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TAMIL NADU LEGISLATIVE ASSEMBLY
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REPORT ON THE ALLEGATIONS OF INCIDENTS AND POLICE ATROCITIES IN PERIAKUPPAM VILLAGE, MADURANTAKAM TALUK CHINGLEPUT DISTRICT



by

Thiru M. G. RAJA RAM, I.A.S.
Commission of Inquiry
First Member, Board of Revenue, Madras

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தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

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REPORT ON THE INCIDENTS AND POLICE ATROCITIES IN PERIAKUPPAM VILLAGE, MADURANTAKAM TALUK, CHINGLEPUT DISTRICT DURING THE PERIOD FROM 11TH MAY 1973 TO 16TH MAY 1973.

BY

THIRU M. G. RAJA RAM, I.A.S.,
FIRST MEMBER, BOARD OF REVENUE, MADRAS.

I. PREAMBLE.

(1) *Constitution of the Commission.*—(*a*) In G.O. Ms. No. 1543, Public (General-D) Department, dated 2nd June 1973, the Governor of Tamil Nadu appointed me as the One Man Commission of Inquiry for the purpose of making an inquiry into the incidents that occurred in Periakuppam village of Madurantakam taluk in Chingleput district during the period from 11th May 1973 to 16th May 1973, and in particular the allegation of atrocities committed by the Police during the course of investigation into the case in Crime No. 80/73 of Cheyyur Police Station, Chingleput district (*Vide* Annexure I). This appointment was published in the *Tamil Nadu Government Gazette* Extraordinary Part II, Section I, dated 2nd June 1973. In the same G.O. they have directed that all the provisions of sub-sections (3) to (5) of Section 5 of the Commissions of Inquiry Act, 1952 shall apply to this Commission of Inquiry.

(*b*) In this Order of the Government appointing the Commission of Inquiry, the following statement was recorded :—

"There were some personal quarrels between Dhansingh on one side and Pandurangan on the other in the village of Alikuppam, a hamlet of Kadalur village. On or about 11th May 1973, Dhansingh and his family who had shifted the residence from Alikuppam to Periakuppam, another neighbouring hamlet, are alleged to have entered Alikuppam village and attacked the fishermen there. A case has been registered in Cheyyur Police Station in Crime No. 80/73 under various Penal Sections. Investigations were taken up by the Inspector of Police on 11th May 1973 and by the Deputy Superintendent of Police, Chingleput on 12th May 1973 and subsequent days. 17 persons have been arrested so far. The representations have been received, particularly from the womenfolk of Periakuppam village that atrocities were committed by the Police during the course of their investigation. A Press Statement issued by the Inspector-General of Police on 31st May 1973 has not satisfied them. Accounts of what is alleged to have been done, have appeared in the Press. The Government have therefore decided to have an inquiry into the incidents that occurred in Periakuppam village of Madurantakam taluk, Chingleput district during the period from 11th May 1973 to 16th May 1973 and in particular the allegations of atrocities committed by the Police."

(2) *Extension of time for the submission of Report by the Commission.*—As the commission could not complete the inquiries due to various reasons, extension of time for the submission of the report was sought for and they were accorded in the following Government Orders as noted against each :—

G.O. number and date.	*Date upto which the extension of time was given.*
(1)	(2)
(*a*) G.O. Ms. No. 1821, Public (General-A) Department, dated 4th July 1973.	Up to 15th August 1973.
(*b*) G.O. Ms. No. 2271, Public (General-A) Department, dated 22nd August 1973.	Up to 15th October 1973.

G.O. number and date.	Date up to which the extension of time was given.
(1)	(2)
(*c*) G.O. Ms. No. 2826, Public (General-A) Department, dated 27th October 1973.	Up to 30th November 1973.
(*d*) G.O. Ms. No. 3187, Public (General-A) Department, dated 5th December 1973.	Up to 25th December 1973.

Copies of these Government Orders are given in Annexures I (*a*) to I (*d*) respectively.

II. BACKGROUND.

(1) In order to appreciate the circumstances that led to the decision of the Government to appoint a Commission of Inquiry, it would be appropriate to mention briefly the background leading up to the Periakuppam incident.

(2) In the Tamil Dailies among others, of "*Navasakthi*", dated 30th May 1973 and "*Alaiosai*", dated 29th May 1973, certain reports attributed to Tirumathi Ramani Bai concerning the incidents were published. The gist of what appeared in the papers is given below :—

"In one village, full of sympathisers of the Congress consisting of Fishermen and Harijans, the Police and the D.M.K. Goondas entered the Village in day light and raided houses, disrobed the womenfolk and made them sit in the hot sand and indulged in other atrocities about two weeks before 30th May 1973. It was alleged that these atrocities which had exceeded even those committed by Yahya Khan in Bangla Desh did not elicit any reaction from the rulers of the Government. The Press Report went on further to say that in Alikuppam which is situated by the side of Periakuppam, one Seetharaman, President of the Fishermen Co-operative Society and a delegate to the Fishermen Co-operative Federation was allotted a mechanised boat by the Fisheries Department in 1972. It is learnt that he belonged to the D.M.K. and other members of his family are the followers of Congress. Because Seetharaman was getting the boat, some of the D.M.K. men demanded Rs. 5,000 ostensibly for the temple funds which was refused by him. Angered at this, the D.M.K. men beat Seetharaman and his brother Dhansingh. Seetharaman made a complaint to the Cheyyur Police. However, one M.L.A. of the D.M.K. party threatened Seetharaman and made him withdraw his complaint to the Police. Again in April, the D.M.K. Goondas of Alikuppam village beat the members of Seetharaman's family. Although a complaint was made to the Police, no action was taken for reasons best known only to them. In the meanwhile, afraid of the activities of the D.M.K. men, Seetharaman went over to Periakuppam. Again in the month of May, the D.M.K. men of Alikuppam beat and drove the members of Seetharaman's family from Alikuppam to Periakuppam. The Periakuppam people went to the rescue of Seetharaman's family. On the 11th May, angered at the Periakuppam people coming to the rescue of Seetharaman's family, the D.M.K. men of Alikuppam approached a D.M.K. M.L.A., and along with him and the Police went to Periakuppam at 1-O' Clock that night. The Police were in mufti and the Periakuppam people thought that they had come to attack the village and resisted their entry. Next Day on 12th May 1973, under the leadership of the District Superintendent of Police a large number of Special Armed Police went to Periakuppam village along with the D.M.K. men. Seeing the Armed Police approaching the village, the males took fright and ran away leaving the women and children behind. The Police and the D.M.K. men entered house by house and threw away their pots and pans into the streets and destroyed them. They broke open the boxes and took away all articles from them. All vessels, clothing, etc., were taken out and placed before the Police Officer. The women were disrobed, beat and made to walk in the street. All these happened in day light and the women who were made to sit naked in the hot sand from 12 noon developed heat boils. On 13th and 14th May 1973 also, atrocities by the police continued and it is learnt that some women were also raped by the cruel people. Cattle of the villagers were cut and thrown into the sea and casuarina seedlings were destroyed. "Kattamarans" and other fishing tackle of the village were destroyed and thrown into the sea. Rice and chicken looted from the houses were cooked and eaten by them. On all these days, the womenfolk were disrobed and driven by one Police Party up to the bridge from the village and redriven by another Police Party from the bridge to the village. Without

any clothes and out of shame because of their being molested, some of the women tried to drown themselves in the sea and they were saved by the Chinnakuppam people who gave them clothes. Tirumathi Ramani Bai and Advocate Ganesan and others visited Periakuppam and consoled the people and they also visited the Police Stations at Chithamur, Cheyyur and the Sub-Jail at Madurantakam. Fishermen who are predominent in Periakuppam and also the Harijans there who are all followers of Congress (O) are the target of attack by the Police. Tirumathi Ramani Bai appealed to the Chief Minister to intervene and order the arrest of all those who committed atrocities and take further action against them."

(3) Certain other items of news were also published in the Dailies stating that the women from Periakuppam were interviewed by the Press Correspondents at Madras to whom they narrated the incidents and they also met the Inspector-General of Police. Some photographs of the women alleged to have been beaten up by the Police also appeared in the papers.

(4) The Deputy Inspector-General of Police, Northern Range issued a Press Statement on 30th May 1973 in reply to the allegations made by Tirumathi Ramani Bai against the Police as narrated above, meeting all points in detail. The Inspector-General of Police also issued a Press Statement on 31st May 1973 refuting the allegations. Copies of these are attached to this report. (*Vide* Annexures II and II (*a*) respectively.)

(5) On 2nd June 1973, some of the women went in procession under the leadership of Tirumathi Ramani Bai and attempted to present a memorandum to the Chief Minister demanding a Judicial Inquiry into the incidents. This, then is the background to the whole affair which resulted in the appointment of the Commission of Inquiry by the Government.

III. DESCRIPTION OF THE VILLAGE.

(1) Periakuppam village is situated about 17 miles South-East of Madurantakam Railway Station. It is one of the hamlets of Kadalur Revenue Vattam as also the Panchayat. It is surrounded by the sea on the East, the hamlet Alikuppam on the South, the Buckingham Canal on the West and the hamlet Chinnakuppam alias Vadavandaikuppam on the North. The main hamlets figuring in the inquiry are referred to as Alikuppam, Periakuppam and Chinnakuppam. The particulars of population and the total number of houses in each of these hamlets according to 1971 Census are given below :—

Name of the hamlet.	*Number of houses.*	*Population.*		*Total.*
		Men.	*Women.*	
(1)	(2)	(3)	(4)	(5)
1. Alikuppam (Block No. V of Kadalur) ..	82	217	201	418
2. Periakuppam (House Nos. 54 to 141 of Block No. VI of Kadalur).	88	238	217	455
3. Chinnakuppam otherwise called as Vadavandaikuppam (House Nos. 1 to 53 of Block No. VI of Kadalur).	53	132	126	258

(2) The people of Periakuppam, Chinnakuppam and Alikuppam are predominently of the fishermen community. Kadalur is the main village which is also the marketing place for these people to purchase their requirements and sell their fish. To reach Kadalur, they have generally to cross the Buckingham Canal across the P.W.D. Lock by foot, although it is not uncommon for some of them to cross the canal elsewhere by wading across the water. From Kadalur buses are available for proceeding to various other places. Kadalur Panchayat is in the Lathur Panchayat Union at Pavunjur in Madurantakam Taluk. A sketch map showing the location of the villages and hamlets is given in Annexure III.

IV. WHAT IS CRIME NO. 80/73 ?

(1) The starting point for the incidents of Periakuppam is the occurrence of this Crime No. 80/73 of Cheyyur Police Station. It would therefore be appropriate to give brief details of this Crime.

(2) The First Information Report in Crime No. 80/73 of Cheyyur Police Station was registered on the complaint of one K. V. Pandurangan, son of Venkatachetty of Alikuppam at 2-15 p.m. on 11th May 1973. This complaint in original is reproduced in Tamil as given and signed by K. V. Pandurangan. (*Vide* Annexure IV.). This crime No. 80/73 was registered under sections 149, 148, 147, 397, 395, 325, 326, 324, 323, 448, 379, 402, 427 and 34 Indian Penal Code.

(3) The reason for the Police to go into Periakuppam was for purposes of investigating into this Crime. It is while the said investigation was being conducted that the atrocities are alleged to have been committed.

V. PRELUDE TO INQUIRY.

(1) *Visit to the area.*—(*a*) Immediately after being informed on 2nd June 1973 (evening) of my appointment as the Commission of Inquiry, I decided to visit the area the next day itself in order to have an idea of the place, men and matters. Accordingly, on 3rd June 1973, I proceeded to Madurantakam first and had preliminary discussions with the District Revenue Officer, Chingleput (who was the Collector-in-charge), the Sub-Collector, Chingleput, the Superintendent of Police, Chingleput (West) District, the Deputy Superintendent of Police, Chingleput and the Tahsildar, Madurantakam.

(*b*) Later I proceeded to Pavunjur where the Lathur Panchayat Union Office is situated and had discussions with the Chairman, Panchayat Union and Vice-Chairman and some public men present there regarding the possibility of holding the inquiry in the Panchayat Union Office itself, because of its proximity to Periakuppam. I then visited Kadalur village and the Public Works Department Lock Site across Buckingham Canal. While I was there, I received intimation that the womenfolk of Periakuppam who were then reported to be staying in Chinnakuppam were anxious to meet me at the Lock Site and that they were already on their way. I, therefore, decided to stay there itself awaiting them. After about half an hour, some 20 to 25 women including some children arrived. They narrated to me about the alleged atrocities by the Police and the damages caused to their huts in Periakuppam and the misbehaviour of the Police towards the women. They particularly represented that they should be enabled to give evidence in Court without fear and also wanted sufficient privacy to give some sensitive details of evidence before the Commission. To a question whether the Panchayat Union office at Pavunjur would meet their approval, their answer was in the affirmative. After noting their request, I returned to Madras.

(2) *Issue of Notifications under Rule 7 of the Commissions of Inquiry (Tamil Nadu) Rules*, 1972.—(*a*) On 6th June 1973, I issued a Notification under Rule 7 of the Commissions of Inquiry (Tamil Nadu) Rules 1972, inviting all persons acquainted with or having knowledge of the said incidents in Periakuppam and who may wish to tender evidence before the Commission, to furnish to the Commission a statement setting down such facts about the incidents in their knowledge and requiring that all such statements shall be accompanied by an affidavit in support of the facts set out in the statements sworn or solemnly affirmed by the persons furnishing them on or before 12th June 1973.

(*b*) The notifications both in Tamil and in English were sent for publication in various Tamil and English papers and also in the villages and the hamlets concerned. The Notification was published in the dailies ' Hindu ', ' Indian Express ', ' Mail ', ' Murasoli ', ' Dinamani ', and ' Dinathanthi ' and in the villages by Tom Tom and also by affixture on the Notice Boards of the Panchayat Union Office, Panchayat Offices, Taluk Office, etc.

(*c*) On 7th June 1973 the Police was also asked to let the Commission have a list of witnesses whom they would like to examine with a short statement of facts they will speak to.

(*d*) Although the publication was done in time, some telegrams and representations were received from interested parties requesting for extension of time for the filing of affidavits and statements. Hence, another Notification was issued on 11th June 1973 extending the time up to 19th June 1973. This Notification was also given due publicity in all the dailies mentioned above and also in the villages and hamlets concerned in the manner described before.

(3) *Fixation of venue of the inquiry.*—(*a*) Although the Commission had taken no decision or made any announcement regarding the venue of the Inquiry, representations and telegrams were received from various parties suggesting various places like Periakuppam, Public Works Department Lock Site, Kadalur village, Madurantakam, Chingleput and Madras as the venue of the inquiry.

(*b*) In order to arrive at a consensus regarding this, I announced a public hearing to be held at 11-00 a.m. on 21st June 1973 in the Office of the Sub-Collector, Chingleput and notice regarding this was isued to the various political parties who had made representations and also to the general public.

(*c*) Twnety-one officials and non-officials including representatives of various political parties were present at the public hearing on 21st June 1973. The following were heard :—

(i) Thiru C. Ganesan, Secretary, District Congress Committee, Chingleput.

(ii) Thiru S. Santhanam, President, Swatantra Party, Madurantakam.

(iii) Thiru C. Arumugham, M.L.A.

(iv) Thiru V. Gopal Reddy, Chairman, Panchayat Union, Lathur.

(v) Thirumathi V. Ramani Bai, Organiser, Tamil Nadu Congress Committee (Women's Wing).

(vi) Thiru Shanmugam, A.D.M.K., Madurantakam.

(vii) Thiru T. K. Adimoolam, Public Prosecutor, Chingleput.

(viii) Thiru U. S. Natarajan, I.A.S., Collector, Chingleput.

(ix) Thiru S. Narasimhan, I.A.S., Sub-Collector, Chingleput.

Having heard what they had to say, I found that the consensus of opinion was in favour of holding the inquiry at the Office of the Sub-Collector, Chingleput. In view of this, it was decided by the Commission to hold the inquiry at the Office of the Sub-Collector, Chingleput.

(*d*) Accordingly, the venue of the inquiry was notified and the dates of inquiry were also fixed and notified as 28th June 1973 to 30th June 1973 and 2nd July 1973, to start with. These notices were published in the dailies and also in the villages and other places as described before.

(4) *Framing of Regulations by the Commission.*—(*a*) I then framed and issued a set of Regulations under section 8 of the Commisions of Inquiry Act, 1952 and under Rule 14 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972—(Annexure V).

(*b*) I also appointed Thiru P. Thiruvengadam an officer in the cadre of Tahsildar of the Revenue Subordinate Service, Chingleput district, as the Manager to the Commission. I also issued proceedings empowering the Manager to issue summons and processes on behalf of the Commission for purpose of the inquiry.

(5) *Issue of summons to witnesses.*—(*a*) In response to the notice issued under Rule 7 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972, affidavits were filed by 11 persons (2 on 18th June 1973 and 9 on 19th June 1973) on behalf of the public of Periakuppam.

(*b*) A list of 36 witnesses was filed by the Deputy Inspector-General of Police, Northern Range, on behalf of the Inspector-General of Police, Madras on 15th June 1973.

(*c*) On 21st June 1973, Summons were issued to 18 witnesses on behalf of the Administration to appear before the Commission on 28th June 1973.

VI. COMMENCEMENT OF INQUIRY.

(1) On 26th June 1973, a petition was received on behalf of Thirumathi Ramani Bai and Kannappa Chetty through Thiru K. V. Sankaran, Advocate to the effect that a visit to Periakuppam by the Commission will be necessary before the inquiry and that the inquiry should be conducted publicly. A telegram and a petition were also received from

Thiru C. Ganesan, Secretary, District Congress Committee (O), praying for the inquiry to be held in public. On 28th June 1973, a petition was also filed by one Thiru Arjunan, Communist Party of India, Madurantakam, requesting for the transfer of concerned Police Officials and expressing against the inquiry being held in private.

(2) *Introduction of Counsels.*—(*a*) When the inquiry commenced on 28th June 1973 the following counsels made appearance, filed vakalats and introduced themselves as noted against each :—

(i) Thiru K. Ramaswamy, Special Counsel for Police and Administration.

(ii) Thiru D. Lakshmana Reddy, Counsel for Alikuppam villagers.

(iii) Thiru T. K. Adimoolam, Public Prosecutor, Chingleput, Counsel for the Administration.

(iv) Thiru K. V. Sankaran, Counsel for Thirumathi Ramani Bai and Kannappa Chetty, representators of Periakuppam Public.

(v) Thiru C. Ganesan, Counsel for Periakuppam, Alikuppam and Kadalur villagers.

(vi) Thiru S. Santhanam, Counsel for Periakuppam, Alikuppam and Kadalur villagers.

(Later on during the course of the proceedings on 14th July 1973, Thiru P. M. Sundaram, advocate introduced himself as the Counsel for Thiruvalargal Arumugham, M.L.A., Sornam, President, Kadalur Panchayat and Balakrishnan of Cheyyur and filed a vakalat on their behalf).

(*b*) The following points urged by the public were taken up first for consideration on 28th June 1973 :—

(i) Transfer and/or suspension of Police Officials.

(ii) Inspection of the place of incidents, i.e., Periakuppam before the inquiry.

(iii) To have the inquiry as public one.

Arguments were heard both for and against these points.

(*c*) As regards point (i), I pointed out that it was not competent for the Commission to order the transfer or suspension of the Police Officials concerned and that the matter had already been remitted to the Government for such action as they deem fit.

(*d*) As regards (ii), I pointed out that it was only at the specific instance of the womenfolk of Periakuppam who had met the Commission on 3rd June 1973 at the Public Works Department Lock Site that the inquiry was suggested to be a private one. However, if it was insisted that it should be a public one, I would have an open mind and would have no particular objection provided the Commission would be at liberty to regulate the crowd in the Court Hall and the Press would report the proceedings in a factual way and not indulge in any sensationalism or put out distorted versions or versions out of context.

(*e*) As regards (iii), I gave a ruling that it was upto the Commission to decide when the inspection of Periakuppam village would be undertaken and that it would decide accordingly the date and time convenient to the Commission and the parties concerned.

(3) Having announced these decisions, I proceeded with the inquiry and was about to call for the first witness on behalf of Administration. Thiru K. V. Sankaran, Counsel for Periakuppam villagers then raised a point of order that the Police had not filed affidavits and statements as required in the Notification and that till these documents were made available to him, he would not be able to arrange his case and cross-examine the witnesses. After some arguments, the Special Counsel for Police conceded this point and I accordingly directed the Special Counsel for Police to file affidavits by 11-00 a.m. on 29th June 1973.

(4) Since the inquiry could not be proceeded with that day (28th June 1973) and time was available to me, I decided to utilise it in consultation with the parties concerned to have the inspection of the Periakuppam village in the afternoon itself.

(5) Accordingly, the Commission and the parties assembled at the Public Works Department Lock Site at 4-30 p.m. and then proceeded to visit Periakuppam village. The following were present :—

(i) Thiru K. V. Sankaran, Counsel for Periakuppam villagers.

(ii) Thiru C. Ganesan, Advocate for Periakuppam, Alikuppam and Kadalur villagers.

(iii) Thiru S. Santhanam, Advocate for Periakuppam, Alikuppam and Kadalur villagers.

(iv) Thiru T. K. Adimoolam, Public Prosecutor, Chingleput.

(v) Thiru D. Lakshmana Reddy, Advocate for Alikuppam villagers.

(vi) Thirumathi Ramani Bai, Organiser, Tamil Nadu Congress Committees (Women's Wing).

(vii) Thiru U. S. Natarajan, I.A.S., Collector of Chingleput district.

(viii) Thiru U. Subramanyan, District Revenue Officer, Chingleput.

(ix) Thiru S. Narasimhan, I.A.S., Sub-Collector, Chingleput.

(x) Thiru S. Ramanathan, Deputy Superintendent of Police, Chingleput.

I had an inspection tour of Periakuppam village and inspected a well, one damaged school, 13 other huts and the place where the Jathi Panchayat (ஜாதி பஞ்சாயத்து) of the village was reported to be held normally for the settlement of disputes and where it was alleged that the womenfolk were collected and made to sit in the hot sand naked. I also inspected the fishing boat said to have been damaged by the Alikuppam people belonging to Dhansingh and which was secured on shore. A copy of the inspection notes and a rough sketch showing the places inspected by the Commission are given in Annexure VI and VI (*a*) respectively.

(6) On 29th June 1973 the Special Counsel for the Police and the Counsel for Alikuppam villagers filed affidavits in respect of 13 persons and 2 persons respectively and copies of these were also made available to the Counsel for Periakuppam villagers.

VII. CLASSIFICATION OF WITNESSES.

(1) The witnesses examined on behalf of the Administration are denoted by letters as under.—A.1, A.2, A.3, etc.

(2) The witnesses examined on behalf of the public are denoted by letters as under.—P.1, P.2, P.3, etc.

(3) No witnesses were found necessary to be examined on behalf of the Commission.

(4) Witness Nos. P.22, P.23 and P.24 were examined under Rule 10 of the Commissions of Inquiry (Tamil Nadu) Rules 1972, as persons likely to be prejudicially affected. They were given numbers in the "P" series for the sake of convenience, though they were not deposing on behalf of the Periakuppam people.

VIII. RECORDING OF EVIDENCE ON BEHALF OF ADMINISTRATION.

(1) In his letter No. 3521/G/73, dated 12th June 1973, the Deputy Inspector-General of Police, Northern Range has filed on behalf of the Inspector-General of Police, a list of 36 witnesses to be examined on behalf of Administration. During the course of inquiry, however, the Special Counsel for the Police wanted three more additional witnesses to be examined thus making the total in all to 39 inclusive of two witnesses representing Alikuppam villagers. However, only 15 witnesses were ultimately examined and the rest were dispensed with.

