAM,  
AASIRVATHAN NAGAR,  
3 th STREET,  
THOOTHUKUDI.

SIPCOT POLICE STATION,  
THOOTHUKUDI.

S. No.	CRIME No.	OFF U/S	DATE OF OCCURRENCE & TIME	DATE OF FIR & TIME	DATE OF ARREST & TIME	No. OF ACCUSED	ORDER AND BAIL	OCCURRENCE
1	193/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			18-06-2018; 12.23			
2	194/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.27			
3	195/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.31			
4	196/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.35			
5	197/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.39			
6	198/2018	147,148,188,353,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.43			
7	199/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.47			
8	200/2018	147,148,188,353,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.51			
9	201/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			15-06-2018; 12.55			

10	202/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 12.59		
11	203/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.03		
12	207/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.07		
13	208/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.11		
14	209/2018	147,148,188,324,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.40		
15	210/2018	147,148,188,324,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.42		
16	211/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.44		
17	213/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.46		
18	215/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.48		
19	216/2018	147,148,188,353,436 OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.50		
20	217/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.52		
21	218/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.54		
22	219/2018	147,148,453,294(b),506(II) OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 10.52		
23	221/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.56		
24	222/2018	147,148,188,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 12.58		
25	223/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 13.00		
26	224/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 13.02		

Annexure-27E: Chart showing Selvakumar, Aasirvathan Nagar was remanded in 81 cases in SIPCOT PS

27	225/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 13.04		
28	226/2018	147,148,353,188,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			19-06-2018; 13.06		
29	227/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.32		
30	228/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.34		
31	229/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.36		
32	230/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 12.38		
33	231/2018	147,148,188,353,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.40		
34	232/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.42		
35	233/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.44		
36	234/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.46		
37	235/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.48		
38	236/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			20-06-2018; 15.50		
39	237/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.52		
40	238/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			20-06-2018; 15.54		
41	239/2018	147,148,188,353 OF IPC & 3 OF TNPPDL ACT			20-06-2018; 15.56		
42	240/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			20-06-2018; 15.58		
43	241/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			20-06-2018; 16.00		



44	242/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			25-06-2018; 10.54		
45	245/2018	147,148,188,353,436,324,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.39		
46	246/2018	147,148,188,324,353,506(ii) of IPC & 3 of TNPPDL ACT			29-06-2018; 09.42		
47	247/2018	147,148,188,353,506(ii) of IPC & 3 of TNPPDL ACT			29-06-2018, 09.44		
48	248/2018	147,148,188,353,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.15		
49	249/2018	147,148,188,353,436,506(II) OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.17		
50	250/2018	436,511 OF IPC & 3 OF E.S ACT 1980 & 3 OF TNPPDL ACT			18-06-2018; 13.37		
51	253/2018	147,148,188,353,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.25		
52	254/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.23		
53	255/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.21		
54	257/2018	147,148,188 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.27		
55	258/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.29		
56	260/2018	147,148,188,353,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.31		
57	261/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.33		
58	262/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			18-06-2018; 13.35		
59	301/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.10		
60	302/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.12		



61	303/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			25-06-2018; 16.14		
62	304/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.16		
63	306/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.18		
64	307/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.20		
65	308/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.22		
66	309/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.24		
67	310/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.26		
68	311/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.28		
69	313/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			25-06-2018; 16.06		
70	314/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.32		
71	315/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.08		
72	316/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			25-06-2018; 16.04		
73	317/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 10.58		
74	318/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.00		
75	319/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.02		
76	320/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.04		
77	321/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.12		

Annexure-27E: Chart showing Selvakumar, Aasirvathan Nagar was remanded in 81 cases in SIPCOT PS

78	322/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			21-06-2018; 11.10			
79	323/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.08			
80	326/2018	147,148,188,436 OF IPC & 3,4 OF TNPPDL ACT			21-06-2018; 11.06			
81	328/2018	147,148,188 OF IPC & 3 OF TNPPDL ACT			25-06-2018; 12.22			

H.S.(M).Confdl.(NSA)No. 03 /2018

Office of the District Collector  
and District Magistrate,  
Thoothukudi District.  
Thoothukudi.  
Dated : 10 .06.2018

NSA : 5660  
10/06/18  
Time 1920  
ORP 3304

**DETENTION ORDER**

Whereas, I, Sandeep Nanduri I.A.S., District Collector and District Magistrate of Thoothukudi District on the materials placed before me, am satisfied that, **Kottaiyan** aged 37/18, S/o. Chinnan, Ariyapatti 3<sup>rd</sup> ward, Usilampatti, Usilampatti Taluk Police Station Limit, Usilampatti Taluk, Madurai District. Whereas, the aforesaid individual is found indulging in activities prejudicial to the security of the State and prejudicial to the maintenance of public order, the details of which are set out in detail in the grounds of detention.

