

Sterlite protests: As CBI starts inquiry, families of 13 victims demand action against TN police

After authorities refuse to accept their complaints, ten eyewitnesses to police firing send their statements to agency via registered post.

by **S Senthair**

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Smoke billows from burning barricades as protestors march demanding closure of Sterlite Copper's smelter on May 22. | PTI

On Sunday, the Central Bureau of Investigation's Special Crime Branch began its investigation into the protests against Sterlite Copper's smelter in Thoothukudi, Tamil Nadu, and the police firing on May 22 in which 13 people agitating against the plant's expansion were killed.

A four-member team of the Special Crime Branch is in Thoothukudi to conduct the inquiry, said an official who did not want to be identified. On October 8, the investigation agency had filed a **first information report** against an unspecified number of persons from 20 organisations on charges that included rioting and voluntarily causing hurt with dangerous weapons. The document reproduced the contents of an earlier first information report filed at the SIPCOT police station in Thoothukudi on May 22, and was re-registered on the **order** of the Madurai bench of the Madras High Court in August.

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The violence on May 22 followed two decades of protests by Thoothukudi residents and activists, who **claimed** the smelter operated by a unit of mining and metals major Vedanta was a health hazard. The day after the police firing, the state government permanently shut down the plant.

Case against the police

As the CBI starts its investigation, relatives of the deceased are unsure whether it will investigate their charges of murder and attempt to murder against the police. To press this point, ten eyewitnesses to the police firing sought to submit their complaints at the office of the Special Crime Branch on September 30. “The CBI officials present that day did not accept it, stating that they have not got any orders from the higher authorities,” said Jenrose S, one of the eyewitnesses, whose brother-in-law Gladson was killed in the police firing.

The ten then sent their complaints to the agency’s office in Chennai via registered post. “They told us that they would start investigation once they get the orders from the higher officials,” said Micheal Anto Jeenious, another eyewitness.

To bolster their case, the complainants said they had included media reports and video footage identifying the policemen who fired at the protestors.

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But according to human rights activist Henri Tiphagne of People's Watch, the CBI may not be in a hurry to file a case against the police. "The investigation has just begun," he said. "The CBI might file a case against the police only after the investigation."

On the other hand, S Vanchinathan, who practises law at the Madurai bench, pointed out that the High Court had clearly said that the Central Bureau of Investigation should register a case or cases on complaints received against the police after the May 22 incident. Vanchinathan said that if the agency was investigating the involvement of people from 20 organisations as well as of a crowd of 10,000, "they should simultaneously file [a] case against the police and investigate the charges of murder and attempt to murder".

Central Bureau of Investigation officials in Chennai did not respond to *Scroll.in's* queries on the first information report against the 20 organisations or about the complaints against the police.

Why CBI probe?

In its order on August 14, the High Court said it "fail[ed] to understand how not a single case, not even invoking [Section 174 CrPC](#) has been registered at the instance of the injured or family members of the deceased". Calling for an investigation, it stated, "The truth or otherwise of the allegation is a matter for investigation. An investigation cannot be altogether avoided."

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Acting on a public interest litigation, the court ordered that all cases registered in connection with the incident on May 22 be considered as one and that this case be transferred to the Central Bureau of Investigation.

Scroll.in had reported on September 13 that the police registered nearly 243 cases in Thoothukudi after May 22, with many protestors facing multiple cases. For instance, more than 133 cases were registered against just one person. Also, in several cases, the police registered multiple first information reports about the same incident but named a different set of people each time. In all, the police are said to have booked nearly 200 people for being part of the violence. More than 20 of them have been named in multiple cases.

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