(2) Of the 13 affidavits filed by them, three were marked as exhibits during the examination (*vide* Exhibit A-11, A-16 and A-21). Of the 13 witnesses who filed affidavits, 9 were examined and the balance were dispensed with. A list of witnesses examined, date of receipt of their affidavits and whether the affidavits were marked as exhibit or not is indicated in Annexure VII. A list of exhibits marked on behalf of Administration during the course of examination is given in Annexure VIII.

(3) Two affidavits were filed on behalf of Alikuppam villagers. Both these witnesses were dispensed with by the Counsel for Alikuppam villagers in a memorandum, dated 5th September 1973. A list of witnesses cited by him is given in Annexure VII (*a*).

(4) The examination of witnesses on behalf of Administration was commenced on 29th June 1973 and continued on dates as under :—

(*a*) 29th June 1973	A-1 (not concluded).
(*b*) 30th June 1973	A-1, A-2, A-3.
(*c*) 3rd July 1973	A-4, A-5 (not concluded)*, A-6.
(*d*) 4th July 1973	A-7, A-8, A-9, A-10.
(*e*) 7th July 1973	A-11 (not concluded)*.
(*f*) 8th July 1973	A-11 (not concluded)*.
(*g*) 14th July 1973	A-11 (not concluded)*, A-12, A-13.
(*h*) 20th August 1973	A-14, A-15.
(*i*) 14th September 1973	A-11, A-13, A-14, A-15.
(*j*) 29th September 1973	A-5.
(*k*) 13th October 1973	A-12.

* Witnesses A-5 and A-11 to A-15 were cross-examined at a later date.

(5) During the cross-examination of witnesses on 29th June 1973, mention was made about the use of certain offensive weapons in Crime No. 80/73. In order to have an idea about these weapons, I ordered that these weapons be produced in Court for inspection. After inspection, I have recorded a brief description of these weapons which is given in Annexure IX.

IX. RECORDING OF EVIDENCE ON BEHALF OF PUBLIC OF PERIAKUPPAM.

(1) In response to the notice under Rule 7 of the Commissions of Inquiry (Tamil Nadu) Rules 1972, two affidavits were received on 18th June 1973 and nine on 19th June 1973 on behalf of the public of Periakuppam.

(2) Out of the 11 persons who filed affidavits only two were examined as witnesses and the other nine were dispensed with. These nine are also persons who are not eye witnesses to the alleged events from 11th to 16th May 1973. What they say in their affidavits was on hearsay only.

(3) On 29th June 1973 the Counsel for Periakuppam villagers filed a list of 9 additional witnesses. On 1st September 1973 again he filed a second list of 12 additional witnesses. A list of witnesses examined, date of receipt of their affidavits, and whether the affidavits were marked as exhibit or not is indicated in Annexure X. It will be seen that out of 32 witnesses cited on behalf of the Public of Periakuppam, only 21 witnesses were ultimately examined and 11 were dispensed with.

(4) It is interesting to note that 16 witnesses on behalf of Public of Periakuppam produced written statements through their Counsel at the time of their examination and insisted that they be taken on record as affidavits in addition to their oral evidence. This was objected to by the Special Counsel for Police on the ground that they cannot be admitted at that time as affidavits in as much as they were time barred under the Notification issued by the Commission. It was then ruled that they could be admitted only as written statements in support of their oral evidence and they were accordingly permitted to be marked as exhibits on their behalf.

(5) Nine witnesses were women of Periakuppam village who were involved in or connected directly with the incidents. Three witnesses (P-12, P 16 and P-21) had spoken independently.

(6) Tirumathi Ramani Bai (P.1) and Kannappa Chetty (P.2) were not actually present in Periakuppam village during the incidents but had spoken only on the information furnished to them by other witnesses at Madras and elsewhere.

(7) A list of exhibits filed by the witnesses on behalf of Public of Periakuppam is given in Annexure XI.

X. RECORDING OF EVIDENCE ON BEHALF OF THIRU C. ARUMUGHAM, M.L.A.

(1) During the course of the proceedings on 14th July 1973, Thiru P. M. Sundaram, Advocate entered appearance as the Counsel for Thiruvalargal C. Arumugham, M.L.A., S. Sornam, President, Kadalur Panchayat and G. Balakrishnan of Cheyyur and filed vakalats on their behalf. He also filed affidavits on their behalf. In these affidavits they have taken cognisance of the grave allegations made against them and the D.M.K. party through Press Reports in some Dailies and other allegations levelled against them during the course of the evidence before the Commission. Since these grave and false allegations could affect their personal reputations and also the party to which they belong, they pleaded for appearance to repudiate them. This was allowed.

(2) Under Rule 11 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972, the Commission permitted the Counsel for them to cross-examine the witnesses. Under Rule 10 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972, these persons were also given reasonable opportunity of being heard at the inquiry and to produce evidence in their defence.

(3) In his petition, dated 28th August 1973, the Counsel Thiru P. M. Sundaram brought to the notice of the Commission that witnesses P. 2 and P. 3 have doposed before the Commission that there was a panchayat at the M.L.A's Hostel in the presence of Thiru Kuppuraj and Thiru Polur Srinivasan among others and that the two witnesses have levelled certain defamatory allegations against Thiru C. Arumugham, M.L.A. deliberately calculated to undermine his reputation and character and the reputation of the ruling D.M.K. Party in particular. He therefore wanted the two witnesses, Thiru Kuppuraj and Polur Srinivasan to be summoned to give evidence in respect of the facts relating to the panchayat held at the M.L.A.'s Hostel, Madras. In his petition before the Commission, dated 5th September 1973, the Counsel requested that the taxi driver of the Tourist Taxi bearing No. TNH 1006 may also be examined in his favour, apart from the two witnesses already cited by him. All these witnesses were summoned for appearance on 15th September 1973. Thiruvalargal Kuppuraj and Polur Srinivasan however sent telegrams pleading their inability to attend the inquiry on 15th September 1973. Apart from this, due to some personal reasons, the Commission could not have the sitting on 15th September 1973. They were therefore summoned again to appear on 28th September 1973.

(4) Thiru Polur Srinivasan, M.L.A. could not partake in the inquiry, as he had sustained serious injuries in an automobile accident and was bedridden. He was therefore excused from attendance. The three other witnesses were examined on 28th September 1973 as mentioned below :—

(*a*) Thiru V. Sambadam, taxi driver	P. 22
(*b*) Thiru P. Kuppuraj	P. 23
(*c*) Thiru C. Arumugham, M.L.A.	P. 24

The Counsel for Thiruvalar C. Arumugham, M.L.A., etc. filed a memorandum on 29th September 1973 dispensing with the examination of Thiru S. Sornam of Kadalur and Polur Srinivasan, M.L.A.

(5) Eventhough these witnesses have been given numbers in the "P" series, they were not actually examined on behalf of Public of Periakuppam, but under Rule 10 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972.

(6) A list of exhibits filed by P. 22, Thiru V. Sambandam, taxi driver can be seen in Annexure XI.

XI. INTERLOCUTORY PETITION FILED ON 14TH JULY 1973 AND ORDERS PASSED THEREON.

(1) On 14th July 1973, the Counsel for Periakuppam villagers, Thiru K. V. Sankaran and advocate Thiru C. Ganesan presented a memorandum on behalf of Thirumathi Ramani Bai mentioned as "representator" of the people of Periakuppam stating that if the tasks assigned to the Commission are to be discharged justly and properly a sense of security must be infused among the people of Periakuppam by the following being done :—

(*a*) The Police Officers, viz., The Deputy Superintendent of Police, the Circle Inspector, the Sub-Inspector, the Head Constable, Constable Mallika and others should desist from holding their office in Chingleput.

(*b*) The persons against whom various complaints were given in March and April 1973 at the Cheyyur Police Station should be apprehended and investigation commenced.

(*c*) The Commission should stop all further proceedings scheduled for 14th July 1973 and adjourn to 19th and that the Commission in the meanwhile should use its good offices to move the Government in the matter.

(2) In this memorandum it was also threatened that if the Commission did not agree with the points raised therein, they would have to stop participating in all the proceedings of the Commission. A special hearing was therefore given to consider this memorandum. Having heard the counsels on both sides, the Commission gave its rulings to the contents of the memorandum in seriatim.

(3) As the filing of this memorandum and rulings given by the Commission are of interest, as at this time, the Counsel for Periakuppam withdrew on his own from the proceedings, a copy of the memorandum submitted by the Counsel Thiru K. V. Sankaran and the rulings given by the Commission are given in Annexures XII and XII (*a*) respectively.

(4) As the Commission did not find any reason to adjourn the proceedings, it decided to continue eventhough Thiruvalargal K.V. Sankaran and C.Ganesan along with Thirumathi Ramani Bai withdrew from the proceedings on 14th July 1973. Because of their withdrawal the cross-examination of the Deputy Superintendent of Police, Thiru S. Ramanathan, by Thiru K. V. Sankaran could not be proceeded with on that date. The cross-examination of the Deputy Superintendent of Police and others were however permitted later on the request of the Counsel.

XII. SEQUENCE OF EVENTS LEADING UP TO THE PERIAKUPPAM INCIDENTS.

(1) There is a history of certain events taking shape in Alikuppam prior to 11th May 1973 that have a bearing on the subsequent incidents in Periakuppam. As gathered from the affidavits filed and evidence given by the Police and the Public of Periakuppam, two versions emerged—(1) as made out by the Police and (2) as made out by the Counsel for Periakuppam villagers. It is appropriate to have an idea of this before I proceed any further in this report. I accordingly give below the versions made out on behalf of the Administration and the Police of Periakuppam:—

(*a*) *Version on behalf of Administration.*—(i) Every Police Station maintains what is known as Part IV Crime Record for all villages under its jurisdiction. This deals with the history of each village regarding the occurrence of various types of crimes, etc., which is normally recorded and kept by the Police Station. Alikuppam has been a peaceful fishing hamlet and before 11th May 1973 there has been no mention of any serious faction in the Part IV Crime Record except perhaps two "hurt" cases. The history does not also disclose any political animosity between the people of Alikuppam and Periakuppam or even among the people themselves of these two hamelts.

(ii) Dhansingh of Alikuppam came into possession of a power boat by purchase. Apparently the allotmentof this boat was made possible by the Fishermen Co-operative Federation. The people of Alikuppam felt they had a stake in it as Dhansingh got this boat only because he was ofthat village and that the boat should be of service to the people as a whole and not merely of himself. Dhansingh refused to do this and he was using the boat at Madras. Apart from this, in Alikuppam to the north of the local temple, there

are 5 acres of poramboke lands and Dhansingh had applied for a patta for these lands to the Tahsildar. The villagers objected to this and petitioned accordingly to the Tahsildar. 12 persons including his brother Seetharaman are mentioned as the supporters of Dhansingh in Alikuppam. Dhansingh along with his 12 supporters and their families left Alikuppam and went over to Periakuppam on 3rd May 1973. On the night of 10th/11th May 1973 more in the early hours of 11th May, a crowd of about 100 people including Dhansingh, his brother Seetharaman and others including some women armed with deadly weapons like knives, "Thirukkaival," "Sillakol", "Velamullu", sticks and spears entered Alikuppam and beat the villagers causing grievous injuries to many and indulged in looting of houses. They took away clothing, vessels, sails of Kattamarans and other articles and caused damages to huts and other property. (For a description of these weapons used, please *see* Annexure IX.) This raid of the village is alleged to have taken place between 3.00 a.m. and 5.30 a.m. on 11th May 1973.

(iii) After the raid, Pandurangan of Alikuppam along with the injured persons reached Cheyyur Police Station at about 2-00 p.m. and gave a complaint to the Head Constable Manickam, who arranged for taking the 11 injured persons to the hospital. After treatment, 4 were sent to the Medical College Hospital at Chingleput. This is the complaint registered in the F.I.R. as Crime No. 80/73 and involves about sixty persons including Dhansingh, Seetharaman, Ramu, Dhanapal, Thangarajan and others. (*Vide* Exhiblt A-6.)

(iv) At about 5.00 p.m., the same day, i.e., 11th May 1973, the Sub-Inspector of Police, Cheyyur and the Circle Inspector of Police, Madurantakam returned to the Cheyyur Police Station after investigation of another case in Crime No. 73/73 of Cheyyur Police Station. It was at this time they were informed by the Head Constable Manickam of the registration of Crime No. 80/73 based on the complaint given by Pandurangan.

(v) Immediately the Circle Inspector of Police proceeded to Cheyyur Hospital and examined the injured persons who had been admitted for treatment and also examined three other witnesses and then proceeded to Alikuppam along with the Sub-Inspector of Police and four Police Constables. He also sent a phone message to the Superintendent of Police, Chingleput to despatch two sections of Armed Reserve. He also sent a message to the Station-House Officer, Madurantakam to send some police constables to Alikuppam village to help him in the investigation, as he anticipated some delay in the Armed Reserve Party reaching the place in time from Kancheepuram. When he reached Kadalur village he found 8 police constables who had already arrived from Madurantakam and along with them proceeded to Alikuppam, which place he reached at about 8-00 p.m. He visited the scene of occurrence and prepared the Observation Mahazar in the presence of the witnesses Devarajan and Chinnadurai of Alikuppam. He then examined several persons in the village. In the meantime the two sections of Armed Reserve from Kancheepuram reported for duty at about 10.25 p.m. After completing investigation in Alikuppam, and while he was returning to Kadalur with his party, he saw a crowd of about 200 persons from the direction of Periakuppam coming towards him. When he identified himself and told them that they were "Police Party", they quietly retreated to their place. He then left the police party (two sections of Armed Reserve and 12 constables) at Kadalur in charge of the Sub-Inspector and himself returned to Madurantakam at about 0-30 a.m. The Sub-Inspector of Police, Cheyyur stayed at Kadalur with the Police Party on the night of 11th May 1973.

(vi) Immediately on return to Madurantakam the Circle Inspector informed the Deputy Superintendent of Police, Chingleput over the phone about the case and requested him to visit the scene of occurrence. The Deputy Superintendent of Police, Chingleput, reached Madurantakam at about 8-00 a.m. on 12th May 1973. He brought with him an additional two sections of Armed Reserve. He then left for the scene of occurrence in Alikuppam at about 9-00 a.m. along with the Circle Inspector and two Sections of Armed Reserve. He collected the Sub-Inspector and Police Party at Kadalur and reached Alikuppam at 10-00 a.m. He had taken a photographer along with him for taking photographs in Alikuppam. After completing his work in Alikuppam, he proceeded to Periakuppam at about 12-00 noon. He had taken with him six women of Alikuppam who had alleged that articles were stolen from their houses during the rioting that took place the previous day. This was for purposes of their identifying those articles among the possessions of the Periakuppam people. On reaching Periakuppam, however, they found that there were no menfolk and only women and children were left. They were asked to bring out their brass, aluminium vessels, etc., for the purpose of identification by the women of

Alikuppam. None of them identified any of the vessels shown to them. However, when a box belonging to one Anasuya was brought out and opened, one of the ladies of Alikuppam, viz., Lalithambal (A. 3) identified a saree as the one stolen from her house. This was recovered under a mahazar and attested by one Appadurai (A. 5) and Arunachalam.

(vii) After this, the Deputy Superintendent of Police along with all his police party left Periakuppam and proceeded to the P.W.D. Lock Site. Twenty-three women of Periakuppam mentioned as having taken part in the rioting that took place in Alikuppam and the six women from Alikuppam also were asked to assemble at the Lock Site for interrogation. The Lock Superintendent Thiru Narayanasamy (A. 6) and the Lascar Krishnan and two other persons Munuswami and Mani (A. 7) who were engaged in toddy tapping from the coconut trees nearby, were also there. Statements were recorded from the 23 women of Periakuppam and they were all asked to go home. The Alikuppam women also were sent away. The time was about 5-30 p.m. The Deputy Superintendent of Police then returned to Chingleput and sent express reports to the Inspector-General of Police, Deputy Inspector-General of Police and Superintendent of Police, Kancheepuram. The Inspector of Police stayed that night at the P.W.D. Lock Site along with the Police party.

(viii) On 13th May 1973, the Deputy Superintendent of Police came to the Lock Site at about 7-30 a.m. and he along with the Circle Inspector of Police and the entire police party left for Oyyalikuppam at about 8 a.m. which place they reached at about 9 a.m. They saw about 50 persons escaping in Kattamarans into the sea. The Deputy Superintendent of Police then left instructions with the local leaders to contact him as soon as the persons who had escaped into the sea and who were suspected to be the accused in the Alikuppam rioting case returned. He left 10 policemen and one head constable No. 1416 at Oyyalikuppam. He then along with the Circle Inspector of Police, the Sub-Inspector of Police and rest of the Police party left Oyyalikuppam and after staying at Sadras till 4-30 p.m. left for Kadalur reaching the place by 5-30 p.m. They stayed there for the night.

(ix) On 14th May 1973, the Deputy Superintendent of Police along with the Circle Inspector of Police and the Sub-Inspector of Police and the remaining Police party started for Oyyalikuppam at about 7 a.m. They found no arrest had been made. This time he left the Sub-Inspector of Police at Oyyalikuppam along with the remaining Police party with instructions to the Sub-Inspector to arrest the accused who had escaped on 13th May 1973. The Deputy Superintendent of Police along with the Circle Inspector then proceeded to Thenpatnam Colony for investigating Crime No. 73/73. He then left for Chingleput at about 12 noon. The Circle Inspector of Police after completing the investigation at Thenpatnam returned to Madurantakam at about 6 p.m. on 14th May 1973. At about 9 p.m., the Circle Inspector received information from the Sub-Inspector of Police that he had arrested 7 of the accused concerned in Crime No. 80/73 and that he had brought them to the Cheyyur Police Station.

(x) On 15th May 1973 at about 12 noon the 7 arrested persons were brought to the Circle Inspector at the Circle Office, Madurantakam and he got them remanded to judicial custody on the same day.

(xi) On 17th May 1973, the Sub-Inspector of Police arrested three more persons and brought them to Cheyyur Police Station. On 18th May 1973 he sent them to the Inspector of Police, Madurantakam for judicial custody.

(xii) On 26th May 1973, Thirumathi Ramani Bai, her brother Jayaraman and Thiru C. Ganesan, advocate met the Deputy Superintendent of Police in his office at Chingleput and enquired about details of Cirme No. 80/73 and apparently expressed a desire to arrange for the surrender of the accused. On the same day they also met the Circle Inspector of Police at Madurantakam. Thirumathi Ramani Bai promised to surrender all the accused on 30th May 1973.

(xiii) On 30th May 1973, Thirumathi Ramani Bai met the Circle Inspector of Police again at about 8–30 a.m. and expressed some difficulty about surrendering the accused. In the meanwhile, however, the Circle Inspector of Police had information that the accused had been kept in the backyard of the house of one Manackchand of Madurantakam. He promptly proceeded to the place along with the Sub-Inspectors of Police, Cheyyur and Madurantakam and apprehended the 55 accused and brought them to the t ation.

(xiv) Thus, according to this version which I have summarised, the visit of the Police to Periakuppam on 12th May 1973 was purely for purposes of investigating Crime No. 80/73. Their presence in Periakuppam after the recovery of the saree (M.O.A. 1) on 12th May 1973 and on subsequent days is categorically denied. Similarly any harassment, molestation and raping of the women of Periakuppam on 12th May 1973 or any other date is hotly denied. The presence of Thiru C. Arumugham, M.L.A., Kadalur Sornam, etc., along with the Police is also denied. Thus it is the case of the Police that the rioting in Alikuppam was the culmination of a simmering dispute between the two groups of people in Alikuppam village and since many from Periakuppam village were involved in this rioting the whole case has been given a political colour by Tmt. Ramani Bai and Advocate Ganesan because the Periakuppam people are reported to be owing allegiance to the Congress (O) Party and the Alikuppam people to the D.M.K. It is also sought to be made out that the whole episode has been blown into something monstrous out of all proportions by the Periakuppam people with the deliberate object of covering themselves up and escaping from the charges levelled against them in Crime No. 80/73.

(*b*) *Version on behalf of Periakuppam Public.*—(i) This version is based largely on the affidavits filed by Tmt. V. Ramani Bai and others on her side. She is the prime mover in this as she has taken it on herself to enquire into and ascertain the particulars about the incidents and the circumstances leading to them.

(ii) In Alikuppam, one Seetharaman had been allotted a mechanised fishing boat by the Madras-Chingleput District Co-operative Fishermen Federation. Following this allotment the local M.L.A. of the D.M.K. Thiru C. Arumugham, Pandurangan and a number of other D.M.K. sympathisers of Alikuppam demanded a contribution of Rs 5,000. Apparently Seetharaman refused this in the first instance but subsequently agreed to pay the said amount in instalments. On this score there have been some altercations and confrontations between Seetharaman, his brother Dhansingh and their supporters on the one side and Pandurangan, Velayudham and their supporters on the other. At the instance of Thiru Arumugham, M.L.A., the Alikuppam D.M.K. supporters indulged in beating up Seetharaman and his supporters. This was in March 1973 and various complaints were preferred with the Cheyyur Police Station.

(iii) Towards the end of March 1973, there was a mediation in this matter at the M.L.A.'s hostel in Madras under the auspices of Thiru C. Arumugham, M.L.A. and Polur Srinivasan, M.L.A. when Seetharaman was made to withdraw the complaint which were preferred by him to the police. This, however, was not satisfactory to the persons concerned and further beatings took place in April 1973. On 5th April 1973, Seetharaman's uncle was beaten up and his house was raided and fishing tackle and Kondavalai were stolen. Again on 29th April 1973, Seetharaman's house was set on fire. The persons alleged to have perpetrated these attacks besides those mentioned earlier, are Cheyyur Balakrishnan, Anikat Kullu, Kadalur Sornam, Chandran and Thennanthoppu Vandu.

(iv) The beating, looting, theft and arson apparently continued along with mounting pressure on Dhansingh and Seetharaman's group. Complaints to the Sub-Inspector of Police and others proved of no avail. Chagrined at the persistent refusal of Seetharaman and his brother Dhansingh to toe the line of the D.M.K. and their supporters, Pandurangan, Balakrishnan, Vadivel, Panchamirtham and others of Alikuppam attacked Dhansingh and Seetharaman on 11th May 1973. Unable to bear the harassment any further, Seetharaman and Dhansingh and others related to them numbering about 30 women and children then went over to Periakuppam (at about 4.30 p.m.) where they were provided with shelter by the people. Apparently for this sin of the Periakuppam people in providing shelter to Dhansingh and Seetharaman, the subsequent events that took place on the 12th, 13th and 14th May 1973 were meant as a retribution to them. On the night of 11th May 1973, there was a raid on Periakuppam hamlet and Arumugam, M.L.A., Pandurangan, Cheyyur Balakrishnan, Anikat Kullu, Thennanthoppu Vandu and others were identified by voice or other means. However, they were chased away by the people of Periakuppam. This raiding party also included some police men in mufti. One of them is identified as the Circle Inspector of Police, Madurantakam.

(v) Following this, on 12th May 1973, Armed Police about 100 in number led by the Deputy Superintendent of Police, Chingleput came to Periakuppam. They were accompanied by Thiru C. Arumugham, M.L.A. and others mentioned earlier who were in the fore-front of the force. The male members of the Periakuppam seeing the Police arrive, fled from the hamlet leaving only the women and children. Under the

leadership of the Deputy Superintendent of Police, the women of Periakuppam, were systematically harassed, molested, tortured and raped. About 300 chicken, rice, etc., were taken away by them. They also took aluminium and brass vessels. The earthen wares in the huts were broken and destroyed. Fishing nets and tackels were damaged. The women were chased away from their homes and made to sit naked in the hot sand and their belongings removed and either appropriated or destroyed. The Harijans living in the adjacent Kadalur Colony were also arrested and harassed.