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 3 of the National Security Act, 1980 (Central Act 65 of 1980) read with the order issued by the Government in G.O.Ms.No.269, Public (Law and Order – F) Department, dated 13.04.2018 under sub section (3) of Section 3 of the said Act, I hereby direct that the said **Kottaiyan** aged 37/18, S/o. Chinnan, Ariyapatti 3<sup>rd</sup> ward, Usilampatti, Usilampatti Taluk Police Station Limit, Usilampatti Taluk, Madurai District, be detained at the Central Prison, Palayamkottai.

Given under my hand and seal of this Office on this the <sup>10<sup>th</sup></sup> day of June 2018,

10/6



DETAINING AUTHORITY,  
DISTRICT COLLECTOR  
AND  
DISTRICT MAGISTRATE,  
THOOTHUKUDI DISTRICT,  
THOOTHUKUDI.

சுதன் நலலை நகலை பெற்றுக்  
கொண்டேன். விளக்கி சொல்லி  
கேட்டு தெரிந்து கொண்டேன்.

செய்யப்பட்ட  
கையொப்பம்

தேதி: 10.06.18 நேரம் 19:20  
Read over and explained to him  
Served by me

10/6  
Jailor / Addl. Superintendent of Prison  
Central Prison, Palayamkottai

**To**  
**Kottaiyan** aged 37/18,  
S/o.Chinnan,  
Ariyapatti 3<sup>rd</sup> ward,  
Usilampatti,  
Usilampatti Taluk Police Station Limit,  
Usilampatti Taluk,  
Madurai District.

(Through the Superintendent, Central Prison, Palayamkottai for service and return)

**Copy to:**

1. The Principal Secretary to Government, Public (L&O – F) Department, Secretariat Chennai –600 009.
2. The Additional Secretary to Government, Public (L&O – F) Department, Secretariat, Chennai –600 009.
3. Superintendent of Police, Thoothukudi District, Thoothukudi.
4. Superintendent, Central Prison, Palayamkottai.



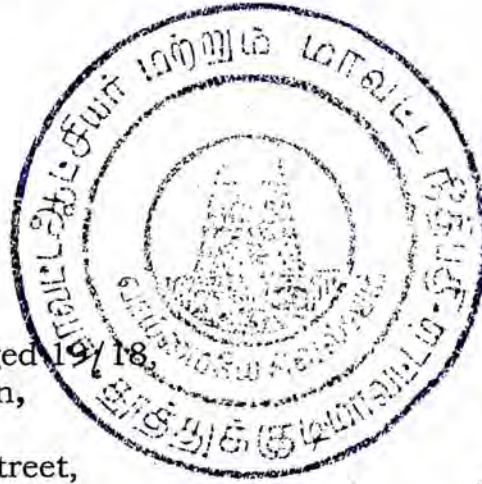
**NSA-7**  
11.6.18  
Office of the District Collector  
and District Magistrate,  
Thoothukudi District.  
Thoothukudi.  
Dated : 10 .06.2018

**DETENTION ORDER**

Whereas, I, Sandeep Nanduri I.A.S., District Collector and District Magistrate of Thoothukudi District on the materials placed before me, am satisfied that, **Mohamad Irsath** aged 19/18, S/o.Kaliloor Rahman, Door No.82, Gandhi Nagar, 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District. Whereas, the aforesaid individual is found indulging in activities prejudicial to the security of the State and prejudicial to the maintenance of public order, the details of which are set out in detail in the grounds of detention.

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 3 of the National Security Act, 1980 (Central Act 65 of 1980) read with the order issued by the Government in G.O.Ms.No.269, Public (Law and Order – F) Department, dated 13.04.2018 under sub section (3) of Section 3 of the said Act, I hereby direct that the said **Mohamad Irsath** aged 19/18, S/o.Kaliloor Rahman, Door No.82, Gandhi Nagar, 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District, be detained at the District Jail and Borstal School Pudukottai.

Given under my hand and seal of this Office on this the 10<sup>th</sup> day of June 2018.



15/17  
DETAINING AUTHORITY,  
DISTRICT COLLECTOR  
AND  
DISTRICT MAGISTRATE,  
THOOTHUKUDI DISTRICT,  
THOOTHUKUDI.

**To**  
**Mohamad Irsath** aged 19/18,  
S/o.Kaliloor Rahman,  
Door No.82,  
Gandhi Nagar, 5<sup>th</sup> Street,  
Tirunelveli,  
Pettai Police Station Limit,  
Tirunelveli Taluk,  
Tirunelveli District.

