Transferring Sattankulam case to CBI not enough, say activists

They seek filing of murder case and time-bound probe under court’s supervision

Human rights activists have demanded that a murder case be registered against police personnel responsible for the deaths of traders P. Jayaraj and his son J. Benicks, instead of the State government merely transferring the
In a Facebook post, senior IPS officer and Additional Director-General of Police M. Ravi said that beating suspects to extract the truth from them could prove counter-productive since innocent people might admit to a crime unable to bear the pain. Police personnel should depend more on scientific methods of investigation to detect cases. the uniform should never be a symbol of power, ego or arrogance, he said.
probe to the Central Bureau of Investigation (CBI).

The move to transfer the case to the central agency came amidst a national outrage over the death of the traders, who were taken into custody over an issue relating to the closure of their shop during the lockdown. They died as remand prisoners in the Kovilpatti Government Hospital on June 22.

The Kovilpatti sub-jail records confirmed that both the father and son had bleeding injuries in the gluteal region when the Sattankulam police had taken them for remand on June 20.

**Time-bound probe**

Human rights activists are of the view that transferring the case to another agency was a mere eyewash.

Referring to the “slow” progress of CBI probe in the Thoothukudi police firing, in which 13 anti-Sterlite protesters died two years ago, the activists demanded a time-bound probe under court supervision.

People’s Union for Civil Liberties national general secretary V. Suresh charged that the State was trying to pass on the buck by transferring the case to the CBI. “We are seeing the slow pace of the CBI probe in the Thoothukudi police firing case. All that we want is to register a case of murder against the police personnel and also the inspector of the Sattankulam police station for criminal negligence,” he said.

Dr. Suresh said that the judicial magistrate, who ordered the remand of judicial custody, and the duty doctor, who gave the certificate of fitness, should also be implicated in the case on charges of dereliction of duty.

**Judicial scrutiny**

The Supreme Court had ruled on several occasions that remanding magistrates were not a post office of the police to unthinkingly accept the police remand report but should exercise their judicial mind and examine the accused brought before them.

The reasons for arrest as submitted in the remand report should be judicially scrutinised. “This is a case of dereliction of judicial function on the part of the magistrate who remanded the father and son,” he alleged.

Henri Tiphagne, executive director of People’s Watch, a human rights organisation, said that he would never take the position that the CBI was a better investigation agency than others, more so against the backdrop of the investigation into the Thoothukudi police firing case. The State should first alter the cases to that of murder under Section 302 of the Indian Penal Code and arrest the accused police personnel.

“The case can then be transferred to a Special Investigation Team (SIT), comprising senior police officers for a time-bound investigation under court supervision. Even after a year-and-a-half, the CBI has not named a single accused in the Thoothukudi firing case... Tamil Nadu should not use a central agency to cover up its lapses,” Mr. Tiphagne said.