(vi) Bhoopathy, wife of Hariraman, another Bhoopathy wife of Natarajan, Subbulakshmi wife of Raman, Nayagam wife of Jayaraman, Vembuli, wife of Chinnakannu, Kullammal, wife of Pattu, Kasturi, wife of Nandan among others were mentioned as the persons subjected to the degrading treatment at the hands of the Police. Head Constable Manickam and Constables Mallika and Selvaraj were identified as the perpetrators.

(vii) Thus, it is sought to be made out according to this version of the Periakuppam people that because of the failure on the part of Seetharaman to pay Rs 5,000 to the Local M.L.A., he and his supporters were driven out of Alikuppam and because of their allegiance to Congress Party and identification with the people of Periakuppam who also owed allegiance to the Congress party, Thiru C. Arumugham, M.L.A. and the D.M.K. rowdies of Alikuppam created Crime No. 80/73 and with that as an excuse deliberately instigated the police to enter Periakuppam and commit atrocities on the women of Periakuppam with impunity.

XIII. EVIDENCE ADDUCED ON BEHALF OF ADMINISTRATION.

(1) As stated in Chapter VIII paragraph (1) on page 21, in all 15 witnesses were examined on behalf of Administration. Of these, three are the Police Officials concerned with the investigation of Crime No. 80/73, viz., A. 11, Thiru S. Ramanathan, Deputy Superintendent of Police, Chingleput, A. 13, Thiru M. N. Balusamy, Circle Inspector of Police, Madurantakam and A. 14, Thiru C. R. Subramaniam, Sub-Inspector of Police, Cheyyur A. 4, Thiru M. K. Natarajan, and A. 12, Thiru M. Balasubramaniam, Sub-Magistrates, Madurantakam were those concerned in granting remand to the accused on the petitions, filed by the Police in Crime No. 80/73. A. 6, Thiru K. T. Narayanasamy, is the Lock Superintendent of the P.W.D. Lock, at Kadalur. A. 15, Thiru T. P. Murugesan, is the Tahsildar of Madurantakam. The rest are non-official witnesses cited by the Police in support of their evidence concerning their activities in connection with the investigation of Crime No. 80/73 from 11th May 1973 onwards.

(2) It would be appropriate to take the evidence of the Police Officers, namely, the Deputy Superintendent of Police, the Circle Inspector of Police and the Sub-Inspector of Police first as their movements and activities initiated the course of events culminating in the alleged atrocities of the Police in Periakuppam on 12th May 1973 and other dates.

(*a*) *Evidence of Thiru M. N. Baluswamy* (*A.* 13) *Circle Inspector of Police, Madurantakam and Thiru C. R. Subramaniam*, (*A.* 14), *Sub-Inspector of Police, Cheyyur.*— (i) The deposition of these two are taken together in the first instance, as they undertook the investigation of Crime No. 80/73 together. On 11th May 1973, both of them had gone for an investigation into another case. They returned to the Cheyyur Police Station at about 5-00 p.m. when the Head Constable, Cheyyr Police Station reported about the registration of Crime No. 80/73 under sections 147, 148, 149, 395, 397, 323, 379, 427, 448, 324, 325, 326, 402 and 34, Indian Penal Code. Both of them have filed affidavits giving a detailed narrative of what they did in the process of investigation (Exhibits A-11 and Exhibit A-16). After visiting Cheyyur Hospital and examining the injured persons who had been admitted there for treatment and inquiring other witnesses, they proceeded to Alikuppam along with 4 constables. The Circle Inspector of Police sent a telephone message to the Superintendent of Police, Kancheepuram to despatch two sections of Armed Reserve. He also sent a message to the Station House Officer, Madurantakam to send some constables to Alikuppam to help him in the investigation.

(ii) On their way to Alikuppam, when they reached Kadalur, they found 8 Police constables had come from Madurantakam already and having collected them proceeded to Alikuppam which they reached at about 8-00 p.m. They visited the scene of occurrence and prepared an Observation Mahazar (Exhibit A-12) in the presence of two witnesses Devarajan and Chinnadurai of Alikuppam. By the time they had finished the examination of several persons in the village, it was about 10-25 p.m. At this time, the two sections of

Armed Reserve requisitioned from Kancheepuram were reporting for duty. All of them started returning to Kadalur along with the Police Party when they espied a crowd of about 200 persons coming towards them. However, when the Circle Inspector identified himself and told them they were the Police Party, the crowd went away. The Circle Inspector of Police then left the Police party in Kadalur in-charge of the Sub-Inspector of Police, Cheyyur and returned to Madurantakam that night. (From this point onwards, I shall deal with the deposition of the Circle Inspector of Police alone). He (the Circle Inspector) immediately informed the Deputy Superintendent of Police, Chingleput over the phone about the case and other details and requested him to visit the scene of occurence.

(iii) Next morning at 5-00 a.m. i.e. 12th May 1973, the Circle Inspector of Police, Madurantakam proceeded to Chingleput Medical College Hospital to examine one Selvam (mentioned in Exhibit A-6) who had received a head injury. After examining him, he returned to Madurantakam at about 7-45 a.m. At about 8-00 a.m. the Deputy Superintendent of Police from Chingleput came with two more sections of Armed Reserve. Along with them and the Police party at Kadalur under the Sub-Inspector he went to Alikuppam. He then helped the Deputy Superintendent of Police in inspecting the scene of occurrence and examination of Alikuppam women. Then at about 12 noon they proceeded to Periakuppam when they also took along with them six women of Alikuppam who had complained about the loss of some of their belongings. The idea was to have them on hand to identify the stolen articles among the belongings of Periakuppam people. When they reached Periakuppam there were no male members there but only women and children. The women were asked to show their brass, aluminium vessels, etc., for purposes of identification by the women of Alikuppam. No article however was identified by them. However, when a box belonging to one Anasuya was brought out and opened, one of the women of Alikuppam, i.e. Lalithambal (A. 3) identified a saree (M.O. A. 1) as the one stolen from her house. This was recovered under a Mahazar (Exhibit A-7) and attested by Appadurai (A-5) and Arunachalam. After this in order to record the statement of 23 women of Periakuppam who were mentioned as having taken part in the raid that took place in Alikuppam the previous night, they were asked to come to the P.W.D. Lock site. The women of Periakuppam and the six women of Alikuppam who were also asked to come came to the Lock Site at about 3 or 3-30 p.m. After inquiry and recording their statements, they were all asked to go home by about 5-30 p.m. He stayed the night at the Lock site.

(iv) On 13th May 1973, the Deputy Superintendent of Police, Chingleput came to the Lock Site at about 7-30 a.m. when they all proceeded to Oyyalikuppam. They saw about 50 persons escaping in Kattamarans into the sea. Under instructions of the Deputy Superintendent of Police, one Head-constable and 10 police constables were left at Oyyalikuppam and the Circle Inspector then went to Sadras along with the Deputy Superintendent of Police where they stayed till 4-30 p.m. They then went to Kadalur and stayed there for the night.

(v) On 14th May 1973 he went along with the Deputy Superintendent of Police and the Sub-Inspector of Police and party to Oyyalikuppam at about 7-00 a.m. and found that no arrest had been made. Under instructions of the Deputy Superintendent of Police, they left the Sub-Inspector of Police and the entire Police Party at Oyyalikuppam. Then he and the Deputy Superintendent of Police went to Thenpatnam for continuing the investigation in the Crime No. 73/73. The Deputy Superintendent of Police then left for Chingleput and the Circle Inspector returned to Madurantakam at about 6-00 p.m. At about 9-00 p.m. he received information that the Sub-Inspector of Police, Cheyyur had arrested 7 of the accused in Crime No. 80/73 and that he had brought them to Cheyyur Police Station.

(vi) At about 12 noon on 15th May 1973 the 7 arrested persons were brought to him and he had them remanded to judicial custody. On 18th May 1973, 3 more persons arrested by the Sub-Inspector were brought to him for remand.

(vii) After this on 26th May 1973, Thirumathī, V. Ramani Bai, her brother Jayaraman and Advocate Ganesan met him at his office. Thirumathi Ramani Bai after discussion promised to surrender all the accused on 30th May 1973.

(viii) On 30th May 1973 Thirumathi Ramani Bai met him again at 8–30 a.m. and expressed some difficulties about surrendering the accused. In the meanwhile the Circle Inspector of Police had information that the accused had been kept in the backyard of the house of one Thiru Manakchand of Madurantakam. He went to the place along with the Sub-Inspectors of Cheyyur and Madurantakam and apprehended 55 accused and brought them to the Statin.

(ix) The Circle Inspector of Police has stated that his visit to Alikuppam and Periakuppam along with the Deputy Superintendent of Police was only for purposes of investigating Crime No. 80/73 and that there was no truth in the allegation that he or any member of the Police Party beat or ill-treated or misbehaved with any of the women of Periakuppam. He knew what his men were doing and would vouchsafe for their good conduct and behaviour. He also speaks to the fact that on 11th May 1973, 12th May 1973 and 13th May 1973, no person from Alikuppam also committed any of the offences alleged. He further states that he did not hear anyting about police misbehaviour even after 14th May 1973. It was only on 17th May 1973 that he received a telegram (Exhibit A-(13) from one Singaravelu alleging the harassment of innocent persons, molesting of women and damaging of properties, etc. He has stated that the allegations contained in this telegram are not true. On 21st May 1973 he received a cyclostyled petition (Exhibit A-14) signed by Kannappa Chetty (P. 2) and 4 others. On 25th May 1973 he received another cyclo-styled petition (Exhibit A. 15) signed by the same persons. He states that from his personal knowledge the allegations contained in these petitions (Exhbit A-14 and A-15) are not true because he was personally conducting the investigation in Crime No. 80/73.

(b) Deposition of Thiru C. R. Subramaniam, (A-14) Sub-Inspector of Police, Cheyyur Police Station.—(i) In May 1973 he was Sub-Inspector of Police, Cheyyur. Concerning the incidents from 11th to 14th May 1973, he filed an affidavit before the Commission on 29th Juue 1973 and this was identified by him (Exhibit A-16).

(ii) In his evidence and affidavit, he has corroborated the evidence of A. 13 as to the information regarding the registration of the case in Crime No. 80/73, about his accompanying the Circle Inspector gf Police to Alikuppam on the night of 11th May 1973, about his stay at Kadalur with the Police Party on the night of 11th May 1973, about his accompanying the Deputy Superintendent of Police to Oyyalikuppam on 13th May 1973, about the stationing of the Police Party under a head-constable at Oyyalikuppam, about the stay of the Deputy Superintendnet of Police at Kadalur on 13th May 1973, about the vist of the Deputy Superintendent of Police to Oyyalikuppam on 14th May 1973 and about his (Sub-Inspector) staying behind with the Police Party at Oyyalikuppam for the apprehensionof the accused, about the arrest of 7 persons at Oyyalikuppam and conveying the information to the Circle Inspector of Police on 14th May 1973 and about the despatch of the arrested persons to Madurantakam on 15th May 1973.

(iii) On 17th May 1973, he arrested three more persons at Kadalur and sent them to the Circle Inspector for being remanded to judicial custody on 18th May 1973. He produced the wound certificates issed by the Cheyyur Medical Officer in respect of the 7 injured persons in Crime No. 80/73 (Exibit A-17, Exhibited A-17 (*a*) to A-17 (*f*). He had stated that none of the persons arrested on14th May 1973 at Oyyalikuppam or those arrested on 17th May 1973 at Kadalur reported anything about the damage to their huts and properties or any atrocities committed by the Police in Periakuppam. He had denied that there was any raid in Periakuppam on 11th May 1973 and that the raiding Party included some Policemen in mufti.

(c) *Deposition of Thiru S. Ramanathan, Deputy Superintendent of Police, Chingleput (A. 11).*—(i) He was working as Deputy Superintendent of Police, Chingleput for the last two years and Madurantakam Circle was in his jurisdiction. He has corroborated the evidence of the Circle Inspector of Police in respect of the following facts :—

(1) The receipt of information from the Circle Inspector of Police over the phone about the registration of Crime No. 80/73 and other details on the night of 11th May 1973 and his promise to visit the place next morning.

(2) His visit to Madurantakam at 8–00 a.m. on 12th May 1973 and later to Alikuppam with the Inspector of Police and the Police Party.

(3) His inspection of the scene of occurrence in Alikuppam and examination of witnesses including womenfolk at Alikuppam.

(4) His visit to Periakuppam along with six women of Alikuppam at about 12 noon on 12th May 1973, the absence of menfolk and presence only of the womenfolk at Periakuppam, his request to the women of Periakuppam to show their belongings for purposes of identification by the women of Alikuppam.

(5) The recovery of a saree from Anasuya duly identified by Lalithambal (A. 3) and the preparation of recovery Mahazar (Exhibit A-7) attested by one G. Appadurai (A-5) and Arunachalam.

(6) His request to the 23 women of Periakuppam and 6 of Alikuppam to be present at the Lock Site for interrogation and their return to their respective homes at about 5–30 p.m.

(7) His visit to the Lock Site at 7–30 a.m. on 13th May 1973 and thence to Oyyalikuppam at 9–00 a.m.

(8) His seeing the escaping of Periakuppam men in kattamarans into the sea.

(9) His leaving a police party under a head constable at Oyyalikuppam, his visit to Sadras and later stay at Kadalur for the night of 13th May 1973; and

(10) His visit to Oyyalikuppam again on 14th May 1973, his leaving the Sub-Inspector of Police and Police Party there for the arrest of the accused persons and his return to Chingleput.

(ii) On receipt of information from the Inspector of Police on the night of 11th May 1973, he immediately informed the Superintendent of Police about it over the phone and asked for two sections of Armed Reserve. He has spoken to the fact that on 12th May 1973 when the women of Periakuppam came to the Lock Site for interrogation, he did not receive any complaint from any one of them about the atrocities committed by the Police or the Alikuppam people. He has stated that the first information he received from the public about the alleged happenings in Periakuppam was by a telegram, dated 17th May 1973 from one Sadagopal (Exhibit A-4). He categorically stated that during the period 11th to 16th May 1973 or later, there was no misbehaviour like molesting or raping of women of Periakuppam either by the Police or the Alikuppam people. The purpose of their visit to Periakuppam was only for investigation of the Crime No. 80/73.

(iii) During the cross-examination by Thiru Lakshmana Reddy, Counsel for Alikuppam people, he stated that on 26th May 1973, Thirumathi Ramani Bai along with her brother Jayaraman and Advocate Ganesan met him in his office at Chingleput and that even on that date they did not complain anything about molestation or raping of women or other incidents in Periakuppam by the Police or Alikuppam villagers or anybody else.

(iv) During the cross-examination by Thiru K. V. Sankaran, the Counsel for Periakuppam villagers, he showed the entry regarding the information received at 01-00 hours on 12th May 1973 about Crime No. 80/73 in his Weekly Diary. (The Commission checked this and noted that it was so entered.) He also marked a copy of the report sent to the Press by the Deputy Inspector-General of Police, Northern Range, Madras attested

by the Superintendent of Police as Exhibit A-5. He also marked the original F.I.R. in Crime No. 80/73 as Exhibit A-6. The recovery Mahazar prepared by the Inspector of Police for the recovery of the saree from Anasuya was also identified and marked by him as Exhibit A-7. During cross-examination by the Counsel for Periakuppam people he also marked the daily diaries of the Police Vehicles MDH 6546 and MDH 6628 as Exhibit A-8 and Exhibit A-8 (*a*) respectively.

(*d*) *Deposition of Thiru V. Pandurangan* (*A*-1).—(i) He is a fisherman by calling belonging to Alikuppam. He has spoken about the dispute in Alikuppam village between Dhansingh and his followers and other villagers of Alikuppam in respect of a power boat purchased by Dhansingh and a piece of poramboke land of 5 acres required to be assigned in Dhansingh's favour. He has stated that Dhansingh along with 12 of his supporters and their families went over to Periakuppam on 3rd May 1973. He then speaks about the commotion and raid in Alikuppam on the night of 10/11th May 1973 by about 100 people, the destruction of huts, articles of fishing and the assualt with deadly weapons, causing injuries and decoity between 3-00 a.m. and 5-30 a.m. After the raid he and his men took the 11 injured to the Cheyyur Police Station. He preferred a complaint to the head-constable Manickam at about 2-00 p.m. The complaint given by him involved about 50 or 60 persons and all of them were from Periakuppam, Alikuppam, Kadalur colony and included Dhansingh and his followers.

(ii) He then corroborates the visit of the Inspector of Police to Alikuppam along with the Sub-Inspector of Police and the Police Party. He states that on his way back from Alikuppam along with the Police Party, the Periakuppam people thinking that this body of men were coming for them and not knowing that they were the police started chasing them away. When however, the Police sounded the whistle the people of Periakuppam retreated into the village. He then goes on to corroborate the movements and activities of the Police in Periakuppam as narrated by the Police officials.

(iii) During the cross-examination by the Counsel for Alikuppam villagers, he said that Thirumathi Ramani Bai visited Periakuppam for the first time on 26th May 1973 and that it was only after this that the incidents that were alleged to have happened in Periakuppam were published in the Press and not before.

(*e*) *Deposition of Thiru R. Panchamirtham* (*A*-2).—He generally corroborates the evidence of A-1 and speaks about the incidents of commotion and attack in Alikuppam by about 100 persons from Periakuppam with deadly weapons on the night of 10th/11th at about 3-00 a.m., about the injuries he received during the attack and about the complaint preferred by A-1 to the Police and his treatment at the Cheyyur Hospital.

(*f*) *Deposition of Thirumathi Lalithambal* (*A*-3).—She corroborates the commotion and raid at Alikuppam. She further states that about 20 to 30 people inclusive of Dhansingh, Velayudham and Dhanapal came to her house and took one red silk saree, two brass "thavalies" (தாலிச் சிமிழ்கள்), and one brass "Deksha". She corroborates the Police coming to Alikuppam next day, taking photographs and conducting enquiries. She corroborates the deposition of the police officials about inspecting the belongings of the Periakuppam women, about there being no recovery of any utensils and about the recovery of a saree belonging to her which was recovered from the house of Anasuya. She says that the saree was red in colour. She also went to the Lock Site in the afternoon when the Police enquired Periakuppam women along with the women from Alikuppam. She categorically states that no incidents of any kind like ill-treatment of women, molestation rape, etc. ever happened in Periakuppam.

(*g*) *Deposition of Thiru G. Appadurai* (*A*-5).—He speaks to his attestation of the Recovery Mahazar (Exhibit A-7) in which a blue voil saree from Anasuya, duly identified by Lalithambal (A-3) was recovered. He also speaks about his joining the Police from Alikuppam and accompanying them to Periakuppam and later on to the Lock Site, on that day. He identified and marked his affidavit as Exhibit A-21.

(*h*) *Deposition of Thiru P. Mani* (*A*-7).—He is a toddy tapper engaged in toddy tapping from the coconut trees near the Public Works Department Lock Site. He is an employee of one Selvaraju, toddy contractor, who has also a partner by name Chandran (A-8). He speaks about the police coming to the Lock Site on 12th May 1973 and interrogating the Periakuppam women till about 5-30 p.m., when they were sent back. He says

that the Alikuppam women were also there. He also says that he did not hear anything about the misbehaviour of the Police like molestation, rape, etc. of the women of Periakuppam. He further states in his cross-examination by Thiru Lakshmana Reddy that it is customary for the kuppam people to go to Kadalur via the Lock and that he had not heard at any time that the women of Periakuppam were at any time subjected to molestation or rape or other indignities by the Police. He had not seen at any time the women of Periakuppam running away out of the hamlet.

(i) *Deposition of Thiru D. Chandran* (*A*-8).—(*a*) He is a toddy contractor and the employer of A-7. He speaks about the presence of the Police at Kadalur on the night of 11th May 1973 and corroborates the evidence of A-7. He saw two police vans going towards Kadalur at about 7-00 a.m. on 13th May 1973. He states that the Sub-Inspector of Police asked him to buy 10 m.m. of good rice for the Police and for which he was given Rs. 17-50.

(*b*) During the cross-examingtion by Thiru Lakshmana Reddy he stated that normally people from the kuppams go via the Lock to Kadalur and that at no time did anyone complain to him in his capacity as the Member of the Kadalur Panchayat about the Police looting, molesting or raping the women in Periakuppam village.

(*j*) *Deposition of Thiru Chellamuthu Naicker* (*A*-9).—He is the Village Munsif of Vasavasamudram and he states that Oyyalikuppam which is a hamlet of Vayalur village can be reached both via Pudupatnam and Vayalur. On 13th May 1973, at about 9-00 a.m. he saw two police vans, the Deputy Superintenent of Police and about 30 to 35 constables at Pudupatnam. He saw them getting out of the van near the check post at the bridge and walking towards Oyyalikuppam. He saw them coming back at about 1-00 p.m., and getting into the van and moving away towards Kalpakkam. Again, in the evening at about 4'O Clock he saw them going towards Vayalur.

(*k*) *Deposition of Anjaneyalu* (*A*-10).—He worked as a bearer-*cum*-helper in the Government Guest House at Kalpakkam during May, 1973. He speaks to the fact of the Police coming to the Guest House in two vans on Sunday, the 13th May 1973. The Deputy Superintendent of Police, Inspector of Police and Sub-Inspector of Police and some constables were there. After ascertaining that there was no lunch available they left. They came again at about 2-30 p.m. and after resting for some time, left at about 3-30 p.m.

(*l*) *and* (*m*) *Deposition of Thiru M. K. Natarajan* (*A*-4) *and Thiru M. Balasubramaniam* (*A*-12).—(i) Thiru M. K. Natarajan (A-4) was the Sub-Magistrate, Madurantakam during the period 15th May 1973 to 19th May 1973. On 15th May 1973 in Crime No. 80/73 of Cheyyur Police Station one Kuppuswami and 6 other accused were produced before him by the Inspector of Police, Madurantakam for being remanded to judicial custody. The remand petition, dated 15th May 1973 was marked by him (Exhibit A-1). There were no complaints made to him by any of the accused. He passed remand orders and made endorsement to that effect in the remand petition.

(ii) Similarly on 18th May 1973, he received another remand petition in the same case in respect of one Jayaraman and two others. (Exhibit A-2). There were no complaints by the three accused before him. They were remanded to judicial custody for 15 days and endorsements to this effect was made in the remand petition. Another remand petition was received by him on 19th May 1973 in respect of Balaraman and 6 others (Exhibit A-3). All the 7 accused produced before him had no complaints to make and they were remanded to judicial custody and endorsement to that effect was made on the petition.

(iii) Thiru M.Balasubramanim (A-12),was the Sub-Magistrate, Madurantakam from 29th May 1973 onwards. On 31st May 1973, he received a remand petition from the Inspector of Police, Madurantakam for remanding 55 accused in Cr. No. 80/73 and they were produced before him (Exhibit A-9). They were remanded to judicial custody for 15 days and endorsement to that effect was made. None of the accused complained to him of any ill-treatment at the hands of the Police. They did not also say anything to him about the alleged happenings in Periakuppam concerning the looting of properties and molestation of women, etc., by the Police on 12th May 1973 or subsequent dates. He also produced the bail application filed on behalf of the accused in Crime No. 80/73 and connected records (Exhibit A-10). During the cross-examination by Thiru Lakshmana Reddy, he stated that no allegations of any ill-treatment by the Police were made.

(*n*) *Deposition of Thiru T. P. Murugesan, Tahsildar, Madurantakam* (*A*-15).—(i) He is the Tahsildar of Madurantakam from 11th December 1972. At the instance of the District Collector, he visited Periakuppam on 31st May 1973 and submitted a report with a copy to the Sub-Collector which is produced and marked by him (Exhibit A-18). In this report, he has stated that when he visited Periakuppam, he found only three huts were damaged.