(Through the Superintendent, District Jail and Borstal School Pudukottai.  
for service and return)

**Copy to:**

1. The Principal Secretary to Government, Public (L&O – F) Department, Secretariat, Chennai –600 009.
2. The Additional Secretary to Government, Public (L&O – F) Department, Secretariat, Chennai –600 009.
3. Superintendent of Police, Thoothukudi District, Thoothukudi.
4. Superintendent, District Jail and Borstal School Pudukottai.

1) இதன நகலை பெற்றுக்கொண்டேன்  
2) விளக்கிச் செல்ல கேட்டு தெரிந்து கொண்டேன்

கையெழுத்து - [Signature]

நேரம் - 08:30

தேதி - 11-06-18

படித்து விளக்கி சொல்லப்பட்டு  
என்னால் சார்பு செய்யப்பட்டது



H.S.(M).Confdl.(NSA)No. 05/2018

NSA no: 8  
11.06.18

Office of the District Collector  
and District Magistrate,  
Thoothukudi District.  
Thoothukudi.  
Dated : 10.06.2018

**DETENTION ORDER**

Whereas, I, Sandeep Nanduri I.A.S., District Collector and District Magistrate of Thoothukudi District on the materials placed before me, am satisfied that, **Mohamad Anas** aged 21/18, S/o. Kaliloor Rahuman, Door No. 82, Gandhi Nagar 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District. Whereas, the aforesaid individual is found indulging in activities prejudicial to the security of the State and prejudicial to the maintenance of public order, the details of which are set out in detail in the grounds of detention.

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 3 of the National Security Act, 1980 (Central Act 65 of 1980) read with the order issued by the Government in G.O.Ms.No.269, Public (Law and Order - F) Department, dated 13.04.2018 under sub section (3) of Section 3 of the said Act, I hereby direct that the said **Mohamad Anas** aged 21/18, S/o. Kaliloor Rahuman, Door No. 82, Gandhi Nagar 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District, be detained at the District Jail and Borstal School, Pudukottai.

Given under my hand and seal of this Office on this the 10<sup>th</sup> day of June 2018.



DETAINING AUTHORITY,  
DISTRICT COLLECTOR  
AND  
DISTRICT MAGISTRATE,  
THOOTHUKUDI DISTRICT,  
THOOTHUKUDI.

To  
**Mohamad Anas** aged 21/18  
S/o. Kaliloor Rahuman,  
Door No. 82,  
Gandhi Nagar 5<sup>th</sup> Street,  
Tirunelveli,  
Pettai Police Station Limit,  
Tirunelveli Taluk,  
Tirunelveli District.

(Through the Superintendent, District Jail and Borstal School, Pudukottai for service and return)

**Copy to:**

1. The Principal Secretary to Government, Public (L&O - F) Department, Secretariat Chennai -600 009.
2. The Additional Secretary to Government, Public (L&O - F) Department, Secretariat, Chennai -600 009.
3. Superintendent of Police, Thoothukudi District, Thoothukudi.
4. Superintendent, District Jail and Borstal School, Pudukottai

தேனி மாவட்டம் மாண்புமிகு மாவட்ட நிர்வாக அலுவலர்  
விளக்கிச் சொல்ல வேண்டுமென்று கொண்டுள்ளேன்

கையெழுத்து - J.K. Mahalingam

நேரம் - 08.40

தேதி - 11.06.2018

படித்து விளக்கி சொல்லப்படும்

என்னால் சார்பு செய்யப்பட்டது

சிறை அலுவலர் / கண்காணிப்பாளர்  
பார்ஸ்டல் பள்ளி (ம) மாவட்ட சிறை,

புகழ்க்கோவை

Department, Secretariat

Department, Secretariat,



H.S.(M).Confdl.(NSA)No. 01 /2018

Office of the District Collector  
and District Magistrate,  
Thoothukudi District.  
Thoothukudi.  
Dated : 10.06.2018

NSA 5659  
10/06/18  
Time 1850  
ORP 3303

**DETENTION ORDER**

Whereas, I, Sandeep Nanduri I.A.S., District Collector and District Magistrate of Thoothukudi District on the materials placed before me, am satisfied that, **Kaliloor Rahuman**, aged 47/18, S/o. Seyad Mahthum, Door No.82, Gandhi Nagar, 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District. Whereas, the aforesaid individual is found indulging in activities prejudicial to the security of the State and prejudicial to the maintenance of public order, the details of which are set out in detail in the grounds of detention.

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 3 of the National Security Act, 1980 (Central Act 65 of 1980) read with the order issued by the Government in G.O.Ms.No.269, Public (Law and Order - F) Department, dated 13.04.2018 under sub section (3) of Section 3 of the said Act, I hereby direct that the said **Kaliloor Rahuman**, aged 47/18, S/o. Seyad Mahthum, Door No.82, Gandhi Nagar, 5<sup>th</sup> Street, Tirunelveli, Pettai Police Station Limit, Tirunelveli Taluk, Tirunelveli District, be detained at the Central Prison, Palayamkottai.

