

# CBI must probe reasons for Thoothukudi firing: HC

'The matter should be brought to its logical end as expeditiously as possible'

The Madras High Court on Monday stressed the need for Central Bureau of Investigation (CBI) to find out the circumstances under which the police fired at unarmed anti-Sterlite protesters in Thoothukudi on May 22, 2018, and killed 13 of them.

Lamenting the delay, the court said the matter should be brought to its logical end as expeditiously as possible. Chief Justice Sanjib Banerjee and Justice T.S. Sivagnanam made the observations in an interim order passed on a writ petition filed by Henri Tiphagne, executive director of People's Watch, a human rights organisation of Madurai.

The litigant had complained of the National Human Rights Commission (NHRC) not having taken any serious action and having closed the inquiry in October 2018 itself.

The Chief Justice said the incident appeared to have really gone out of the public mind due to the delay though as many as 13 innocent lives were lost, and several others injured in the police firing. "This kind of incident should be a scar on the face of our democracy. We should never forget... Our system delays so much that sometimes the entire idea is lost," he rued.

Further, insisting on an answer as to what instigated the police to open fire, he said: "Without meaning disrespect, yes, the protest may not have been legal or legitimate, but citizens cannot be fired on the behalf of any corporate body."

He said even if there was the slightest of indication that the firing was on behalf of any corporate body, the issue must be addressed immediately so that such incidents do not recur.

## NHRC recommendation

After perusing the NHRC's report filed in a sealed cover, the judges said the commission had recommended enhancement of compensation to the families of the deceased as well as those who had suffered injuries.

However, since the report was not made public to avoid possible influence on CBI probe and might not have been forwarded to the State government too, the recommendations were not implemented, the judges added

Directing the Registry to share copies of NHRC report with Additional Solicitor General R. Sankaranarayanan, Advocate General R.

Shunmugasundaram and the writ petitioner, the Bench said: "The State government should consider a realistic quantum of compensation... The State government is requested to play the real parental role in providing counselling and psychiatric assistance to the members of the bereaved families, if necessary."

It went on to state that "the State government must be seen to be with the families of the victims and not an adversary, despite whatever may have happened. It needs to walk the extra mile for such purpose and the learned Advocate General is requested to ensure that appropriate measures are taken to assuage the feelings of the families of the victims."

Since the NHRC had reported that a plea by Mr. Tiphagne to reopen the inquiry was under its consideration, the Bench called for the status of such re-inquiry within four weeks. In its counter, the NHRC said it had closed the inquiry into the issue since the government, had on its own, paid a compensation of ₹20 lakh each to the bereaved families.

It further pointed out that the CBI as well as a Commission of Inquiry appointed by the State government had begun probing the incident. Denying that it had not condemned the incident at all, the NHRC said, it's action in having taken *suo motu* cognisance of the incident on the very next day itself amounted to condemning the incident in strong terms.

<https://www.thehindu.com/news/national/tamil-nadu/cbi-must-probe-reasons-for-thoothukudi-firing-hc/article36443974.ece>