(ii) On 4th June 1973, on information from the Sub-Collector about the alleged ill-treatment of the accused at the Cheyyur Police Station, he visited Cheyyur and after inquiry recorded a statement written and signed by Dhansingh and attested by 9 others (Exhibit A-19). In this statement, Dhansingh himself has written to say that none of the arrested persons was ill-treated or tortured by the Police and that they were fed and treated properly by the police. He sent a report on this to the Sub-Collector with a copy to the District Collector (Exhibit A-20).

(iii) During cross-examination by Thiru Lakshmana Reddy, he said that he did not receive any report from the Village Munsif of Kadalur regarding any incidents in Periakuppam from 11th to 16th May 1973 or any rioting and beating up of people or any atrocities there by the Police. He also stated that between 11th and 16th May 1973, he was engaged in Jamabandi work and that during that period, no complaints were made to him by any villagers about the incidents in Periakuppam. It was only after he was asked by the District Collector to inquire that he came to know about the alleged happenings in Periakuppam.

(*o*) *Deposition of Thiru K. T. Narayanaswamy* (A-6), *Public Works Department Lock Superintendent, Kadalur.*—(i) On 12th May 1973, after finishing his work in Madras, he returned to the Lock Site at about 1-00 p.m. He speaks to the facts of the arrival of the police at the Lock Site at about 3-00 p.m. along with about 30 women. He identifies the Police officials as including the Deputy Superintendent of Police, Chingleput, Inspector of Police, Madurantakam and about 40 to 50 constables. After inquiries by the Police all the women were sent back by about 5-30 p.m. Nobody told him nor does he know, that the women were ill-treated and their properties taken away in Periakuppam. Nobody also told him nor does he know, that the women were molested and raped and their houses looted by the police in Periakuppam. The police did not cook and eat 300 chicken on the night of 12th May 1973. He left for Koovathur at about 6-00 a.m. on 13th May 1973 and when he returned at about 10-00 p.m. the same day, he found the Deputy Superintendent of Police, Inspector of Police and 40 to 50 constables were there.

(ii) In his cross-examination by Thiru Lakshmana Reddy, he deposed that normally people from the kuppams go through the Lock Site to reach Kadalur and also on their return to the kuppams. Periakuppam and Alikuppam are situated at a higher level than the terrain at the Lock Site and the huts of these two kuppams are visible from there. During his stay at the lock site, on the 12th, there were no commotion or any incidents due to which the people of Periakuppam ran away in fear. He did not also see any one either womenfolk or menfolk running and shouting that the women were ill-treated, raped, etc.

XIV. EVIDENCE ADDUCED ON BEHALF OF THE PUBLIC OF PERIAKUPPAM.

(1) *Deposition of Thirumathi V. Ramani Bai* (*P*-1).—(*a*) In response to the notification, she had filed her affidavit before this Commission on 18th June 1973 (Exhibit P-1). As the version of the incidents on behalf of the Public of Periakuppam is based by and large on her affidavit among others and which has been mentioned in detail in Chapter XII on page 39 to 44, I do not propose to repeat it here again. I will, however, bring out the salient points adduced in her oral evidence before the Commission.

(*b*) She has been the convenor of the State Women's Wing of Congress (O) for about 7 or 8 months. Before this and even now she is the Secretary of the Tamil Nadu Mechanised Fishing Boaters' Sangham, and Joint Secretary of the Tamil Nadu National Fishermen United Sangham. She is an active member of the Congress (O) for a long time and also connected with a number of other Social Service Organisations. She has related the facts in her affidavit based on the statements made to her by some of the womenfolk of Periakuppam and also from what she saw on the ground there, when she visited the place on 26th May 1973. It is also based on certain letters addressed to her and to others relating to the incidents. She was no in Periakuppam personally on 11th, 12th, 13th and 14th May 1973. When she went to the Congress Committee Office at Madras on 23rd May 1973,

she was told about the incidents. Again on 24th May 1973, some important people from Periakuppam told her about the incidents. She has not mentioned this fact in her affidavit as she did not think it was necessary. On 24th May, Kannappa Chetty (P-2), Sadagopal and Periakaruppan met her at her residence and related about the incidents. She has no direct relatives of hers in Periakuppam. Identification of the persons like M.L.A., Pandurangan, etc., and the Circle Inspector was mentioned to her by Kannappa Chetty, Sadagopal and Periakaruppan on 24th May when they met her. Before proceeding to Periakuppam on 26th May 1973, she and Advocate Ganesan of Chingleput and K. N. Jayaraman met the Deputy Superintendent of Police, Chingleput, in his office. They only gave an oral complaint to the Deputy Superintendent of Police about the incidents and nothing in writing.

(*c*) In her cross-examination by the Special Counsel for Police, she has stated that she did not give any petition to the Sub-Collector after her visit to the Cheyyur Police Station, Periakuppam, etc. A copy of the telegram dated, 17th May 1973 (Exhibit A-4) was handed over to her in the Congress Office. As regards the memoranda, dated 19th and 23rd May (Exhibit A-14 and Exhibit A-15), she did not inquire about the details as to how they came to be handed in at the Congress Office, Madras. She visted Periakuppam at the instance of her leaders in the political party. The leaders did not suggest to her that she should go and see the Sub-Collector or Collector and present any petitions. She gave out information to the Press by a Press Statement after her return from Periakuppam. Representatives of many other political parties joined her during her visit to Periakuppam, but she does not know which particular party and how many parties or persons were involed.

(*d*) On 26th May 1973, when she visited Periakuppam, she did not find anybody there male or female. She went word to Chinnakuppam through some of the Kadalur Colony people who accompanied her, as she was told that the Periakuppam people had gone there. Kannappa Chetty, Sadagopal and Periakaruppan told her on the 24th May that the female residents of the Periakuppam were on the move being chased by the police every day and that it could not be said with certainty where they would be on any day or at any time. She has not mentioned this in her affidavit as she did not think it necessary. On hearing she was in Periakuppam about 20 to 30 women of Periakuppam came to see her from Chinnakuppam on 26th May 1973. Many of them showed various types of injuries on their persons. She has not mentioned this fact in her affidavit. Some of the women also told her that they were molested and raped by the Police and D.M.K. Party men. When she asked them whether for the injuries received they went to any doctor to receive treatment, she was told that even their stay at Chinnakuppam was an ordeal and that it was not feasible for them to cross the canal and go to a doctor to seek medical facilities. They further stated that they were not in a position to show the particular types of injuries in particular parts of their bodies and therefore they resorted to self-treatment and medication. She was informed by the women that between 12th and 26th May 1973, they were staying in various kuppams like Chinnakuppam, Pudupattinam and Oyyalikuppam and other areas close by, changing places to avoid being harassed by the Police. She did not ask them whether they mentioned about their sufferings to their relatives in Chinnakuppam, etc., as she assumed that they would in any case have shared their distress with them. She denied the suggestion that she did not ask whether they mentioned it to their relatives because she herself did not see any injuries on their persons. It was only after meeting the Deputy Superintendent of Police and others, she came to know about the trouble on 11th May 1973 between the people of Alikuppam and Periakuppam. On 29th May 1973, Kannappa Chetty along with 10 or 15 more persons from Periakuppam and perhaps Kadalur Colony met her at her residence at Madras, when she told them about her visit to Periakuppam, etc. She did not mention to them about the Press Statement she had given on 28th. Her participation in this inquiry is on behalf of the Tamil Nadu Congress Committee (Women's Wing) and also as one of the members of the Tamil Nadu Mechanised Fishing Boaters' Sangham, viz., Seetharaman (P-3) of Alikuppam is involved. She has taken interest in this inquiry on behalf of the affected Congressmen of Alikuppam, Kadalur Colony and all the people of Periakuppam—who because of their belonging to the Congress were affected. The Congressmen in Alikuppam who were affected are Dhansingh, Seetharaman (P-3) and Perumal and a few more. She refuted the suggestion that she was making all the statements in order to help out Dhansingh and Seetharaman and others in Periakuppam from the case arising out of the trouble in Alikuppam in the early hours of 11th May 1973 (Crime No. 80/73) and that it was all a part of a deliberately planned campaign along with Kannappa Chetty, Sadagopal and others, after they met her on the 24th May 1973.

(*e*) In her cross-examination by Thiru Lakshmana Reddy, Counsel for Alikuppam villagers, she said that she was not aware that her father was born and brought up at Periakuppam. She did not know anything about the relatives of her father. Thiru Jayaraman is her own brother about 25 years older to her. But she is not aware that he was born in Periakuppam. She denied the suggestion that she is evincing all this interest in this case because of the presence of all her relatives in Periakuppam. In her position in the party, it is her duty to go to the rescue of all women suffering injustice wherever they are. After getting information from Kannappa Chetty and others about the incidents on 24th May 1973, the first visit she made was to the Deputy Superintendent of Police, Chingleput on her way to Periakuppam. She knew that Gopal Reddiar is the Chairman of the Lathur Panchayat Union. She did not meet or consult with him although he belongs to Congress (O). She has not indicated in her affidavit the occurrence of the incidents on dates other than 12th May 1973. She says that on the 13th and 14th May also, the Police came to Periakuppam and committed atrocities as on the 12th. She has not indicated this in her affidavit as she thought that she could mention these things in her evidence. She did not think it necessary to indicate the names of the affected women in the Press Statement as her intention was only to bring this up as a general matter before the Government. She totally denies the suggestion that in order to make political capital and give a political colour to an ordinary dispute in the community, she has deliberately provoked the constitution of the Commission. She is not personally aware that Arumugham, M.L.A. and Cheyyur Balakrishnan were out of Madurantakam for the Dindigul Election. The people of Periakuppam told her that they were there on 12th May 1973. She does not also personally know if Kadalur Sornam was out of station on business from the 10th May, but the people of Periakuppam said that he was there. On her return to Madras, before issuing the Press Statement, she tried to meet the Chief Minister but failed in her attempts.

(2) *Deposition of Thiru K. Kannappa Chetty* (*P.-2*).—(*a*) He is the "Nattamaikarar" for Periakuppam, Alikuppam, Chinnakuppam, Kanathukuppam, Vadapatnam and Thenpatnam. By tradition and custom, he is looked upon as their leading man whom the kuppam people approach for the settlement of day to day disputes and arguments affecting the life of the community. On such occasions, the parties to the dispute pay him certain traditionally agreed sums of money called Padi (*vide*). He had failed his affidavit before the Commission on 18th June 1973 (Exhibit P-2).

(*b*) There was a dispute between Pandurangan of Alikuppam on one side and Dhansingh and his brother Seetharaman on the other side over a mechanised fishing boat allotted by the Government. Pandurangan said that in as much as the boat belongs to the people of Alikuppam Seetharaman should pay Rs. 5,000 to the Alikuppam people—Balakrishnan, Panchamirtham, Vadivelu also joined in this demand with Pandurangan. Seetharaman refused to give this money. Seetharaman wanted to renovate the old temple in Alikuppam and also wanted his name to be inscribed in the front Mandapam, but the Alikuppam people did not agree to this proposition. There was animosity between these two groups in the village (i.e., Dhansingh and his followers and Pandurangan and his followers) because of the dispute. There have been some beating up now and then between them. Dhansingh, Seetharaman, Dhanapal and Arumugham gave complaints to the Cheyyur Police Station. The Police did not take any action on them.

(*c*) Pandurangan, Balakrishnan, Dhansingh and Seetharaman came to him and told him that Arumugham M.L.A., wanted him at the M.L.A's hostel at Madras. He along with Papparamurthi Chettiar, Seetharaman, Dhansingh, Balakrishnan and Pandurangan went to Madras. In addition to Arumugham, M.L.A., Cheyyur Balakrishnan, Kadalur Sornam and Kuppuraj from Madras and a few others were present. Arumugham, M.L.A., told Dhansingh that he had not paid Rs. 5,000 already agreed to and further remonstrated with him for changing over to Congress Party and canvassing for Gopal Reddiar. He represented to Arumugham, M.L.A. that he had asked for Rs. 5,000 and the villagers asked for Rs.5,000 and they were all poor and this might lead to further trouble between two sides. Arumugham, M.L.A. said that he was not insisting on Rs. 5,000 and that they should all go back to the village and live in peace. Before leaving the hostel, a statement was taken by Arumugham, M.L.A. to the effect that they will not have any more quarrel and this was signed by Dhansingh and Seetharaman. The people in Alikuppam questioned Pandu-

rangan and Balakrishnan as to how they could agree to something which was not in accordance with their wishes. There were further quarrels among themselves in the village. Dhansingh then approached him again and asked him to try and settle the dispute between him and Pandurangan and Balakrishnan for which he also paid the Padi ( ). When he sent word to Pandurangan and Balakrishnan to come to Periakuppam, they said they could not do so without the orders of the M.L.A. A few days later on hearing that the M.L.A. and Chayyur Balakrishnan and Kadalur Sornam were there in Kadalur Sornam's house, he thought he could go and see them and discuss the affair. When he was nearing the canal, he heard some shouts and noise on the southern side of Periakuppam and he returned to Periakuppam. He saw Dhansingh, Seetharaman, Danapal, Arumugham and Perumal along with their families and others totalling about 20 persons running towards Periakuppam being chased by Pandurangan, Balakrishnan, Vadivelu and Panchamirtham along with a crowd of 60 or 70 persons including some women from Alikuppam. They were shouting that Dhansingh and Seetharaman and their followers should not be admitted into Periakuppam and if they were, they will be in for trouble. All this happened on a Friday about 3 months ago and the time was about 4-30 p.m. (This is meant to convey the date of occurrence in Periakuppam as 11th May 1973.) At about 11 O' Clock that night, after their night food, a few women who had gone out to answer calls of nature came and reported having seen a group of people numbering about 30 or 40 near the Ellaiamman Koil. They got together all the men in Periakuppam and all of them about 100 in number went towards Ellaiamman Koil. They saw a group going away towards west on seeing them. When they chased them they crossed the canal and when they themselves were about to do so, they heard from the other side a police whistle followed by the words "We are Police". He also heard a voice saying "I am Arumugham, M.L.A. See what happens after day break". He recognised the voice as that of Arumugham, M.L.A.

(*d*) Next day on Saturday at about 11-00 a.m. from Chinnakuppam, he and the Periakuppam men observed Arumugham, M.L.A., Cheyyur Balakrishnan, Anikat Kullu, Kadalur Chandran, Vandu Naicker, Sornam, Pandurangan, Vadivelu, Panchamirtham and a few others from Alikuppam getting down along with the police from two Police vans and one jeep near the lock site. Seeing them they all ran away towards Madras.

(*e*) About 4 days afterwards, his daughter-in-law, Nayagammal (P-8), wife of his son Jayaraman (P-4) came to Thiruvanmiyur Kuppam and told him that the Police had come to Periakuppam and beaten up the women and had taken away their chicken and four cows and also damaged their casuarina seedlings. She also told him that the Police beat them after disrobing them. Nayagammal also told him that the Head-constable Manickam and constable Mallika removed her clothes and beat her. She further told him that the Police said that next year, they will have children with "toppi" born to them.

(*f*) In his cross-examination by the Special Counsel for Police, he said that he did not know anything about the trouble in Alikuppam on the night of 10/11th May 1973. It was not true that Dhansingh and Seetharaman along with many others in Periakuppam raided Alikuppam in the early morning of 11th May 1973 and damaged their huts and beat and injured 11 persons. He says Dhansingh and Seetharaman came to Periakuppam only at about 4-30 p.m. on 11th May 1973. He did not ask Dhansingh and Seetharaman why they came away from Alikuppam. It is not true that Dhansingh and Seetharaman and others had come away to Periakuppam three months before and that along with them they raided Alikuppam on the 11th morning. At Thiruvanmiyur Kuppam he stayed in the house of one Namadev Chettiar. After his departure from Periakuppam on the morning of 12th and reaching Madras later in the evening, he does not know what happened in Periakuppam. He did not give any petition to the Thiruvanmiyur Police about the circumstances of his leaving Periakuppam. Sadagopal and Periakaruppan came to see him in Mandaveli and he sent them along with Jayaraman Vathiar to the police to give a complaint about the happenings he had mentioned to Jayarama Vathiar.

(*g*) On 24th May, Sadagopal and Periakaruppan came to see him in Thiruvanmiyur kuppam and all of them went to see Tmt. V. Ramani Bai (P-1). He put his signature in Exhibit A-14 in a Vakil's house. He does not know the name of the vakil. He was not explained what had been written in Exhibit A-14. Nayagammal came to see him in Thiruvanmiyur Kuppam on the 4th day after he left Periakuppam.

(3) *Deposition of Thiru D. Seetharaman* (*P-3*).—(*a*) He filed a written statement (Exhibit P-3) before this Commission. He was born and brought up in Alikuppam and has been there all these years. His forefathers also belonged to Alikuppam. In the year 1967 all of them in Alikuppam were in the D.M.K. Party. During 1971, 11 families of Alikuppam switched over to Kamaraj Congress. He is the President of the Fishermen Co-operative Society in Alikuppam and has been a delegate member of the Madras-Chingleput Fishermen Federation. He got a mechanised fishing boat allotted to him by the Federation. Soon after his application for the boat, he approached Arumugham, M.L.A. for the use of his good offices and recommendation. The M.L.A. asked him whether he would look after him and he said that if he gets the boat he would give some money. After getting the boat, Arumugham, M.L.A. asked him for a bribe of Rs. 5,000. This took place in the house of Kadalur Sornam. He said that he would pay Rs. 1,000 in the first instance and pay little by little later on. The M.L.A. wanted the whole amount and went away. Sometime after this, Pandurangan and others waylaid him in a casuarina tope and beat him with hands and sticks. His complaint with the Cheyyur Police Station regarding this was not inquired into. He corroborates the fact about Kuppuraj sending word to him saying that Arumugham, M.L.A. wanted him to come for a compromise talk at the M.L.A's Hostel at Madras. Accordingly, he Dhansinh, Vinayagamurthi, Kannappa Chettiar and some others went there. Thiru Arumugham said that he did not want any money but that he might give it for the villagers. If that was not feasible, he might give it for the temple. Seetharaman said that he would undertake the renovation of the temple himself, but this was not acceptable to Pandurangan and others. The M.L.A. then asked him to go back to the village and if there was any trouble from his partymen, he should go to him. He then along with some others saw the Chief Minister at his residence and appraised him of the happenings. The Chief Minister said that he would look into it and asked them to go back home. He speaks to the other facts about his approaching Kannappa Chettiar (P-2) and others in Periakuppam to call for a Panchayat and settle the matter, etc.

(*b*) On 11th May 1973 at about 4-30 p.m. Pandurangan and his followers were proceeding towards him with a view to attack him. On seeing the commotion all of them including the women and children ran towards Periakuppam. Periakuppam people stopped the Alikuppam people who were chasing them, whereupon they returned after threatening them. He corroborated the evidence of Tmt. Ramani Bai (P-1) about the approach of a group of people from Alikuppam at about 11 O'Clock that night, the chase made by Periakuppam villagers and the threatening words and attitude of the M.L.A.

(*c*) Next day at about 10-00 a.m., they saw the Deputy Superintendent of Police, M.L.A. and few others proceeding towards Periakuppam along with a group of Policemen about 50 to 60 following. On seeing them, they ran away towards Oyyalikuppam. He then went to Madras and does not know what happened after this.

(4) *Deposition of Thiru K. Jayaraman* (*P-4*).—(*a*) He filed a written statement (Exhibit P-4) before the Commission. He is the son of Kannappa Chettiar (P-2). He stays in Kadalur and engaged in cultivation. Though he stayed in Kadalur from 11th to 15th May 1973, he does not know anything about the incidents that took place in Periakuppam. He does not also know anything about the Alikuppam people filing a case against the Periakuppam people on 11th May 1973. In his written statement, he has stated that on 16th May 1973, Mallika, Policemen and another constable caught hold of him and Venu (P-5) and tortured them. Next day also they were tortured at the Police station before being taken to the Sub-Jail, Madurantakam the day after. He explained the details about what he has stated in his written statement to Jayarama Vathiar based on which Exhibit P-4 was typed and which he signed.

(*b*) In his cross-examination by the Special Counsel for Police he stated that he did not show the injuries he received at the hands of the Police to the Magistrate and complain about the Police beating nor did he show them to the Sub-Jail Doctor.

(*c*) He is the husband of Nayagam Ammal (P-8). He stays in his land and cooks his own food. He does not go to Periakuppam.

(5) *Deposition of Thiru P. Venu* (*P-5*).—(*a*) He has filed a written statement Exhibit P-5 before the Commission. In the statement he has stated that on 16th May 1973 Mallika, Policeman and another Police constable caught hold of him and Thiru K. Jayaraman (P-4) and tortured them. Next day also the police tortured them at the Police station before taking them to Madurantakam Sub-Jail the day after.

(*b*) About 4 or 5 days after he came out on bail, he went to Jayarama Vathiar near Santhome in Madras and narrated to him all that happened and which he recorded in the statement which he has signed.

(*c*) In his cross-examination he stated that he did not give any complaint to the Magistrate about the injuries sustained by him as he was threatened by the Police.

(6) *Deposition of Tmt. Subbulakshmi* (*P*-6).—(*a*) She has filed a written statement Exhibit P-6 before the Commission. In her statement she states that some three months back on a Saturday at 11-00 a.m. a big Police Officer along with Kadalur Sornam, Chandran, Vandu, Alikuppam Pandurangan, Panchamirtham, Bupalan, Balakrishnan, Manogaran and others came to Periakuppam with a lot of policemen with arms and sticks. The Police Officers were sitting under a "Poovarasan" tree in the Jathi Panchayat (ஜாதி பஞ்சாயத்து) square. The Police beat the women disrobed them and made them sit in the hot sand. The Police along with Pandurangan and others entered house by house, brought the brass, aluminium and eversilver vessels and stored them in Ramasamy Chettiar's house and gave the key to Kullammal (P-9). She says that the Police raped some of the younger women and that one of them suffered an abortion. Another women gave birth prematurely on account of the Police atrocities. Those women, along with other younger women, were sent to other places via Chinnakuppam as soon as the Police people left. At about 11-00 p.m. that night police along with Kadalur Sornam and others came again and took away articles stored in the house of Ramasami Chettiar.

(*b*) Next day (Sunday) Police came again at about 9-00 a.m. entered the houses and took away rice and other articles and also chicken, kattamarans, etc.

(*c*) On Monday they came again at about 9-00 a.m. and beat the women. One police constable embraced her. When she tried to escape she was disrobed. She ran and fell into the sea naked along with three other women. They then went near Chinnakuppam where one Doraikannu Chettiar (P-16) rescued them.

(*d*) In her cross-examination by the Special Counsel for Police and Counsel Lakshmana Reddy, she stated that she did not know how one woman suffered abortion. She also stated that the parents of Kasturi came and took her to hospital. None of the women went to Chinnakuppam on Saturday to narrate the happenings. She said that she did not know the names of the women molested or raped, except one, that she did not see or ask any of them about it, that even on the day of inquiry she did not know. She added that she knew only the name of Kasturi but she did not know that she was the one raped by the Police. She only heard that the Police had beaten her and that she had suffered an abortion.

(7) *Deposition of Tmt. Vembuli* (*P*-7).—(*a*) She has filed a written statement, Exhibit P-7 before the Commission. She corroborated the statement of P-6 regarding the incidents in Periakuppam on Saturday, Sunday and Monday. She added that on the night of Saturday at about 10 or 11 O' Clock, Alikuppam Pandurangan and others along with the Police came to her house, broke open the bureau and took away a gold chain of 3 sovereigns, one ring of a sovereign and clothes. Fishing nets were also taken by them. During the course of this, they also beat her.

