

## **Thoothukudi police firing | How can CBI file charge sheet against just one Inspector of Police? questions Madras HC judge**

Justice J. Nisha Banu asks if it was humane on the part of the investigating agency to do so when as many as 13 lives had been lost in the 2018 police firing

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Justice J. Nisha Banu of the Madras High Court on Tuesday wondered how the Central Bureau of Investigation (CBI) can file a charge sheet against just one Inspector of Police for the 2018 Thoothukudi police firing, which led to the death of 13 anti-Sterlite protesters.



Presiding over a Division Bench, along with Justice N. Mala, the senior judge asked if it was humane on the part of the CBI to do so. When CBI Special Public Prosecutor K. Srinivasan said further investigation was being carried out now, she retorted: "That will take another 10 years."

Human rights activist Henri Tiphagne of People's Watch told the Bench that Madurai Chief Judicial Magistrate A. Pasumpon Shanmugiah had, on December 6, 2023, rejected the charge sheet filed against R. Tirumalai, who was promoted to Deputy Superintendent of Police before being suspended from service.

Apprehending that the further investigation now being conducted by the CBI, on the directions of the CJM, might also not be effective, Mr. Tiphagne urged the Bench to order the constitution of a Special Investigation Team (SIT) by the State government to conduct a fair probe.

Since the State government had accepted the report submitted by Justice Aruna Jagadeesan Commission of Inquiry, constituted to probe into the police firing, and tabled it in the Legislative Assembly too, there should not be any impediment to constituting a SIT, he said.

The submissions were made during the hearing of a writ petition filed by him in 2021 against the closure of a complaint lodged by him regarding the police firing before the National Human Rights Commission. "There is no point in asking the same CBI to conduct further investigation," he said.

On the other hand, the CBI, in a status report filed before the Division Bench, said, its investigation revealed clearly that the police had opened fire not with a pre-determined mind but only as a last resort to prevent further untoward incidents.

Terming the death of the 13 anti-Sterlite protesters as unfortunate, CBI Deputy Inspector General of Police S. Nirmal Devi, the signatory of the status report, said the investigating agency had sent a self-contained note to the Tamil Nadu Home Secretary as well as the DGP to initiate appropriate action against certain officials.

The officials named in the note were the then Thoothukudi Collector N. Venkatesh, Sub Collector M.S. Prasanth, Tahsildar Rajkumar Thangaseelan, Sub Inspector of Police Rennie, and Head Constable Raja. The CBI had asked the State government to take action, as it deemed fit, against these individuals.

After taking the status report on file, the Division Bench asked Mr. Tiphagne to respond to it by December 19.

<https://www.thehindu.com/news/national/tamil-nadu/thoothukudi-police-firing-how-can-cbi-file-charge-sheet-against-just-one-inspector-of-police-questions-madras-hc-judge/article67631322.ece>