Given under my hand and seal of this Office on this the 10<sup>th</sup> day of June 2018.

10/6



**To**  
**Kaliloor Rahuman**, aged 47/18,  
S/o. Seyad Mahthum,  
Door No.82,  
Gandhi Nagar, 5<sup>th</sup> Street,  
Tirunelveli,  
Pettai Police Station Limit,  
Tirunelveli Taluk,  
Tirunelveli District.

17/17  
DETAINING AUTHORITY,  
DISTRICT COLLECTOR  
AND  
DISTRICT MAGISTRATE,  
THOOTHUKUDI DISTRICT,  
THOOTHUKUDI.

இதன் நல்ல நகலை பெற்றுக்  
கொண்டேன். விளக்கி சொல்லி  
கேட்டு தெரிந்து கொண்டேன்.

செய்யப்பட்டது  
கையொப்பம்

தேதி: 10.6.18 நேரம்: 18.50  
Read over and explained to him  
Served by me

10/6  
Jailor / Addl. Superintendent of Prison,  
Central Prison, Palayamkottai.

(Through the Superintendent, Central Prison, Palayamkottai for service and return)

**Copy to:**

1. The Principal Secretary to Government, Public (L&O - F) Department, Secretariat, Chennai -600 009.
2. The Additional Secretary to Government, Public (L&O - F) Department, Secretariat, Chennai -600 009.
3. Superintendent of Police, Thoothukudi District, Thoothukudi.
4. Superintendent, Central Prison, Palayamkottai.



and District Magistrate,  
Thoothukudi District.  
Thoothukudi.  
Dated : 10.06.2018

NSA 5661  
10/6/18  
Time - 19:40  
ODP - 2301

**DETENTION ORDER**

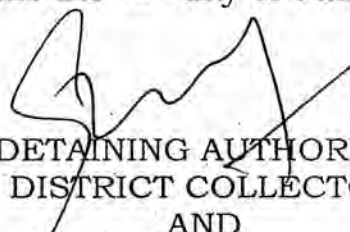
Whereas, I, Sandeep Nanduri I.A.S., District Collector and District Magistrate of Thoothukudi District on the materials placed before me, am satisfied that, **Velmurugan @ Murugan** aged 40/18, S/o. Chelladurai, Door No. 5/262A, Main Road, Puthupatti, Alangulam Taluk, Alangulam Police Station Limit, Tirunelveli District. Whereas, the aforesaid individual is found indulging in activities prejudicial to the security of the State and prejudicial to the maintenance of public order, the details of which are set out in detail in the grounds of detention.

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 3 of the National Security Act, 1980 (Central Act 65 of 1980) read with the order issued by the Government in G.O.Ms.No.269, Public (Law and Order - F) Department, dated 13.04.2018 under sub section (3) of Section 3 of the said Act, I hereby direct that the said **Velmurugan @ Murugan** aged 40/18, S/o. Chelladurai, Door No. 5/262A, Main Road, Puthupatti, Alangulam Taluk, Alangulam Police Station Limit, Tirunelveli District, be detained at the Central Prison, Palayamkottai.

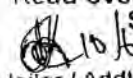
Given under my hand and seal of this Office on this the 10<sup>th</sup> day of June 2018.

10/6



  
DETAINING AUTHORITY,  
DISTRICT COLLECTOR  
AND  
DISTRICT MAGISTRATE,  
THOOTHUKUDI DISTRICT,

To  
**Velmurugan @ Murugan** aged 40/18  
S/o. Chelladurai,  
Door No. 5/262A,  
Main Road,  
Puthupatti,  
Alangulam Taluk,  
Alangulam Police Station Limit,  
Tirunelveli District.  
[ (Through the Superintendent, Central Prison, Palayamkottai for service and return)

THOOTHUKUDI  
ஆதன் நல்ல நகலை பெற்று  
கொண்டேன். விளக்கி சொல்ல  
கேட்டு தெரிந்து கொண்டேன்  
கையொப்பம்  
தேதி: 10-6-18 நேரம்: 19:40  
Read over and explained to him  
Served by me  
  
Jailor / Addl. Superintendent of Prison  
Central Prison, Palayamkottai

**Copy to:**

1. The Principal Secretary to Government, Public (L&O - F) Department, Secretariat Chennai -600 009.
2. The Additional Secretary to Government, Public (L&O - F) Department, Secretariat, Chennai -600 009.
3. Superintendent of Police, Thoothukudi District, Thoothukudi.
4. Superintendent, Central Prison, Palayamkottai.





PEOPLE'S INQUEST ORGANISED BY THE  
COORDINATING COMMITTEE  
FOR PEOPLE'S INQUEST INTO  
THOOTHUKUDI POLICE FIRING