(*b*) During the cross-examination by the Special Counsel for the Police she said that she was not aware of the names of the women who were raped, that she did not see any thing herself but only heard it from neighbours, that Boopathy, mother-in-law of Kasturi took her away to Oyyalikuppam by about dusk time on Saturday, that she knows the names of Nayagammal, Subbulakshmi, Kullammal and Chinnammal who told her personally that they were molested and raped by the Police on Saturday. When they took the young women to Chinnakuppam to be sent away to outside places they narrated all the happenings in the village that day.

(8) *Deposition of Tmt. Nayagammal* (*P*-8).—(*a*) She has filed a written statement—Exhibit P-8 before the Commission. In this statement, she has corroborated the written statement of P-6 and P-7 relating to the incidents at Periakuppam on Saturday, Sunday and Monday. She added that she was the one who was beaten up and disrobed on Monday, that she fell into the sea along with Kullammal (P-9), Chinnammal and Subbulakshmi (P-6) and that she was rescued by Doraikannu Chettiar (P-16) of Chinnakuppam.

(*b*) During the cross-examination by the Special Council for Police she said that the Police did not indulge in raping and molestation on Saturday but only took out things from houses, that the police raped two women on Sunday morning, that she was one of them, that the other one was Kasturi (P-12) and that she and Kasturi stayed on Sunday night at Periakuppam.

(*c*) To a question by the Commission she said that Kasturi (P-12) only came and told her that she was raped, that she did not see it herself and that she did not also see herself the Police beating and committing other atrocities like rape, etc. but she heard about it from the other women in the village.

(9) *Deposition of Tmt. Kullammal* (*P*-9).—(*a*) She has filed a written statement (Exhibit P-9) before the Commission. In her statement, she has corroborated generally the statements of P-6, P-7 and P-8. She added that the Police and other people took away Rs. 1,000, clothes and fishing nets from her house, that she was disrobed on Monday by the Police, that she fell into the sea along with three other women and that she was rescued by Doraikannu (P-16) of Chinnakuppam.

(*b*) During the cross-examination by the Special Counsel for Police she stated that the police beat about 130 women on Saturday and that from what the women told her themselves ten women were raped by the Police and that in her own house the Police raped a woman. The Police did not molest or rape any woman on Sunday, as the younger women had left.

(10) *Deposition of Tmt. Rajambal* (*P.* 10).—(*a*) She has filed a written statement (Ex. P-10) before the Commissiom. She has corroborated the written statements as given by P-6, P-7, P-8 and P-9 about the incidents on Saturday alone. However, she has added that at about 5-00 p.m. on Saturday she was informed by her child that the Police people, Pandurangan and others were destroying the casuarina plants and that she brought the destroyed casuarina plants to her house and then went to Chinnakuppam.

(*b*) During cross-examination she stated that the Police pulled out all the casuarina sapplings about three years old on an extent of 4 acres belonging to her husband and that the destroyed casuarina sapplings were about 100 head loads.

(11) *Deposition of Thiru M. Natarajan* (*P*-11).—He filed a written statement (Exhibit P-11) before the Commission. He has stated that on 21st May 1973 he was arrested by the Police at Thattambedu Village, that he was tortured by the Police for nine days from 21st May 1973 and that he was sent to Sub-Jail on 30th May 1973.

(12) *Deposition of Tmt. Kasturi* (*P*-12).—(*a*) She was married about 6 months before the date of her deposition, i.e., 2nd September 1973. On the day of the occurrence she was staying with the wife of the elder brother of her father-in-law (இளைய மாமியார்) along with six other women. About 10 Policemen came inside and dragged them out after beating. When she went outside she saw a crowed of 50 or 60 women sitting about ten of them were without clothes on them. She ran back to her house and she was chased by four or five Policemen. She was caught hold of by the Police and they wrenched away her saree with a view to rape her. She fell down fainting. She was at that time three months pregnant. She does not remember anything afterwards till she ragained consciousness. She was lying bleeding and she felt painful in her stomach and thought she must have suffered an abortion because of the bleeding. She felt she must have been kicked by the boots in her stomach. She was taken to Madras the same day and given treatment at home.

(*b*) During the cross-examination by Special Counsel for Police she said that her mother-in-law took her to Chinnakuppam after sun down. She was taken the same night (i.e., Saturday) by two persons from Royapuram who had come to Chinnakuppam to buy dried fish. They went, via., Oyyalikuppam, Voyalur and Pudupatnam where they boarded the bus for Madras. She does not know who the persons from Royapuram were nor did they tell her. Her father did not come to fetch her. She did not mention anything to her father about what happened to her. She does not know anything about the attack by Dhansingh and Seetharaman on Alikuppam people. She told her husband about the happenings after his retrun on bail from the Jail.

(13) *Deposition of Tmt. Boopathy Ammal, wife of Natarajan* (*P*-13).—(*a*) She has filed a written statement (Exhibit P-12). She has corroborated the details in the written statements of witnesses P-6, P-7, P-8, P-9 and P-10 in so far as the incidents that occurred on Saturday are concerned. She went to Chinnakuppam on Saturday.

(*b*) During the cross-examination by the Special Counsel for the Police she stated that some of them stayed back in Periakuppam and some in Chinnakuppam. About 20 or so might have stayed in Periakuppam.

(14) *Deposition of Thiru Devarajan* (*P*-14).—(*a*) He has filed a written statement—(Exhibit P-13), before the Commission. In the statement, he has stated that on 11th May 1973 at about 9-00 p.m. on a call from the Circle Inspector of Police and the M.L.A. Thiru Arumugham he accompanied them to Alikuppam. The Circle Inspector of Police and others inspected the Alikuppam village and recorded statements from some people after inquiries. At about 11-00 p.m. they all went to Periakuppam. When they were half way near the temple, the Peirakuppam people thinking that Alikuppam people were coming to attack them chased them away. The Circle Inspector blew his whistle and said "you are chasing the police, are you ?". He also stated that the M.L.A. said that "let day break come and we will see about it".

(*b*) On 12th May 1973 at about 9-00 a.m. Deputy Superintendent of Police, Circle Inspector, M.L.A. Thiru Arumugham and others came back in three Police vans. After taking tiffin in Sornam's house they proceeded to Kadalur lock. They wanted him to come to the Lock Site. When he went there he saw the M.L.A. and Balakrishnan returning after some time from Periakuppam saying everybody had escaped and nobody was there. When he went to Periakuppam at about 1-00 p.m. he saw the women sitting naked in a crowd. The household articles were there before the Deputy Superintendent of Police in a heap. The Deputy Superintendent of Police asked who he was. When the Circle Inspector replied that he was from the Colony, the Deputy Superintendent of Police asked that he be driven out. He went back and was near the Buckingham canal when the Police brought rice, chicken, fishing tackles and vessels for cooking.

(*c*) On Sunday also the Police and Alikuppam people took away articles like vessels, chicken, kattamarns, etc., in the van. He asked Manickam, headconstable and others about this and was told that they were being taken to the Court.

(*d*) On 18th May 1973, the Circle Inspector called him and asked him why he supported Periakuppam people. On 19th May 1973 the Police took him and 6 others to Madurantakam where the Circle Inspector told him that if they supported the Police people they would be let off or otherwise they would be arrested. When they replied that they would not tell lies, they were sent to Sub-Jail.

(*e*) During the cross-examination by Thiru Lakshmana Reddy he said that he and his brother belonged to Kamaraj Congress and that in the Kadalur Panchayat President Elections, his brother Balaraman was a contestant against Sornam and that Sornam won the election.

(15) *Deposition of Thiru Kuppusami* (*P*-15).—He filed his written statement Exhibit P-14. In the statement he had stated that when he was returning with his wife from Chunampet Voyalur he alighted at the Cheyyur Road Junction to catch the bus for Pavunjur. He saw Cheyyur Balakrishnan and others near the Police Station. On seeing him, Sornam and Pandurangam went into the Police Station and came back. From the Police Station, the Inspector and the head-constable came out near him. The Sub-Inspector and others then tortured him and kept him till 15th May 1973 when he was sent to Madurantakam Sub-Jail.

(16) *Deposition of Thiru Doraikannu* (*P*. 16).—(*a*) About three months ago on a Monday at about 11-00 a.m., he was returning from the sea after fishing. On hearing some commotion, he observed some people waving their hands and backoning to him. He found 4 women sitting in breast deep water in the sea and they told him they had no clothes. He took off and threw his 8 cubit head cloth towards them and went home. He then called out to the women in Chinnakuppam and asked them to go and give sarees to the women in the sea. The women told him that the Police took away their clothes and to avoid humiliation they ran into the sea.

(*b*) Nayagammal (P-8) told him that three Policemen had raped her and therefore she run into the sea to kill herself. He arranged shelter for the women in various homes in Chinnakuppam.

(*c*) Durring the cross examination by the special counsel for the Police he said that he was in Chinnakuppam on Saturday and Sunday and he did not see any women from Periakuppam on Saturday or Sunday in Chinnakuppam.

(17) *Deposition of R. Vedachalam* (*P*-17).—(*a*) He has filed a written statement before the Commission—Exhibit P-15. In the statement he had stated that on 12th May 1973 at about 11 a. m. Police van took Sornam and Alikuppam Pandurangan from Sornam's house. In the van, the Deputy Superintendent of Police and M. L. A. Thiru Arumugam were also seated in the front. At about 2 p. m. M. L. A. Thiru Arumugam and Cheyyur Balakrishnan came to Kadalur from the canal side. At about 5 p.m. the Police van went away with the Deputy Superintendent of Police.

(*b*) On 13th May 1973 at about 2 p.m. the Police van came to Kadalur from the Lock Site with chicken, fishing nets, kattamarans, etc. Alikuppam Panchamirtham (A-2) was also there in the van.

(*c*) On 14th May 1973 at about 10 a.m. the Police van came to Kadalur from canal side with the brass, aluminium and eversilver vessels and fishing nets. The van halted for some time at Kadalur. When he questioned about this Pandurangan (A-1) told him that they were the articles involved in the theft by the Periakuppam people in Alikuppam and that they were being taken to court.

(18) *Deposition of Thiru Kuttiappan* (*P*-18).—He has filed a written statement before the Commission, Exhibit P. 16. He has stated in the statement that about a month back on a Sunday at abont 10 a.m. he saw a Police van from the Lock Site to Kadalur, containing fishing nets and Kattamarans along with many bags in it and the Policemen were also there. After this, Mallika Policeman brought three chicken wrapped in a paper. Similarly two more Policemen brought four chicken in a paper. Panchamirtham (A-2) and Pandurangan (A-1) along with Chandran (A-8) brought an "anda" which contained plucked fowls. When he questioned about this, Policeman Mallika gave him a blow.

(19) *Deposition of Thirumathi Arayiammal* (*P*-19).—(*a*) She has filed a written statement Exhibit 17 before the Commission. She has stated in the statement that about a month back on a Monday at about 11 a.m. Doraikannu (P-16) came to the village and said that four women were without clothes in the sea and asked her and others to go and give them some sarees. She and others accordingly did so. She herself gave a saree to Nayagammal and took her and others to Doraikannu Chettiar's house.

(*b*) In her cross-examination she has stated that apart from Nayagammal she does not know the names of the other three women.

(20) *Deposition of Thirumathi Boopathi Ammal, wife of Haviraman* (*P*-20).—(*a*) She has filed written statement, Exhibit P-18 before the Commission. In the statement, she has corroborated the written statements of P-6, P-7, P-8 and P-9 in so far as the incidents on Saturday were concerned. When she went back to her house at 3 p.m. she found her daughter-in-law Kasturi (P-12) in a pool of blood. The boxes in her house were found broken, and the clothes had disappeared, and the two hundis containing temple money and village money were not there. She took her daughter-in-law with the help of two women who from Royapuram to Chinnakuppam.

(*b*) During the cross-examination, by Special Counsel for Police she stated that she came on the night of Saturday from Madras and stayed the night at Cinnakuppam. The two women from Royapuram came to Periakuppam on that Saturday when the incident took place. She has sent her daughter-in-law alongwith the two women from Royapuram on Saturday, while she herself went to Madras on Sunday.

(*c*) During the re-examination the witness was questioned whether she could point out any of the person mentioned by her in Exhibit P-18. She pointed out Pandurangan (A-1) which was correct. She pointed out another person as Pattaiyan, who actually happened to be one Boopalan.

(21) *Deposition of K. Vinayagam* (P-21)— (*a*) He has been the resident of Kadalur for 20 years. About 3 months ago, on a Saturday at about 10-00 a. m., four police vans came to Kadalur. He saw armed police getting down near the house of Sornam. In the fourth van, he saw the Deputy Superintendent of Police, Circle Inspector, the Sub-Inspector, Head-constable Manickam, Pandurangan, Chandran and Arumugham M.L.A. Sornam got into this van and all the four vans proceeded towards the Lock Site.

(*b*) Next day on Sunday, he saw the van coming from the Lock Site to Kadalur and he also saw pieces of Kattamarans stacked inside the van and fishing nets and some gunny bags. When he asked the Police constable Mallika, he was told that they were stolen from Alikuppam by the Periakuppam people and that they were being taken to Court.

(22) *Depositon of Thiru V. Sambandan, Taxi Driver* (P-22)— (This witness was examined on behalf of Thiru Arumugham, M. L. A.—(*a*) He is the driver of the Tourist Taxi No. TNH. 1006, belonging to one G. Bhaskaran. On the night of 10th May 1973, Thiru G. Bhaskaran, the owner sent for him and informed him that he would be required to go with Arumugham, M. L. A. for about 10 or 15 days. He was further told that the M. L. A. wanted the vehicle for purposes of election work and he was asked to report to the M. L. A. at 6-00 a. m. on 11th May 1973 in Madurantakam. He met the M. L. A. at 6-00 a. m. on 11th May 1973 along with the Taxi. The M. L. A. told him that three or four others would also be joining and that they would all leave by 10-00 a. m. or so. They left Madurantakam at 10-30 a.m. Excluding him, there were six in all in the Taxi.

(*b*) Of the four persons who joined, he knew the names of Cheyyur Balakrishnan and Eruvakkam Shanmugam, but he did not know the names of the others. They reached Kodaikanal Road by 1-00 a. m. on 12th May 1973, via. Thiruvannamalai and Madurai. They used to go every day to the Dindigul Constituency for work an come back for the night halt to Kodaikanal Road. They were there till 20th May 1973. On 21st May, they left for Thanjavur in the morning and after visiting Poompuhar they returned to Madurantakam in the night. The trips done in this connection for the M. L. A. in his taxi are indicated from pages 31 to 41 in Ex. P-19. He knows Thiru Arumugham as the Madurantakam M. L. A.

(*c*) During the cross-examination by the Counsel for Periakuppam people, he said that the owner collected Rs. 650 as hire charges for the period from 11th to 21st May 1973. During cross-examination the Counsel for Periakuppam people wanted the originals on the trip sheets in Ex. P-19 and the succeeding and preceding trip sheet books along with the originals also to be obtained by the Commission. They were accordingly produced and marked as Ex. P-19 (*a*), Ex. P-20, Ex. P-20 (*a*), Ex. P-21 and Ex. P-21 (*a*).

(23) *Deposition of Thiru Kuppuraj* (P-23.)—(*a*) He is the Chairman of the Madras-Chingleput Fishermen Co-operative Federation and he is acquainted with all the fishing kuppams in Madras and Chingleput Districts. He knew Seetharaman who was a delegate member from Alikuppam to the Federation. Sometime about 3 months before May 1973, Seetharaman and Dhansingh came to his house in Madras and told him that they had raised casuarina trees in the poramboke lands in Alikuppam and that they were not being allowed to cut the trees. He told them to consult the local M. L. A. and get the matter settled. When they replied that they were not acquainted with the local M. L. A. and asked him to arrange for a Panchayat and settle the matter, he went and saw Thiru Arumugham M. L. A. in the M. L. A's Hostel and appraised him of the matter as stated by Dhansingh and Seetharaman suggested that somthing should be done to settle it.

(*b*) About a month before the Dindigul Elections, Thiru Arumugham M.L.A. fixed up a meeting at Madras and sent for all of them. Apart from himself, G. Balakrishnan, President of the Madras Pablo Boat Operating Fishermen Co-operative Society, Elambarithi, P. K. Venugopal, President Inland Fishermen Co-operative Society, M. Raju, Councillor of Division 90 of Madras, Polur Srinivasan, M. L. A., Dhansingh, Seetharaman, Cheyyur Balakrishnan, Kadalur Sornam, Pandurangan and some others were present. The meeting was in the room of Arumugham, M. L. A. in the MLA's Hostel at Madras.

(*c*) Pandurangan and group represented that the land belonged to the village and objected to Dhansingh and Seetharaman enjoying the produce. M. L. A. and others suggested a compromise in the sharing of the usufructs of the land between Dhansingh and Seetharaman and other Alikuppam villagers.

(*d*) Pandurangan and group contended that the boat allotted to Seetharaman was given because he was from Alikuppam and therefore the boat should be with the people of Alikuppam. When the M.L.A. asked him what the correct position was, he gave his opinion that as Seetharaman had paid for the boat and also for the insurance, they should deal with him only and the people of Alikuppam had nothing to do with it. He said that this was accepted by the Panchayat.

(*e*) Thiru Arumugam, M. L. A. did not ask anyone for any money. If any one says he did it is a lie. He also said that the M.L.A. had nothing to do with the allotment of the boat and that he had not spoken to him about the allotment of boat to Seetharaman any time. After this as per the usual custom they all exchanged betel leaves and were advised to go back to their villages and live happily.

(*f*) He stated that it was a lie to say that after the talks in the Panchayat Thiru Arumugam, M. L. A. said that he did not want any money, etc., as stated by Seetharaman (P-3) in his deposition.

(24) *Deposition of Thiru C. Arumugam, M. L. A.* (P-24)—(*a*) He is the M. L. A. of Madurantakam Constituency. Alikuppam and Periakuppam are in his Constituency. Kuppuraj (P-23) mentioned to him about the dispute between the two groups in Alikuppam and asked him to intervene and settle it. He said that it could be arranged after 3 o' Clock any day as the Assembly was in Session and that it could be in Madras. He came to know Seetharaman (P-3) only after the attended the Panchayat at Madras. He said that it is a lie on the part of Seetharaman (P-3) to say that he asked for Rs. 5,000 and that he had agreed to take Rs. 1,000 in the first instance and more later as deposed by him. It is also a lie that he interfered with the duties of the Police and that he prevented them from taking action. He had not helped Seetharaman in any way to get the boat allotted to him nor did he (Seetharaman) approach him at any time in this connection. He states that he left on 11th May 1973 in the morning in a Tourist Taxi No. TNH 1006 for Dindigul Election. Cheyyur Balakrishnan, Eruvakkam Shanmugam, Pudur Mohan, Sabapathi and Ramalingam from Vedal were with him. He confirms that the taxi driver was Sambandam (P-22).

(*b*) He was allotted election work in N. Panjampatti of Dindigul taluk and was therefrom the early hours of 12th till 21st May 1973. He returned to Madurantakam on 21st night.

(*c*) On 29th May 1973 he saw his name mentioned in the press. During the subsequent proceedings also before the Commission of Inquiry his name was implicated and it was alleged that he had asked for a bribe of Rs. 5,000, etc. In order therefore to clear himself he engaged a Counsel to protect his interests before the Commission.

(*d*) He has stated that it is a lie that Cheyyur Balakrishnan, Anikat Kullu, Kadalur Sornam, etc., and others went with the Police party and committed the offences alleged against him and the Police at Periakuppam village. It is all because of political animosity and to besmirch his name and his party that all these allegations have been levelled against him by the Organisation Congress.

(*e*) During the cross-examination by the Counsel for Periakuppam people he stated that the fishermen of Periakuppam and Alikuppam came to him on April 4, 1973 at the instance of Kuppuraj (P-23). All the talks were conducted by Kuppuraj and he was only present there as the M.L.A. of the Constituency. His only desire was that the case should be settled amicably so that they could have a smooth life and live in amity. As far as he remembered those present at the meeting were Polur Srinivasan, Venugopal, Dhansingh, Seetharaman, Raju and a few others.

XV. SCOPE OF THE COMMISSION.

In the order appointing me as the Commission I have been asked to " make an inquiry into the incidents that occurred in Periakuppam village during the period from 11th to 16th May 1973, in particular the allegations of atrocities committed by the Police during the course of investigation into the case in Crime No. 80/73 of Cheyyur Police Station. No specific questions have been posed to me by the Government on which findings are required to be given. My task, therefore, is to see whether the allegations made by the people of Periakuppam and spoken to by their witnesses and documents are probable and whether a prima facie case exists or not, and whether the rebuttal made by the Police in their defence and spoken to by their witnesses and documents have rendered improbable and baseless the allegations of the people of Periakuppam and recommend any measures considered necessary to Government. The Commission is not a Trial Court and cannot pass any verdict. It is meant to investigate and record findings for the information of the Government to enable it to decide upon any further course of action as may be needed. In short it is a fact finding body. As I see it, this is the scope of this Commission of Inquiry.

XVI. OCCURRENCE OF EVENTS AND ANALYSIS OF EVIDENCE RELATING TO THEM.

(1) The gravamen of the complaints of the people of Periakuppam (as summarised by their Counsel during arguments) is that the occasion provided by the purported investigation in Crime No. 80/73 was utilised to perpetrate the following acts against Periakuppam people.

(*a*) Majority of the adult males of Periakuppam about 72 in number were implicated in Crime No. 80/1973.

(*b*) In the forenoon of 12th May 1973 a posse of armed constabulary as big as that of the adult male population of Periakuppam was unleashed upon the village; and when the men folk ran away the womenfolk were subjected to indignities, molestation and dishonouring (known as raping in ordinary parlance) and their properties secreted either by theft or destroyed otherwise.

(*c*) The women folk were compelled to run away deserting the village, which remained deserted till the middle of August 1973.

(*d*) The men folk who were arrested were subjected to beating and torture.

(*e*) The persons who perpetrated these acts are the Police under the leadership of the Deputy Superintendent of Police, the Circle Inspector of Police, the Sub-Inspector of Police, Head constable and the named constables.

(*f*) They were actively aided by named persons of the party in power including the local M.L.A.

(2) As I have mentioned earlier on pages 30 to 44 there are two different versions of the incidents that happened in Alikuppam and Periakuppam from 11th to 16th May 1973. According to the version of the Administration, the visit of the Police to Periakuppam on 12th May 1973 was purely for purposes of investigating Crime No. 80/1973. After searching the possessions of the women of Periakuppam for possible identification of the articles alleged to have been stolen from Alikuppam and recovering the saree (M.O.A. 1), the police left Periakuppam at about 3·00 p.m. and went over to the P.W.D. Lock Site. The police never went to Periakuppam after this and they categorically deny that any such things as the harassment, molestation and raping of the women of Periakuppam and looting and destruction of their properties ever happened. They also refuted the allegation that Arumugham, M.L.A., Kadalur Sornam, and Balakrishnan, etc., of the D.M.K., were there along with the police as alleged. The Administration has however added that the allegations of police atrocities on 12th May 1973 and other dates in Periakuppam have been made deliberately by the Periakuppam people with a view to cover themselves up and escape from the charges levelled against them in Crime No. 80/1973, and that in this they were actually aided and instigated by Thirumathi V. Ramani Bai, Kannappa Chettiar and others of the Congress (O) party, out of political animosity.

(3) According to the version of the Periakuppam people, because of the failure on the part of Seetharaman to pay Rs. 5,000 as bribe to the local M.L.A., and other disputes like the use of Power Boat and poramboke lands he and his supporters with families were driven out of Alikuppam; and because of their allegiance to Congress (O) Party and identification with the people of Periakuppam who also owed allegiance to the Congress, Crime No. 80/1973 was created at the instigation of Thiru Arumugham, M.L.A. and other D.M.K. rowdies of Alikuppam and with that as an excuse made the police enter Periakuppam and commit the atrocities on 12th, 13th and 14th May 1973.

(4) Since various incidents and events are quoted by the Administration and the Periakuppam people and since they are at variance with each other, I shall list out these chronologically as narrated by both. I will then discuss and analyse the evidence adduced in support of them and the rebuttal made against them, in order to come to a reasonable conclusion about the probability or otherwise of these events and whether a prima facie case has been made out or not against the police and others.

(*a*) EVENT No. 1—

[*On Friday* 11*th May* 1973 (*3 a.m. to* 5-30 *a.m.*) *at Alikuppam.*]

(i) This is the event culminating in the registration of Crime No. 80/73 at Cheyyur Police Station. There was a commotion in Alikuppam at about 3-00 a.m. A crowd of about 100 persons including Dhansingh, Seetharaman, Ramu and Sivanesan along with some women from Periakuppam armed with deadly weapons like "Kathi", "Thirukkaival", "Velamullu", "Thadi" and "Etti" raided the village, beat and caused hurt to the people, damaged houses and other properties and indulged in looting. About 11 persons were injured. Witnesses A-1, A-2 and A-3 have spoken about this in their evidence. Pandurangan (A-1) filed a complaint about this at the Cheyyur Police Station and produced all the injured at about 2-15 p.m. Head-constable Manickam arranged for the injured to be taken to the Cheyyur Hospital, where after treatment 4 were sent to the Chingleput Hospital.

(ii) Panchamirtham (A-2) corroborates A-1. Lalithambal (A-3) while corroborating the events adds that about 20 or 30 people came to her house and that she saw Dhansingh, Velayudham and Dhanapal in the crowd and they took from her house one red saree, two brass "thavalais" and one brass "deksha". Exhibit A-6 is the First Information Report dealing with the complaint given by A-1.

(iii) During the cross-examination, the counsel for Periakuppam villagers questioned the genuineness of the First Information Report, Exhibit A.6. He contended that Exhibit A.6 was not sent at once direct to the nearest Sub-Magistrate, but to the District Magistrate and that too only on 14th May 1973, and that the third page of Exhibit A.6 did not contain the seal of the District Magistrate, while the first and fifth pages contain the seals of both the District Magistrate and Sub-Magistrate. By this, he sought to establish that pages 3 and 4 containing the names of the accused were not there in the First Information Report sent to the District Magistrate, and that it was a subsequent addition made later on at the time when the First Information Report reached the Sub-Magistrate's Office.

(iv) It is seen in Exhibit A-6 that the complaint was received at the Cheyyur Police Station at 2-15 p.m. on 11th May 1973. 12th May 1973 was a Second Saturday and 13th May 1973 was a Sunday—both holidays. Exhibit A-6 was apparently opened by the District Magistrate's Office on 14th May 1973, the next working day. Since first class cases were also involved in Crime No. 80/73 this was sent to the District Magistrate, Chingleput who was the First Class Magistrate having jurisdiction under Police Standing order 574. As there were offences triable by the Sessions Court involved in Crime No. 80/73 this was presumably sent by the District Magistrate to Sub-Magistrate, Madurantakam for preliminary enquiry and committal if needed. As regards the absence of the seal of the District Magistrate on page 3, I think it was just a lapse on the part of the District Magistrate's Office to have missed it. This is because pages 3 and 4 which contain a list of the names of the accused is obviously a part of the First Information Report and is a continuation of Column No. 2 "Name and residence of the accused". In Exhibit A-6 it is also seen that the Head-constable has written " Dhansingh and 56 others—list enclosed ", in Tamil. The mere absence of the District Magistrate's seal does not therefore render this document useless.

(v) Apart from this, the Medical Certificates Exhibit A-17,A-17(a) to A-17(f), indicate the injuries received by Panchamirtham (A.2), Pattaiyan, Pichaikaran, Swaminathan, Selvan, Desappan and Ponnurangam as a result of the raid registered in Exhibit A-6.

(vi) Exhibit A-1, Exhibit A-2, Exhibit A-3 and Exhibit A-9 are the Remand Reports sent to the Sub-Magistrate, Madurantakam. Along with these reports, 7, 3, 7 and 55 accused respectively were produced before the Magistrate for judicial custody. The Sub-Magistrates A-4 and A-12 have spoken about these documents also. Their orders of remand and endorsement made by them on the remand reports are on record.

(vii) Strictly speaking it is not for me to go into the credibility or otherwise of Exhibit A-6, as it is registered as Crime No. 80/73 and regarding which investigations are pending. It is up to the trial Court to look into this when prosecution is taken up.

(viii) In the result, I have no reason to doubt the probability of the events here and hold that prima facie the registration of Crime No. 80/73 is bonafide.

(*b*) EVENT No. 2—

[*On Friday 11th May* 1973 (4-30 *p.m.*) *at Alikuppam.*]

(i) This deals with the attack in Alikuppam by Pandurangan (A-1) and Pancharmirtham (A-2) and a group of people numbering about 60 or 70 on Dhansingh and his followers including women and children numbering about 20 and their being chased into Periakuppam ; their protection and shelter by Periakuppam villagers; obstruction of entry of Alikuppam villagers by Periakuppam people and ultimate threat by Alikuppam people.

(ii) The main witnesses who have spoken to this are Ramani Bai (P-1), Kannappa Chetty (P-2) and Seetharaman (P-3).

(iii) P-1, Ramani Bai is not an eye witness to this and what she has stated in Exhibit P-1 is just a hearsay, unless it is substantially corroborated by other independent witnesses. P-2, Kannappa Chetty says that at about 4-30 p.m. on Friday, Seetharaman, Dhanapalan and others were attacked by Pandurangan and others. Unable to bear these things, Seetharaman and their relatives sought shelter in Periakuppam village. He saw Dhansingh, Seetharaman, Dhanapal, Arumugam and Perumal along with children and family totalling about 20 persons running towards Periakuppam. They were being chased by Pandurangan and Panchamirtham along with a group of 60 or 70 persons, including women. They were shouting that they should not be admitted into Periakuppam and if they were, they (Periakuppam people) would be in trouble. In the meanwhile Dhansingh and group had entered Periakuppam. Alikuppam people warned them again and went back to their village.

(iv) Seetharaman (P.3) says that Balakrishnan, Sornam, Chandran, Vandu Naicker and Anikat Kullu joined with Pandurangan and his followers and attacked him and others. On this they left everything and all of them including women and children ran towards Periakuppam. They were chased by the crowd into Periakuppam. The Periakuppam people stopped the Alikuppam people who retired after threatening them. In his deposition, he has stated that ''we stayed the night in Periakuppam in the huts of various people'', while in his written statement in Exhibit P-3 he has stated that ''after reaching Periakuppam, they left the place also'' (''பிறகு நாங்கள் அங்கிருந்தும் வெளியேறிவிட்டோம்''). It is of interest to note in this connection, that P-2 Kannappa Chetty has stated in his deposition that ''on hearing that M.L.A. Arumugam, Cheyyur Balakrishnan and Kadalur Sornam were there in Kadalur in Sornam's house we thought we could go and see them and discuss the affair'' and ''when we were nearing the canal, we heard some shouts and noise on the southern side of Periakuppam and we returned to Periakuppam''. He says he saw Dhansingh, Seetharaman and group of about 20 persons being chased towards Periakuppam by Pandurangan, etc. with a crowd of 60 or 70 persons, from Alikuppam From the *canal side* he talks about, the scene of occurrence would be more than three furlongs away. Thus he was not anywhere there and besides he could not have *seen* the people he says he saw. It is not possible. During his cross-examination also, he contradicted himself when he stated that the statement made by him on page 3 in Exhibit P-2 " unable to bear all these things, Seetharaman, Dhansingh and other relatives men, women and children about 30 members sought shelter in Periakuppam village and the people of Periakuppam

gave them protection and shelter " was *not correct*. It is in evidence that Panchamirtham stated to have been seen by these people was in Cheyyur hospital at about 3-55 p.m. The wound certificate in Exhibit A-17 also corroborates this. Pandurangan, Balakrishnan and Vadivelu were also seen by the Circle Inspector at 5 p.m. at the Cheyyur Police Station when he enquired them about the case. The Circle Inspector also saw Panchamirtham later at the hospital. It is therefore obvious that Pandurangan, Balakrishnan, and Vadivelu who took the injured to the police station that day were *not* in Alikuppam at 4-30 p.m. They could not, therefore, have been seen. This fact combined with the contradictory nature of the evidence of P-2 and P-3 does not enable me to give credence to the alleged flight of Dhansingh, etc., on that day and time.

(v) In the result, I am of the opinion and must hold that the occurrence of this event on 11th May 1973 at 4-30 p.m. is improbable.

(*c*) EVENT No. 3—

[*Friday, 11th May* 1973 (11-00 *p.m.*) *at Periakuppam.*]

(i) This deals with the alleged raid on 11th May 1973 at 11-00 p.m. on Periakuppam by the Alikuppam villagers including some who were later identified as policemen in mufti, when they ransacked and attacked indiscriminately as stated in para 7 of Exhibit P-2. Thiru Arumugham, M.L.A. is alleged to have threatened the Periakuppam people.

(ii) Kannappa Chetty (P-2) has stated that at about 11 O' Clock in the night a few women who had gone out to answer calls of nature came back and reported having seen a group of people about 30 or 40 near the Ellaiamman Koil. He got together all the men in Periakuppam and all of them about 100 in number went towards Ellaiamman Koil. They saw a group near the Ellaiamman Koil going away towards West and they chased them. The group crossed the canal and when the Periakuppam people were also about to cross, they heard the police whistle followed by words "we are the Police", "I am Arumugham, M.L.A., see what happens after day break". It was dark that night with a faint moon light and they could not see any one but only heard the voices. Seetharaman (P-3) has also said the same thing generally supporting P-2. P-2 (Kannappa Chetty) has contradicted himself during the cross-examination by the Counsel for the Police when he said that this statement in Exhibit P-2 that "on the night of 11th May 1973, the persons above mentioned and others and some other men who were later on identified as policemen in mufti including the Circle Inspector of Police, Madurantakam raided, ransacked and attacked the hamlet of Periakuppam indiscriminately" *is not correct*. He has also stated that the crowd "did not enter Periakuppam village and cause any damage". According to P-2, Dhansingh and Seetharaman were not in Periakuppam that night. Even according to Exhibit P.3, Seetharaman says "பிறகு நாங்கள் அங்கிருந்தும் வெளியேறினோம்". P-3 had also not mentioned about the threat by the M.L.A. at the canal site in his written statement (Exhibit P-3). The occurrence of this event would therefore appear very doubtful.

(iii) As far as the M.L.A. is concerned (P-24) he has deposed that he was not in town during the Periakuppam incidents. This is also corroborated by the taxi driver, Sambandam (P. 22). (I have accepted this alibi of the M.L.A. which is discussed in detail later).

(iv) According to the police version, A-13 the Circle Inspector after finishing the investigation in Alikuppam on that day and preparing the Observation Mahazar in the presence of Devarajan and Chinnadurai was returning to Kadalur. By about 10-25 p.m. two sections of Armed Reserve he had asked for were reporting for duty before him. While he was returning with them to Kadalur, he espied a crowd of about 200 persons from Periakuppam side coming towards his party. When he identified himself and told them that they were the police, the Periakuppam people went away. He then left the Police party at Kadalur in-charge of the Sub-Inspector, Cheyyur and returned to Madurantakam at 00-30 a.m. The entries in the Daily Diary of the Police Van M.D.H. 6628 [Exhibit A-8 (a)] for 11—5—1973, discloses the following :

". . . . கடலூர் போய் அங்கிருந்து குப்பம் போய் பார்வையிட்டு திரும்பி மதராந்தகம் வரப்பட்டது".

This is corroborated by A-1 Pandurangan and A-14, the Sub-Inspector. Besides, Chandran (A-8) has also stated that when he came back to Kadalur that day (11th May 1973) in the night at about 11-00 p.m., he saw at the "Mahalir Mandram" the Sub-Inspector of Police and about 20 Policemen. The Sub-Inspector was sitting and some of the policemen were eating something in a nearby shop.

(v) The events narrated by A-13 duly corroborated by A-14, and A-1 have not been effectively rebutted. P-1 and P-2 have first alleged in Exhibit P-1 and Exhibit P-2 respectively that there was an attack of Periakuppam village by the Alikuppam villagers and that the policemen including the Circle Inspector of Police indulged in ransacking Periakuppam indiscriminately. As stated earlier, this was subsequently declared *incorrect* by P-2 himself in the cross-examination. In the same cross-examination he has also stated that the crowd "*did not enter Periakuppam village and cause any damage*". P-1 herself was not an eye witness to the occurrence and what she has stated is therefore just hearsay, and cannot be relied upon, as it has not been independently corroborated.

(vi) Thus, it would appear that in so far as this event is concerned, there is no consistency, but on the other hand quite an amount of contradiction in what the witnesses have stated for the people of Periakuppam. There is however agreement that a group of people from Alikuppam was seen by the Periakuppam people and likewise, a group of people from Periakuppam was also seen by the Police. Actually, the group from Alikuppam was the police party returning after investigation in Crime No. 80/73 towards Kadalur The Periakuppam people might have thought that this party was proceeding towards them and was about to get into a confrontation when the Circle Inspector of Police blew his whistle and said he was the police. Nothing seems to have happened afterwards. It should be remembered it was night (11-00 p.m.) at that time and visibility and identification would have been difficult.

(vii) In view of this, I hold that there was no attack or ransacking of Periakuppam that night by any one and that the alleged event is a fictitious one without any basis at all.

(*d*) EVENT NO. 4—

[*On 12th May 1973 Saturday (11-00 a.m. to 5-30 p.m.) at Periakuppam.*]

(i) This is the main event that has given rise to all allegations. According to the version of the Periakuppam people, at about 11-00 a.m., that day, Thiru Arumugham, M.L.A., Deputy Superintendent of Police, Chevyur Balakrishnan, Amikat Kullu, Kadalur Chandran, Vandu Naicker, Kadalur Sornam, Pandurangan, Vadivel, Panchamirtham and several policemen in two vans and one jeep were seen alighting at the Lock Site by the Periakuppam people. On seeing them proceeding towards Periakuppam, the menfolk ran away. The Police party along with the persons above mentioned are then alleged to have entered Periakuppam and indulged in beating and kicking women, harassment, disrobing, molestation, raping etc. One woman (P-12) aborted and another gave a premature birth. The women were also chased and made to sit naked in the hot sand before the Deputy Superintendent of Police while the brass and aluminium vessels were collected from the houses and which were later locked up in Ramasamy Chettiar's house, and the key handed over to Kullammal (P-9).

(ii) According to the version of the Administration, this is the day when the Deputy Superintendent of Police, with the Circle Inspector, Sub-Inspector and police party visited Alikuppam at 10-00 a.m. and after making necessary enquiries in connection with the Crime No. 80/73 and taking photographs proceeded to Periakuppam at about 12 noon along with six women from Alikuppam who alleged that some of their articles had been stolen by the Periakuppam women. During the search none of the articles alleged to have been stolen were identified but a saree (M.O. A-1)) was recovered from the house of one Anasuya which was identified by Lalithambal (A-3). A recovery Mahazar (Exhibit A-7) for the recovery of the saree was prepared. All these took about 3 hours or so when the police party left for the Lock Site requesting the 23 women of Periakuppam alleged to have taken part in the raid in Alikuppam the previous day to assemble at the Lock Site for purposes of interrogation. The six women from Alikuppam were also required to assemble at the Lock Site. At about 3-30 p.m. the women from Periakuppam and Alikuppam assembled. The inquiry was conducted and statements were recorded till about 5-30 p.m., when alt of them were asked to go back home. After this, the Deputy Superintendent of Polic1 returned to Chingleput for the night and gave message to his superiors. The Police parey under the Circle Inspector was left behind at Kadalur.

(iii) As stated earlier, Thirumathi Ramani Bai (P-1) is not an eye witness to these incidents and therefore, what she has stated in her evidence and in her affidavit can only be treated as just hear-say. It cannot be relied upon except to the extent, it is corroborated by other witnesses, independently.

(iv) Kannappa Chetty (P-2) and Seetharaman (P-3) have spoken to facts only up to the morning of 12th May 1973. It should be remembered they ran away after seeing the police on the morning of 12th May 1973 and they were not present in Periakuppam when these incidents are supposed to have taken place. Their evidence, therefore, is just as useless to me as that of P-1.

(v) The only persons from Periakuppam who have spoken as eye witnesses to the incidents in Periakuppam from 12th May 1973 to 14th May 1973 are Subbulakshmi (P-6), Vembuli Ammal (P-7), Nayagammal (P-8), Kullammal (P-9). Rajambal (P-10), Kasturi (P-12), Boopathy, wife of Natarajan (P-13) and another Boopathy, wife of Harirama Chettiar (P-20).

(vi) It must be pointed out here that in response to the Notification issued under Rule 7 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972, the 8 witnesses mentioned above did not choose to file any affidavits as required therein before the date fixed by the Commission (i.e., 19th June 1973), despite the fact that an extension of time for filing affidavits was also granted at the specific request of Thirumathi Ramani Bai and others. While all of them have gone to the Press and other public forums to ventilate their grievances and have also given photographs, etc., alleging the atrocities of the police, they did not think it fit to file any affidavits. The counsel for Periakuppam who himself vehemently raised a point of order at the commencement of the Inquiry that the witnesses cited by the "Administration" had not complied with the Notification and filed affidavits, did not choose to follow it himself. The Commission however, in the interest of justice and fair play allowed these witnesses to be examined on behalf of the Periakuppam people as they were affected persons. Written statements, i.e., cyclestyled or typed statements were produced by them in support of their oral evidence, just at the time of their going on the stand and taking the oath, and their Counsel even insisted that they should be marked as affidavits. This was not allowed, but in the interest of fair play again, the statements were permitted to be marked as Exhibits in their favour and allowed to be used.

(vii) Of the witnesses who have given evidence before the Commission, mentioned in sub-paragraph (v) above all except Rajambal (P-10) have been mentioned as affected persons in the affidavit (Exhibit P-1) filed by Thirumathi Ramani Bai. The most serious charges against the police including beating, kicking, disrobing, molestation and raping of women are spoken to by these women of Periakuppam. They are the only witnesses who have spoken as affected persons. Therefore, the credibility or otherwise of their evidence alone will clinch the issue. Their incontrovertibility will establish the guilt of the Police, and others. I shall, therefore, proceed to analyse their evidence in detail :—

Subbulakshmi (P-6).—She does not know to read Tamil, but can however sign her name in Tamil. She filed a written statement (Exhibit P-6) on the date of her examination. She has stated that on the date of occurrence a big police officer (Deputy Superintendent of Police) was sitting under the "Poovarasan" tree. The Police beat the women in all sorts of places and kicked them with booted legs, disrobed them and made them sit on the hot sand in a crowd near the Police Officer. The Police along with Pandurangan, Balakrishnan, Manoharan, Boopalan and Panchamirtham of Alikuppam entered every single house and brought out brass, aluminium and eversilver utensils and placed them before the Officer. Some young women were pushed back into the houses and raped. One woman aborted and another woman because of the molestation by the police gave a premature birth. Two weeks after the date, Thirumathi Ramani Bai, Vakil Ganesan and Jayarama Vathiar came to Periakuppam and sent word to her at Chinnakuppam. She along with 30 other women of Periakuppam met them and narrated the details which they recorded. They and their houses were then photographed. About one week later, about 100 women went to Madras when many people came and enquired them and took more photos. They then went in a procession and gave petitions to Ministers and other officials.

During her cross-examination by the Special Counsel for Police, she stated that one woman aborted but she does not know how. She only knew about this happening and that she (the aborted woman) was taken to the hospital at Madras. Her name is Kasturi.

She has not mentioned Kasturi's name in Exhibit P-6, as it had gone out of her memory at that time. During her cross-examination by Counsel Lakshmana Reddy she stated that she knows the names of all the women in the houses on her street. She *does not know* the names of the women molested or raped except one. She did not see or ask any of them about it. Even on the date of her evidence, she did not know this. She knows only the name of Kasturi but does not know *that she was the one raped by the Police.* She only heard that the police had beaten her (Kasturi) and that she had suffered an abortion. She had heard it said that she (Kasturi) was beaten but she does not know what happened inside the house. She did not see Kasturi on Saturday, Sunday and Monday while in Periakuppam nor had she seen her any time even till the date of her deposition. Excepting the males in her own family, she does not know the names of other males in Periakuppam. But, she knows the names of Pandurangan, Balakrishnan, Panchamirtham, Velayutham, Pattaiyan of Alikuppam. In her re-examination, however, to a pointed question by Counsel she said that she was also molested by the police.

Vembuli Ammal (*P*-7).—She does not know to read or write Tamil or to sign her name. She filed a written statement with her thumb impression (Exhibit P-7). She generally corroborates what has been stated by P-6 in Exhibit P-6. During her cross-examination by the Special Counsel for Police, *she said that she could not say the names of the women who were raped. She did not see anything herself but only heard about it from her neighbours.* She knows that the name of the woman who suffered an abortion is Kasturi. She does not know why this fact is not mentioned, in her statement in Exhibit P-7. She stated that Bhoopathy, mother-in-law of Kasturi took her away to Oyyalikuppam by about dusk time that Saturday—12th May 1973—and that they never came to Periakuppam afterwards. She knows the names of Nayagammal, Subbulakshmi, Kullammal and Chinnammal who told her personally that they were molested and raped by the police. This was on Saturday. (While she stated during her deposition that this fact has been mentioned in her written statement in Exhibit P-7, it can be seen from Exhibit P-7 that she has *not* mentioned it.)

Nayagammal (*P*-8).—She does not know to read or write Tamil or to sign her name. She filed a written statement Exhibit P-8 with her thumb impression. She also generally corroborates the statement made in Exhibit P-6 in her own written statement. During the cross-examination by the Special Counsel for Police, she stated that her husband K. Jayaraman (P-4) normally stays in his fields about two furlongs away from Periakuppam. He used to come to the kuppam only very occasionally. She used to go to the field of her husband once in a month or so when the woman cook he has engaged used to go and visit her relatives. She has stated that the police were in Periakuppam till about 3·00 p.m. on that Saturday—12th May 1973—and that they *did not indulge in molestation or raping on that day.* The police only took out the things from their houses and beat them. While on one occasion she said that the police did not beat any women on that Saturday night, on another occasion, she said that they came on that Saturday night and beat the women. She has further stated that on Sunday, i.e., 13th May 1973, the Police came and raped two women that morning and that she was one of them and the other was Kasturi. To a specific question put by the Commission whether she knew the names of the policemen who raped her and Kasturi, she stated that *she does not know the names* but she could identify. Kasturi only came and told her that she was raped but she did not see it herself. She also *did not see herself* the police beating and committing other atrocities including rape, etc. She only *heard* about it from the other women in the village.

Kullammal (*P*-9).—She does not know to read or write Tamil or to sign her name. She filed a written statement Exbited P-9 with her thumb impression. She also generally corroborates the statement made in Exhibit P. 6. During her cross-examination by the Special Counsel for the Police she said that the police beat about 130 women on that Saturday, i.e., 12th May 1973. It is only from what 10 women told themselves, she knew of their being raped by the police. She did not say who they were. In her own house, the police raped a woman. On Sunday also the Police came and beat the women. On that day i.e., 13th May 1973, the Police did not molest or rape any one as the younger women had left. On Monday. i.e., 14th May 1973, she remembers Nayagammal, Chinnaponnu, Mariamma and Meghatha who were there. She does not know where Exhibit P-9, to which she has put her thumb impression, was prepared and when. To a question by the Commission, she stated that the person who suffered abortion was Kasturi.

Rajammal (*P*-10).—She does not know to read or write Tamil or to sign her name. She filed a written statement Exhibit P-10. She corroborates generally the statement in Exhibit P-6 about the police beating the women, kicking with booted legs, di robing and making them sit on the hot sand. She has stated that she was also beaten by a stick in all sorts of places and was made to sit naked on the hot sand. She has also stated that because of this, her buttocks were affected by burns. Apart from this, she has not stated anything else about the molestation or raping indulged in by the police or about the women affected.

Kasturi (*P*-12).—She has neither filed any affidavit nor written statement. She was staying with the wife of the elder brother of her father-in-law (மாமியார் மாமனார்) and that including her, there were six women in the house at that time. About 10 policemen came inside her house and dragged them out after beating. She went outside and saw a crowd of about 50 or so women sitting on the ground and 10 or so of them were without any clothes on them. She ran back to her house and was chased by 4 or 5 policemen. She was caught hold of by the police and they wrenched away her saree with a view to rape her. She then fell down fainting. She was at that time three months pregnant. She does not remember anything afterwards till her own mother-in-law came and lifted her from where she was lying. When she regained consciousness she found herself lying bleeding and felt painful in her stomach, and thought she must have suffered an abortion because of the bleeding. She felt she must have been kicked by boots in her stomach and remembered being kicked once by a policeman. She was taken to Madras the same day, Saturday, 12th May 1973 and was given treatment at home. During her cross-examination by the Special Counsel for Police, she has stated that she does not know Ramani Bai or where she stays. She had not seen Ramani Bai till the date of her deposition nor did she come to her before. She went over to stay with her senior mother-in-law as she belonged to Alikuppam and therefore felt that she would be safe. She does not however know the name of her senior mother-in-law. She stated that her own mother-in-law took her to Chinnakuppam after sun down on Saturday and the same night, two persons from Royapuram who had come to Chinnakuppam took her out to Madras *via* Oyyalikuppam, Voyalur and Pudupatnam.

Boopathy Ammal' wife of Natarajan (*P*-13).—She knows very slightly to read and write Tamil and can put her signature in Tamil. She has filed a written statement (Exhibit P-12). She has also generally corroborated the statement in Exhibit P-6, concerning the police beating the women in all sorts of places and kicking them with booted legs and making them sit in the hot sand before the big Police Officer. She said that she was also subjected to this treatment. Not being able to bear the pain and in fear of further ill-treatment at the hands of the police, she left for Chinnakuppam where she was told by women that the police and the D.M.K. men came further to Periakuppam and indulged in molestation, etc.

During her cross-examination by the Special Counsel for the Police she had stated that she put her signature to Exhibit P-12 when she went to the Fort (meaning Fort Saint George, Madras). She went to the Fort about two months after the incident in Periakuppam. She has not stated anything about her seeing any other women being raped or molested by the Police.

Boopathy Ammal' wife of Harivama Chettiar (*P*-20).—She does not know to read or write Tamil or sign her name in Tamil. She filed a written statement (Exhibit P-18). She generally corroborates the statement made in Exhibit P-6 about the police beating, etc., on 12th May 1973, and women being made to sit naked on the hot sand before the Police Officer. She says that she was also subjected to the same treatment. When she went to her house at about 3·00 p.m. that day, she found her daughter-in-law Kasturi (P-12) in a pool of blood. She also found the box in her house broken open and the clothes missing. The money in two hundies belonging to the temple and the village were missing. She took her daughter-in-law along with two persons from Royapuram to Chinnakuppam. From Chinnakuppam, the two persons, who were women from Royapuram, took her to Royapuram. She gave her statement to Ramani Bai, Vakil Ganesan and Jayaraman Vathiar when they came to Periakuppam. During cross-examination by Counsel Lakshmana Reddy on behalf of Special Counsel for the Police, she stated that *she came on the night of that Saturday from Madras and stayed the night at Chinnakuppam.* Prior to that she was staying in Madras. The two persons she had mentioned as having come

from Royapuram were women and they came to Periakuppam that Saturday when the incident took place. These women also witnessed the other women of Periakuppam sitting naked on the hot sand. She had sent her daughter-in-law Kasturi (P-12) along with these two Royapuram women on Saturday and she herself went to Madras on Sunday. She returned to Chinnakuppam again after about two days. (During her re-examination by the Counsel for Periakuppam people, when she was asked whether she could recognise and point out any of the persons mentioned by her in her written statement in Exhibit P-18, she pointed out Panchamirtham which was correct. She also pointed out another person as Pattaiyan, but who really happened to be one Boopalan.)

(viii) *Analysis of evidence and conclusion.*—It will be of interest to note that the earliest documents, Exhibit A-4, dated 17th May 1973 which is a telegram addressed to the Deputy Superintendent of Police, Chingleput by one Sadagopal, Exhibit A-13 dated 16th May 1973, which is a telegram addressed to the Inspector of Police, Madurantakam by one Singaravelu have not mentioned any names of the persons who were raped or molested. Exhibit A-14, dated 19th May 1973 cyclostyled petition, signed by Kannappa Chetty (P-2) Shanmugam, Nandagopal, Sadagopal and Kanrajan while saying that they were *hearing* about the molestation, etc., of the women ("கேள்விப்பட்டோம்") has not mentioned anything about the names of the persons concerned. Exhibit A-15, dated 23rd May 1973 another cyclestyled petition which is in continuation of Exhibit A-14, and signed by the same persons, does not also mention anything about the names of the affected women. It is on record in evidence of P-2 that Exhibit A-14 was prepared by an advocate in Madras in the presence of Thirumathi Ramani Bai (P-1), Kannappa Chetty (P-2), Sadagopal and Periakaruppan. Apparently, Thirumathi Ramani Bai and Kannappa Chetty mentioned to the vakil about the details based on which Exhibit A-14 was typed. Even in the affidavit (Exhibit P-2) of Kannappa Chetty (P-2) the names of the women affected are not mentioned. He only says in that affidavit that some of the younger women of the village including his daughter-in-law (P-8) who were molested by the police escaped and met him and told him the details based on which the memoranda in Exhibits A-14 and A-15 were prepared and sent. [From the evidence however, it is seen that none except his daughter-in-law Nayagammal (P-8) met him.] During his cross-examination by the Special Counsel for Police, Kannappa Chetty (P-2) told that he was not explained what was written in Exhibit A-14 which he had signed. Nayagammal (P-8), his daughter-in-law went and saw him at Thiruvanmiyur Kuppam after four days of the incident, i.e., 16th May 1973 and narrated to him about the incidents. This has been stated by him in his own evidence. Kannappa Chetty (P-2) was, therefore, in full knowledge of all the incidents as narrated by his daughter-in-law (P-8). While such is the case, it is rather strange that he did not choose to mention the facts about the women and their names involved in the raping, etc., in Exhibit A-14, which he signed only on 19th May 1973. Even in Exhibit A-15, which is dated four days later on 23rd May 1973, the names of the women are not mentioned. It is also curious that neither Thirumathi Ramani Bai (P-1) nor Kannappa Chetty (P-2) who have given the impression of being responsible people espousing the cause of the Periakuppam women ever thought about getting a police complaint lodged or preferring a complaint before a Magsitrate about the molestation and rapings. The vakil also, whom they consulted, does not appear to have advised them to do this ; or if he had, it was not acted upon. There is no evidence regarding this.

(ix) *Contradictions of eye-witnesses.*—It has been very difficult for me to make out anything sensible, from what the eye witnesses have deposed before me. To give an idea about the confusing nature of their evidence, I give below the various contradictions in their evidence, elicited during their cross-examinations :—

Subbulakshmi (P-6) says that Kasturi aborted but does not know how. She *did not see* it happening also.

Vembuli Ammal (P-7) says that she does not *know* the names of the women who were raped. She *did not see* anything herself but only *heard* it from her neighbours. She however knows that the woman who suffered abortion was Kasturi. She says that Boopathy Ammal, mother-in-law of Kasturi took her away to Oyyalikuppam *by about dusk time on Saturday, 12th May* 1973 *and that they never came to Periakuppam afterwards.*

Nayagammal (P-8) however says that she and Kasturi *stayed that Sunday night in Periakuppam* which is a direct contradiction to what Vembuli Ammal (P-7) has stated that Kasturi was taken away from Periakuppam Saturday itself. She does not *know* the name of the policemen who raped her (Nayagammal). And, even in regard to Kasturi, she only came and told her that she was raped. (However, Kasturi herself has not said anything about *her telling P-8* in her deposition). She *did not see it* for herself. She did not also *see the police* actually beating or committing rape, etc., on other women.

Kullammal (P-9) says generally that 130 women were beaten and that from what 10 of them told themselves, *she came to know* they were raped by the police. She did not say who the ten women were. Besides this, she *did not see anything herself*.

Kasturi (P-12) says that she was caught hold of by the police who wrenched away her sarees with a view to rape her. She fell down fainting at this stage and *does not remember* anything afterwards. She also says herself that her mother-in-law took her to Chinnakuppam after sun down that day, Saturday. (While this is so, Nayagammal P-8 saying that she was with Kasturi on Sunday night on 13th May 1973 in Periakuppam cannot be correct.)

Doraikannu (P-6) says that *Nayagammal (P-8) told him* that three policemen raped her and therefore she ran into the sea to kill herself. In her own evidence, Nayagammal (P-8) does not say anything about three policemen raping her. While Vembuli Ammal (P-7) says that she knows the names of Nayagammal, Subbulakshmi, Kullammal and Chinnammal who told her personally that they were molested and raped by the police, she did *not see it herself* happening. Subbulakshmi (P-6) herself does not *say* in her evidence that she was raped. Kullammal (P-9) also says herself that she was *not* raped. Chinnammal mentioned here was never examined at all and therefore nothing can be said about her. Kasturi also does not *say* specifically that she was raped. It might be remembered that when the policemen wrenched away her saree, she fell down fainting and did not remember anything afterwards. The only person therefore, who says in her evidence that she was *actually raped* is Nayagammal (P-6). It is on record in evidence of P-6, P-7 and P-20 and also according to Kasturi's own evidence that she was taken out of Periakuppam on the night of Saturday, 12th May 1973. Hence, Nayagammal (P-8) saying that Kasturi was raped on Sunday morning is a lie. Thus, the only women Nayagammal (P-8) who has come outright with the accusation of being raped has not only contradicted herself badly and prevaricated in her cross-examination regarding the events, but what she has stated is also in contradiction to statements made by other women. It would also be seen that Nayagammal has said that she was raped on the morning of *Sunday*, while Vembuli Ammal (P-7) says that Nayagammal and others *told her personally* that they were molested and raped by the police on *Saturday*. Kullammal (P-9) merely says that *from what* 10 *women told her* they were raped by the police on Saturday. She does not know who they were.

It is strange that Nayagammal (P-8) did not say anything at all about her being raped to her own husband Jayaraman (P-4) who was in nearby Kadalur. Jayaraman (P-4) himself did not know anything about the incidents in Periakuppam. Nayagammal met Kannappa Chetty (P-2), her father-in-law, after four days in Thiruvanmiyur Kuppam and narrated to him about the incidents in Periakuppam; and what does Kannappa Chetty do? He doesn't do anything, that can be normally expected of him. He does not arrange for any medical examination of his daughter-in-law nor does he think of preferring a complaint either to the Police or to the Magistrate. Kasturi (P-12) in her own evidence has stated and it is also supported by others that she was taken out of Periakuppm on Saturday evening and reached Madras the nextday, Sunday, afternoon. She had thus every opportunity to get herself examined medically and get proper medical evidence, and seek the aid of her father or his friends to make a complaint to the Police or Magistrate. She does nothing of the kind nor does her father, who must have known about her alleged predicament, although she says that she did not tell him about this. Nayagammal (P-8) and Kasturi (P–12) were away from the scene of occurrence within four days and they had no fear of the police or any one interfering with or obstructing their going to a Medical Officer for examination and report on their condition. It does look very strange and sad that while these two women have not felt shy of going to the Press and give statements, and to other public forums and shout from the house tops about their being raped and molested by the police, and have posed for photographs, they have not chosen fit to confide in their own husband or father as the case may be and for which they had every free opportunity. They have been advised badly by their own friends, it seems.

(x) One other interesting feature is that the written statements filed by P-6, P-7, P-8, P-9, P-10, P-13 and P-20 are dated 18th June 1973 and obviously signed by them also on that day. P-6 and P-7 marked these written statements on 28th August 1973. P-8, P-9 and P-10 marked them on 1st September 1973. P-13 marked it on 2nd September 1973 and P-20 on 5th September 1973. The dates of marking of these written statements are the dates of their, actual examination as witnesses. Still, when one reads the written statements (in Exhibits P-6, 7, 8, 9 and 10) where they have all started by saying "about three months ago on a Saturday", one would normally think that it would be three months before 18th June 1973. Obviously it is not correct, but perhaps meant to be three months *before the date of their deposition*. Even so, it does not actually tally with the date of the occurrence of the incidents in Periakuppam, viz., 12th May 1973 onwards. In Exhibit P-12, Boopathy Ammal (P-13) has over written the typed figure " 3 " by the letters in Tamil " ஒரு " in ink, thus correcting it to read as " about a month before on a Saturday", in the second para. She has however forgotten to correct this in the first para.

(xi) I think, that these statements were originally meant to be filed as affidavits by the Counsel for Periakuppam people as the date 18th June 1973 is just a day before the last date 19th June 1973 notified. But for some reason or other, he did not do so. Eventually when he wanted them to be marked as affidavits on the date of deposition, it was objected to rightly by the Special Counsel for Police as they were not sworn to and attested as such, besides being so belated in the day. He even objected to their being marked, all of a sudden at that late stage and contended that these documents were built up subsequently by them, and that they should not be relied upon. However, despite this argument, which has some force in it, I allowed the marking of the documents as written statements in support of their oral evidence, in the interests of justice. I am only pointing this out to bring out the casual and perfunctory nature of the examination of the witnesses on behalf of the public.

(xii) Now, the offence of rape is rather a serious one and under Section 376, Indian Penal Code, the punishment is imprisonment for life or imprisonment of either description for a term which may extend to 10 years and shall also be liable to fine. The people of Periakuppam have alleged that the police indulged in molestation and raping indiscriminately. Responsible persons in the political field have filed affidavits and they have also given statements and photographs to the Press, and organised processions, etc., attracting shocking publicity. It will be seen quite clearly from the evidence I have discussed in the foregoing paragraphs regarding the accusation of molestation, raping, etc. that the credibility of the witnesses and the veracity of what they have spoken to stand impeached effectively. They cannot be depended upon even as a probability. The hopeless contradictions, as brought out by me (*vide* para. ix) and the total absence of any medical evidence whatsoever, which is necessary, go to show that the accusation is as irresponsible as it is unfounded and very unfair indeed to the police. Can anyone be expected to accept their evidence at their face value and hold the Police blame worthy in this ? The answer is, categorically, No.

Incidentally, in all the written statements of P-6, P-7, P-8 and P-9, mention has been made of a woman giving birth prematurely, due to police atrocities. It is curious none of them have named or identified the woman concerned either in their statements or in their deposition before me. The complete lack of other supporting evidence regarding this unfortunate woman. cannot but lead one to conclude that this is just a fictitious allegation and that such a thing never happened at all. I must therefore ignore this.

Conclusion.

I must therefore hold that the accusation of molestation, raping and other indignities by the police is utterly baseless and without any substance.

(xiii) *Activities of the Police.*—Having discussed the incidents on 12th May 1973, in the light of what has been alleged by the Periakuppam people, I will now turn round to discuss the activities of the police on that day in accordance with their version.

(xiv) Thiru S. Ramanathan, Deputy Superintendent of Police (A–11) got information at 1·00 a.m. from the Circle Inspector of Police over the phone about the registration of Crime No. 80/73. He informed the Superintendent of Police, Chingleput and asked for two sections of Armed Reserve. He reached Madurantakam at about 8·00 a.m. (12th May 1973) and after discussion with the Inspector of Police left for Kadalur along with him and the two sections of Armed Reserve he had brought. At Kadalur he, picked up the Sub-Inspector along with this party there and reached Alikuppam at about 10·00 a.m. He inspected the scene of crime, took photos and at about 12 noon, along with his whole party left for Periakuppam. He also took six women of Alikuppam who alleged that their articles had been stolen the previous day. When he reached Periakuppam, he did not see any male member. There were only women and children. He requested the Periakuppam women to bring out their possessions like, vessels, etc., to enable the Alikuppam women to identify if any of their stolen articles were there. They could however not identify any such articles. From the house of one Anasuya, however, in a box, a saree belonging to Lalithambal (A. 3) was identified. This saree was seized by the Inspector of Police under a Mahazar (Exhibit A. 7) which was attested by Arunachalam and Appadurai (A. 5). All these took about 2½ hours and it was about 3·00 p.m. He then went over to the P.W.D. Lock Site along with his party. Before going, he requested 23 women of Periakuppam who were mentioned as having taken part in the occurrence that took place at Alikuppam in the early hours of 11th May 1973, to assemble at the Lock Site. The six women of Alikuppam whom he had taken were also asked to assemble at the Lock Site. All the women came there accordingly. The Lock Superintendent K. T. Narayanaswamy (A. 6) and Luscar Krishnan were present as also two other persons Munuswami and Mani (A.7). After recording statements from the 23 women of Periakuppam they were all asked to go away at about 5·30 p.m. The six women from Alikuppam were also asked to go away. He returned to Chingleput that night and sent messages to the Inspector-General of Police, Deputy Inspector-General of Police and Superintendent of Police, Kancheepuram. In so far as the presence of the Deputy Superintendent of Police, Circle Inspector, Sub-Inspector and the Armed Reserve and other police in Periakuppam is concerned there is no contradiction by the people of Periakuppam. Pandurangan (A. 1), Lalithambal (A. 3), Appadurai (A. 5) speak to their presence in Periakuppam and corroborate the version of the Police. K. T. Narayanaswamy (A. 6) Lock Superintendent, has spoken to the presence of the Deputy Superintendent of Police, Circle Inspector and about 50 police constables and the women from Periakuppam and Alikuppam at the Lock Site. He has stated that there was no ill-treatment or harassment of women at the Lock Site. Nor had he heard any misbehaviour like raping or molestation by the police at Periakuppam. P. Mani (A. 7) has spoken to the police party coming from Periakuppam and the women from Periakuppam being seated on the ground near the Lock Site. The Alikuppam women were also there. There were also other male onlookers. The Police inquired and recorded statements till about 5-30 p.m. After this the women were sent back to their kuppams. Chandran (A. 8) who went to the lock site at about 3-00 p.m. saw about 40 police men and about 30 women coming towards the lock site from the other side of the canal. He saw Vandu Naicker, Sornam and the Lock Superintendent. The women after being questioned by the police officers were sent away by 5-30 p.m. The Inspector of Police and Sub-Inspector of Police who were with the Deputy Superintendent of Police throughout have corraborated this in toto.

(xv) The activities of the Police, viz, the searching of the possessions of Periakuppam women in the presence of the Deputy Superintendent of Police, Circle Inspector, Sub-Inspector and Armed Reserve men were not denied by the Counsel for Periakuppam people. He however maintained that it did not take place in the way it was mentioned by the police and that they did indulge in beating, disrobing, molestation, raping, etc of women. I have discussed about molestation and raping in the foregoing paragraphs and have come to the conclusion that the accusation is baseless and without substance. The Counsel for Periakuppam during his cross-examination confronted the Deputy Superintendent of Police on three points :—

1. That Arumugham, M.L.A., Balakrishnan, Secretary, Cheyyur D.M.K., Kullu Naicker, President of the Anikat Panchayat, Sornam, President, Kadalur Panchayat and Vice-Chairman of Lathur Panchayat Union, Chandran of Kadalur, Irusappa Naicker alias Vandu accompanied the Police to Periakuppam and were with them.

2· That it was not specifically stated in the First Information Report (Ex. A. 6) and in the complaint given by Pandurangan (A. 1) in so many words that womenfolk from Periakuppam had come to Alikuppam and participated in the raid in the early hours of 11th May 1973. Therefore, he doubted the credibility of the statement of the Police that 23 ladies of Periakuppam were involved in the rioting in Alikuppam and felt it was an after-thought.

3. That the recovery of the saree M.O.A. 1, under the Recovery Mahazar–Ex. A. 7 was a concoction, as among other reasons, it was received by the Magistrate only on 30th May 1973 while the recovery took place on 12th May 1973 itself. He also pointed out procedural flaws here and the contradiction in the nature and colour of the saree by Lalithambal (A. 3.).

(xvi) Taking the first point, the Deputy Superintendent of Police (A. 11) in his cross examination by Counsel Thiru Lakshmana Reddy has stated that only Irusappa Naicker, Pandurangan, Velayudam and Balakrishnan accompanied him to Periakuppam from Alikuppam. (The Balakrishnan mentioned here is quite different to Cheyyur Balakrishnan who figures prominently in all the depositions of the Periakuppam public). In addition, as has already been stated by him, Appadurai (A. 5) and Arunachalam the two attestants to Recovery Mahazar (Exhibit A. 7) were also there. He has stuck to this in the lengthy cross-examination all through. He has also affirmed during his cross-examination by Counsel for Periakuppam villagers that except Irusappa Naicker of Kadalur the others as stated by the Counsel did *not* accompany him.

(xvii) Subbulakshmi (P. 6) in her written statement (Exhibit P. 6) has stated that Kadalur Sornam, Chandran, Vandu Naicker, Alikuppam Pandurangan, Panchamirtham, Boopalan, Balakrishnan and Manoharan were there. During her cross-examination by Special Counsel for the Police, however, she has stated excepting the males in her own family, she does not know the names of other males in Periakuppam. She, however, knows the names of Pandurangan, Balakrishnan, Panchapani, Velayudhm, Pattaiyan of Alikuppam, She has also stated that she does not know the names of any males in Chinnakuppam. Vembuli Ammal (P. 7) has stated in her written statement (Ex. P. 7) that Anaikat Kullu, Kadalur Sornam, Vandu Naicker, Chandran, Alikuppam Pandurangan, Panchamirtham, Boopalan and Manoharan were there. In her cross-examination by Counsel Lakshmana Reddy, she has stated that there would have been about 40 or 30 people from Alikuppam on Saturday, that she only knew the names of Anaikat Kullu, Thennanthoppu Vandu and Kadalur Sornam. Nayagammal (P. 8) has stated in her written statenent (Exhibit P. 8)that Kadalur Sornam, Chandran, Anikat Kullu, Vandu Naicker, Alikuppam Pandurangan, Panchamirtham and Velayutham were there. During her cros s-examination by Counsel Lakshmana Reddy, she has stated that she does not know the names of all male members of Alikuppam except those given by her in Exhibit P. 8. Rajambal (P. 10) in her written statement in Exhibit P. 10 has stated that Kadalur Sornam, Chandran, Vandu Naicker, Alikuppam Pandurangan, Panhamirtham were there. During her cross-examination by Counsel Lakshmana Reddy she has stated that she does not know any other names in Alikuppam except Pandurangan, Panchamirtham, Balakrishnan and Vadivelu, Kasthuri (P. 12) has not stated anything about seeing any of these people in Periakuppam on that date. Boopathy (P. 20) has stated in her written statement in Exhibit P. 18 that Kadalur Sornam, Chandran, Vandu Naicker, Kullu, Alikuppam Balakrishnan, Pandurangan, Panchamirtham, Vadivelu and Velayudham were there. In her cross-examination by Counsal Lakshmana Reddy, she has stated she has seen Anaikat Kullu only on some occasions when she used to go to Anaikat for shandy. During re-examination when a question was put to her whether she could recognise any of those persons she has mentioned, she identified Panchamirtham and pointed out another person as Pattaiyan, but who, really happended to be Boopalan. Devarajan (P.14) and Vinayagam (P. 21) while saying that Arumugham, M.L.A., Cheyyur Balakrishnan, etc. were seen in the Police vans going towards lock site did not say they saw them in Periakuppam.

(xviii) It is strange that while most of the women witnesses have said that they did not know the names of the other male, members in their own village, or in Alikuppam, they know the names of these people from Alikuppam whom they have mentioned in their written statement ! I have already observed that their

evidence regarding molestation and rape by the Police was inconsistent and prevaricating and full of contradictions. They are all confused and say one thing at one time and contradict it the next time. Their demeanour while deposing was also hesitant, and ambiguous. What they were saying was not spontaneous. I cannot, therefore, place any reliance on what they say, here too, about the presence of people like Arumugham, M.L.A., Cheyyur Balakrishnan, Kullu etc.

(xix) Regarding Arumugham, M.L.A., (P. 24) he has deposed that he was not at all in town during Periakuppam incidents and that he had leeft a 11·00 a.m. on 11th May 1973 by Tourist Taxi No. TNH. 1006 for Dindigul, and that Cheyyur Balakrishnan Eruvakkam Shanmugham, Pudur Mohan, Sabapathy and Ramalingam from Vedal were with him. He returned to Madurantakam only on 21st night. V. Sanbandam (P. 22) who is the taxi driver of Taxi TNH 1006 corroborated the version of P. 24 about his leaving Madurantakam at 10-30 a.m. on 11th May 1973 and his return at 11-30 p.m. on 21st May 1973. The trip sheets produced by him concernig this journey in Exhibit P. 19 (Pages 31 to 41) also support this version. This *alibi* of Arumugham, M. L.A. has not been rebutted substantially in any way by the Counsel for Periakuppam villagers. I see no reason why a responsible member of the Legislature should perjure himself by saying that he was not there knowing the consequences of such a perjury. Apart form this, it is also interesting and important to note that in none of the written statements filed by the eye witnesses Exhibit P. 6 to Exhibit P. 10, Exhibt P. 12 and Exhipit P.18, the name of Arumugham, M. L. A. has been mentioned. Thus, on the basis of records before me, and the evidence adduced, I must reject the theory that Arumugham, M. L. A. was in Periakuppam on 12th May 1973 or any other dates. Since Arumugam, M.L.A. has deosed that Cheyyur Balakrishnan was also with him in the Tourist Taxi which is also confirmed by the Taxi Driver, I must also reject the theory of his being in Periakuppam on 12th May 1973, or any other dates.

(xx) While thus I hold that Arumugham, M.L.A. and Cheyyur Balakrishan were not there in Periyakuppam on 12th May 1973 or on any other dates, I have some reservation about Kadalur Sornam. Of course, he has refuted the allegation of his being present in his affidavit filed through his counsel Thiru P. M. Sundaram on 14th July 1973. He has stated therein that on 10th May 1973, he left for Akkur in Cheyyar Taluk to attend an obsequies ceremony and returned to Kadalur at about 1·00 p. m. He attributes his implication in this to political animosity on the part of Thirumathi Ramani Bai and Vakil Ganesan. However, it is seen from the evidence of Chandran (A.8) that on 12th May 1973 when he went to the Lock Site at 3·00 p.m. he saw about 40 police and about 30 women coming towards the Lock Site from the other side of the Canal. After sometime, he saw Vandu (Irusappa Naicker) and Sornam. This has not been rebutted in cross-examination. I must therefore hold that the presence of Kadalur Sornam at the Lock Site at 3-00 p.m. on 12th May 1973, is quire probable. However, about his presence in Periakuppam, I am doubtful.

(xxi) Therefore, the statement of the Deputy Superintendent of Police (A-11) that except Irusappa Naicker (also known as Vandu Naicker) none of the others as suggested to him in the cross-examination by the counsel for Periakuppam villagers accompanied him to Periakuppam appears quite probable.

(xxii) Coming to the second point, the counsel for Periakuppam people would have it that the statement of the Deputy Superintendent of Police that 23 ladies of Periakuppam were involved in the rioting in Alikuppam was doubtful as this has not been mentioned in the First Information Report (Exhibit A· 6) and in the complaint given by Pandurangan (A-1). It is true that they are not mentioned as contended by the Counsel for Periakuppam. However, I see from the case diary of the Circle Inspector of Police that during his investigation on the night of 11th May 1973, he examined the following women of Alikuppam :—Kodayambal, Chinnaponnu, Manoranjitham, Angammal, another Kodi yambal, Lalithambal, Vesalashi and Kanagammal. These women mentioned the names of the 19 women of Periakuppam stated by the Deputy Superintendent of Police in his cross-examination by the counsel for Periakuppam. Four more women were also later found as having taken part in the Alikuppam rioting, while he was at Periakuppam. This has also been stated by the Deputy Superintendent of Police in his cross-examination. These were the 23 women whom the Deputy Superintendent of Police had asked to assemble

at the Lock Site, for purposes of recording their statements. It is on record that all these 23 women were interrogated and their statements recorded at the Lock Site by the Circle Inspector as disclosed from his case diary. The counsel for Periakuppam sought to discredit this theory. But his cross-examination has not succeeded in doing so.

(xxiii) Coming to point No. 3, the Counsel for Periakuppam people would have it that the recovery of the saree (M.O.A. 1) by the Mahazar in Exhibit A-7, was a concoction. His main point was that while it was recovered on 12th May 1973 it was sent to the Magistrate or rather it was received by the Magistrate only on 30th May 1973. Appadurai (A-5) one of the attestants to Exhibit A-7 was examined on behalf of Administration. On that day he was proceeding from Angalammankuppam to Kadalur village for buying yarn for his net. On the way he saw the police going towards Alikuppam. He along with Arunachalam the other attestant to Exhibit A-7, Irusappa Naicker, Pandurangan (A-1) and Velayudham followed the police into Alikuppam. He speaks to the recovery of the saree from a box produced by one Anasuya, which was identified by Lalithambal (A-3) as hers. He confirms that he put his signature to Exhibit A-7, Recovery Mahazar along with Arunachalam. During his cross-examination by Counsel Ganesan on behalf of the counsel for Periakuppam, he has stated that he went with the police to Alikuppam as a spectator and not at the instance of the police. He has also stated that while he put his signature to Exhibit A-7, he did not know any other details as mentioned therein. He has also stated that Anasuya belongs to Alikuppam but that she changed her residence to Periakuppam even before the trouble started. The house in which the saree was recovered was not the own house of Anasuya. But the box from which the saree was recovered was brought out from this house. He saw the saree when it was recovered but he does not know if the colour of the saree is as mentioned in Exhibit A-7. He also stated that Exhibit A-7 was not read over to him. He has further stated that the police did not try to get the Village Munsif or the Karnam at the time of the recovery.

(xxiv) Lalithambal (A-3) is one of the six women who followed the police into Periakuppam. She has stated in her deposition that there was no recovery of any vessels from Periakuppam, but one saree was recovered. She identified it as belonging to her and also confirmed that this was recovered from the house of Anasuya. She stated at the time of her deposition that the saree was "red" in colour but when she was asked to point out any object in the Court Room of the same colour, she pointed the "green" balustrade in the Court Hall and said that the saree was of the same "red" colour! I see from Exhibit A-7, Recovery Mazhazar, this saree is mentioned as a "Blue colour voil saree with flowers, in a plastic Bag".

(xxv) In the affidavit filed by her before the Commission, she has mentioned is as a "voil" saree but has not mentioned any colour. While this is so, in her cross-examination by the counsel for Periakuppam she has stated that it is a "Conjeevaram Silk" saree and that she does not know how in the affidavit it is described as a "voil" saree. It is also curious that during her re-examination she stated that she bought the saree in question for Rs. 30! I must say there are some disturbing features about the recovery of the saree. Of the two attestants to Exhibit A-7, only Appadurai (A-5) was examined. He does not belong to Periakuppam or Chinnakuppam, but to Angalammankuppam. It just so happened it seems that while he was proceeding to Kadalur, he joined the police party and went to Alikuppam and later to Periakuppam where he attested the Mazhazar. As I have stated earlier, this recovery mahazar was not read over to him and he seems to have signed it just like that. Lalithambal (A-3) who identified the saree as hers is also confused about its nature whether silk or voil, about its colour, whether blue or red and above all she says it was Conjeevaram silk saree which she purchased for Rs. 30. Her evidence therefore is unreliable. In addition to all these, the fact remains that the saree which was recovered on 12th May 1973, by the Police was received by the Magistrate only on 30th May 1973. According to Police Standing Order 591 (i) such recoveries require two or more respectable inhabitants of the locality to sign as attestants. There is nothing on record to show whether the Village Munsif or Karnam of the village was sought for to be present. The property and the records should also reach the Magistrate with the least possible delay.

(xxvi) There is no gain-saying that the circumstances that resulted in the recovery of the saree (M.O.A. 1) and the preparation of the Mahazar (Exhibit A-7) do make it look suspicious as contended by the Counsel for Periakuppam. I find it difficult also

to accept the fact of the recovery of the saree from Anasuya's house, especially when sh was not herself examined. Lalithambal's (A-3) evidence is also not reliable. The late despatch of the saree in Form 91 to the Magistrate has also not been properly explained by the police. In view of all this, therefore, I would hold that the recovery of the saree in Exhibit A-7 is not probable.

(*e*) EVENT No. 5.—

[*On Saturday, 12th May* 1973 (*about* 11-00 *p.m.*) *in Periakuppam.*]

(i) The allegation is that on 12th May 1973 at about 11-00 p.m., the same persons from Alikuppam along with Kadalur Sornam, Chandran, Vandu Naicker, etc., and the police again visited Periakuppam and took away the articles kept locked in Ramaswamy Chettiar's house in gunny bags. When the women of Periyakuppam remonstrated they were beaten and chased away by the police.

(ii) Subbulakshmi (P-6), Vembuli Ammal (P-7), Nayagammal (P-8) and Kullammal (P-9) have spoken about this in their written statements. Subbulakshmi (P-6) was told by some one that the box and the bureau in Vembuli Ammal's (P-7) house were broken open and ornaments and clothing were taken. Vembuli Ammal (P-7) has stated that a gold chain of three soverigns and a gold ring of one soveign besides clothing were stolen by the police. The fishing nets and tackless were also taken away. The articles kept in Ramswamy Chettiar's house were also taken away. Nayagammal (P-8) corrobarates the statement of P-6 Kullammal (P-9) corroborates the statements of P-6 and P-8. Subbulakshmi (P-6) in her cross-examination by the Special Counsel for police has stated first that *they (women) did not leave Periakuppam* even after all the happenings in the day. She has also stated that after the police left that day, *they (women) arranged to despatch about* 20 *or* 30 *young women* both married and unmarried by bus to go to their relatives' homes in Madras, etc. Vembuli Ammal (P-7) in her cross-examination by the special counsel for the police has stated that although they (women) had sent the young women to places outside viz., Chinnakuppam, the other women (including her) continued to stay at Periakuppam to look after the houses and that they were not afraid of staying there. She did not leave Periakuppam even after the return of the police and others on Saturday night. It is only in the evening of Sunday that she went to Chinnakuppam and narrated the incidents. In another place however, during the cross-examination, she has stated that *the women from Periakuppam left for Oyyalikuppam, Pudupatnam, etc. via Chinnakuppam from Saturday onwards.* Nayagammal (P-8) in her cross-examination by Special Counsel for the police has stated that eventhough they were beaten by the police, they did not leave the kuppam but stayed there itself on Saturday and that the police came on Saturday night and beat all the women. To a previous question, however, this witness stated that *the police did not beat any women on Saturday night and that the police stayed there only for a short while that night.* She has also stated that *about half the women of Periakuppam left for Chinnakuppam on Saturday night.* Kullammal (P-9) in her cross-examination by the Special Counsel for the Police said that they (women) sent away about 10 to 20 women on Saturday evening and the rest of them stayed there that night. Even after the police came and beat them that night, she stayed in the village. Rajambal (P-10) in her cross-examination by the Special Counsel for the Police has stated that *about* 60 *or* 70 *women had left Periakuppam Saturday itself* and they went to different places which she does not know. Devarajan (P-14) of Kadalur colony who was also in Periakuppam that day has not stated anything about the Police being there at night on 12th May 1973 either in written statement (Exhibit P-13) or in his deposition.

(iii) It would be seen that there is no consistency about the number of women who stayed in Periakuppam on the night of 12th May 1973 and the number of women who had either left by themselves or sent later in the evening after the alleged behaviour by the Police. I have already observed earlier about the contradictions and prevarications of the women witnesses of Periakuppam in connection with the accusation of molestation, rape, etc. I find it therefore, difficult to rely on what they say here too about the police being there in the night of 12th May 1973.

(iv) Deputy Superintendent of police (A. 11) as mentioned earlier, has stated that after inquiring and recording statements from the 23 women at he Lock site in Kadalur he left for Chingleput that night. This is corroborated by Pandurangan (A-1). Narayanaswamy

A-6), Lock Superintendent, has deposed that he stayed at the Lock Site that night of 12th May 1973 and left for Koovathur on business at 6-00 a.m. on 13th May 1973. He has also stated that the Deputy Superintendent of Police was not there on the night of 12th May 1973. Baluswamy (A. 13), Inspector of Police has stated that he stayed that night along with the police party at the P.W.D. Lock Site. He himself stayed the lock site and some policemen were also in Kadalur Village. This alibi of the Police has not been broken effectively.

(v) It is difficult for me to believe that a small number of women would have braved staying in Periakuppam for the night of 12th May 1973 especially after the incidents in the day time. It is interesting to note here that Tmt. Ramani Bai (P-1) and Kannappa Chetty (P-2) have not said anything about this event either in their affidavits (Exhibits P-1 and P-2) or in their evidence.

(vi) What might probably have happened is that after their statements were recorded at the Lock Site, the 23 women from Periakuppam would have gone to Chinnakuppam straight for protection and shelter. I think it is reasonable to assume this and also that no one stayed in Periakuppam that night.

(vii) In the result, I hold that the occurrence of this event is improbable.

(*f*) EVENT No. 6.—
(*13th May* 1973, *Sunday* 9-00 *a.m. to* 2-00 *p.m.*)

(i) The allegation is that on Sunday, 12th May 1973 the same persons from Alikuppam along with Kadalur Sornam, etc. came again with police to Periakuppam by about 9-00 a.m. The women were beaten and made to sit, surrounded by the police, in the street. The houses were entered into then and rice, dhall, etc., were looted along with their fishing nets. Boxes and bureaus were broken open and articles like jewels, money, clothing, etc., were taken away. Pots and pans were destroyed. Cows were cut and thrown into the sea. Boats and Kattamarans were set adrift in the sea.

(ii) P–6, P–7, P–8., P–9 and P–10 have again spoken about this as the only eye witnesses. Subbulakshmi (P-6) in her written statement states that on hearing the noises of something being broken, she ran into her house and found Pandurangan and Panchamirtham breaking open her box and taking away clothing and giving them to Boopalan, Kadalur Sornam and Chandran. Balakrishnan and Manoharan took away Nylon fishing nets. Rice, chillies and chicken were taken away. The cows belonging to Kannappa Chetty (P-2) were cut and dragged and thrown into the sea. Kattamarans and boats were set adrift in the sea. Vembuli Ammal (P-7) has corroborated P.6. Nayagammal (P.8) has also corroborated P-6. She has also stated that four cows belonging to her father-in-law (P.2) were cut by Pandurangan, Velayudham, Kadalur Sornam and the police by "Aruvals". The police then dragged and dropped the cut cows into the sea saying "how will you give milk to your husbands tomorrow?". (In this context, I must observe that it is not that easy to cut four cows by Aruvals, drag them and throw into the sea. When I inspected the village on 28th June 1973, nobody pointed out to me the place where this alleged butchering of cows was done. No other evidence regarding this was also shown to me). P-8. further states that one gold chain of two soveeigns, one nose screw, silk saree, silk dhoti and other clothing had disappeared. Kullammal (P-9) corroborates P-6, P-7 and P-8 and adds that she ran to her house to salvage Rs. 1,000, the chit money that she had kept. However, before she reached the house, the money has been taken away after breaking the box. She was pushed by Pandurangan and beaten by Policemen and she fell down fainting. When she regained consciousness, she found pots and pans had been broken and rice and other commodities had been stolen along with fishing nets, etc. She was told that in all the other houses, similar things had happened and women were all crying. Rajambal (P-10) in her written statement had stated that she left Periakuppam on Saturday itself for Chinnakuppam. In her cross-examination by the Special Counsel for the Police, however, she states that she went to Chinnakuppam on Sunday morning and that she came to Periakuppam on Sunday night and continued to stay there. Nayagammal (P-8) in her cross-examination by the Special Counsel for the Police stated that about 50 to 60 policemen came on Sunday at about 10 or 11 in the morning.

About half the women of Periakuppam had left for Chinnakuppam on Saturday night itself, and that they were about 30 or so when the police came on Sunday. She is the one who had stated that the police raped two women that Sunday morning and that she was one of them. (I have already discussed the prevarictaion of this witness earlier). Devarajan (P.14) has stated in his written statement (Ex. P. 13) that on Sunday the people from Alikuppam and the police carried away fishing nets and other articles like brass " thavalies ", " Anda ", along with chicken and kattamarans. He was not however in Periakuppam as an eye witness. When he enquired from head constable Manickam and the police who were with the head constable as to why they were committing such atrocities when there were no menfolk in the village, the police said that he need not bother about it as they were all going to the Court. Kuttiappan (P.18) filed a written statement (Exhibit P.16). He has stated that on Sunday at about 10 o' clock in the morning, one Police van came from the Lock Site. In that van, there were fishing nets and Kattamarans and that the back door was open. There were many bags inside the van in addition to the police who were sitting. After the lorry left, policeman Mallika brought three chickens wrapped up in a paper. Along with him another policeman came with one chicken and another with three chicken wrapped up in paper. Pandurangan and Panchamirtham were between them carrying one "Anda" in which there were plucked chicken. Kadalur Chandran came with them, as well as the police. One policeman came there carrying three live chickens tied up by their legs. When he asked policeman Mallika as to why these atrocities were being committed, he was beaten on his neck. In his cross-examination by Counsel Lakshmana Reddy on behalf of the Special Counsel for the Police, he has stated that he does not know the name of any of the policemen except Mallika. He also stated that he was the only person who saw the police carrying chicken in the newspaper duly wrapped and that no one else did. He gave his statement to Kadalur Vinayagam and put his thumb-impression to Exhibit P. 16 two days after the police beat him, i.e., 16th May 1973. To the next question, he answered that he might have put his thumb-impression about two months ago !

(iii) Vedachalam (P.17) has stated in his written statement (Exhibit P.15) that on Sunday, 13th May 1973 at about 2.00 p.m. the police van came with fishing nets, Kattamarans and chicken from the canal side to Kadalur. When the police van neared Kadalur, the chicken made a big racket. The kattamarans had been broken and stacked inside and the back door of the van was kept open. He saw the police and Alikuppam Panchamirtham. During his cross-examination by the Special Counsel for the Police, he has stated that he heard about the police atrocities from the talk of the residents of Periakuppam and Chinnakuppam in the vicinity of his shop. He does not know their names but he could recognise.

(iv) Vinayagam (P.21) has deposed that on Sunday he saw the van coming from the Lock Site and passing in front of his house. He saw pieces of kattamarans stocked inside the van and fishing nets and some gunny bags. The van stopped in front of Sornam's house and the policeman got down. When he asked policeman Mallika about this he was told that they were stolen from Alikuppam by Periakuppam people and that they are being taken to Court.

(v) The police *alibi*, as deposed by A.11, A.13 and A.14, is that on the 13th at Kadalur, they had information that the accused were at Oyyalikuppam. They left Kadalur by 7.30. a.m. and reached Oyyalikuppam at about 9.00 a.m. There they saw about 50 persons suspected to be from Periakuppam in 5 kattamarans putting out to sea. One head constable and 10 policemen were left behind to secure them on return. The rest of the party went to Kalpakkam for meals. The Deputy Superintendent of Police and the Inspector of Police after eating something rested for a while in the Central Government Guest House at Kalpakkam while the policemen ate something outside. They all returned to Kadalur Lock by about 5.30 p.m. and stayed the night there. The Deputy Superintendent of Police (A.11) in his cross-examination by Counsel for Periakuppam villagers stated that there were no policemen in Kadalur on the morning of 13th after he left for Oyyalikuppam until he returned late in the evening to Kadalur lock site. Pandurangan (A.1) has corroborated the statement of the Deputy Superintendent of Po·ice regarding the movement of the police to Oyyalikuppam and the police party being left behind there to secure the accused. Mani (A.7) has deposed that on 13th May 1973 when he went in the morning to climb the trees, the police had left the lock site. He saw them at Kadalur in the morning at about 7.00 a.m. Chandran (A. 8) has deposed to the fact that when he was going to the Lock Site at 7 a.m., he saw two police vans going towards Kadalur. That evening also when he went to the Look Site

t 3.00 p.m. and returned at about 5.00 p.m. he saw the same van going towards the Lock Site. The Sub-Inspector of Police asked him to buy 10 measures of rice for which he was paid Rs. 17.50. A constable came with him and he handed over the rice that he purchased to him. Chellamuthu Naicker (A.9) is the Village Munsif of Vasavasamudram. At about 9.00 a.m. on 13th May 1973, he saw the police at Pudupatnam. He saw two police vans, the Deputy Superintendent of Police and about 30 to 35 constables. They got down near the check-post at the bridge and started walking towards Oyyalikuppam. He saw them coming back at about 1.00 p.m. when they got into the van and moved away towards Kalpakkam. Again in the evening, he saw them going towards Vayalur. Anjaneyalu (A. 10) is the bearer-*cum*-helper at the Government Guest House in Kalpakkam. At about 1.30p.m, on 13th May 1973, he saw the Deputy Superintendent of Police, the Inspector of Police and the Sub-Inspector of Police and Constables coming to the Guest House in two vans. When they learnt there was no lunch available, they left. They came again at about 2.30 p.m. and after some rest in the hall, left by about 3.30 p.m. During his cross-examination by Counsel Ganesan on behalf of the Counsel for Periakuppam villagers, he stated that the Sub-Inspector, Sadras, told him on the 13th to give edidence as a witness for the police.

(vi) Again the probability of the police *alibi* is stronger and more consistent than the shaky evidence of the Periakuppam women P. 6, P. 7, P. 8, P. 9 and P. 10. The evidence of P. 14, P. 17 and P. 21 are flimsy. Kuttiappan (P. 18) seems to have jumped from nowhere just to depose for this. He cannot be relied upon. There were no policemen at Kadalur Lock Site during the day on 13th May 1973 and the movements of the police and their presence at Oyyalikuppam and Kalpakkam Guest House have been supported by the independent evidence of A. 9 and A. 10. The Counsel for Periakuppam raised a point here about the Sub-Inspector, Sadras, asking Anjaneyalu (A.10) on 13th May 1973 itself to give evidence in their favour, when at that time even the appointment of the Commission was not thought of. He sought to establish by this, that this witness was a fake. The Special Counsel for the Police replied that the mere fact of the witness being asked by Sub-Inspector, unconnected with the case to give evidence on 13th May does not affect the credibility of his evidence as such before the Commission, as it has not been controverted in any way.

(vii) It is interesting to note here that this event has not been mentioned by Thirumathi Ramani Bai (P. 1) and Kannappa Chetty (P. 2) in their affidavits (Exhibits P. 1 and P. 2.). In fact no incidents are mentioned at all as having taken place on 13th May or 14th May or afterwards in Periakuppam. The Counsel for Periakuppam people has not succeeded in breaking the *alibi* of the police for this day (13th May 1973.)

(viii) In the result, I must hold that the occurrence of this event is improbable.

(*g*) EVENT No. 7,—

[14*th May* 1973, *Monday* (9·00 *a.m. to* 10·00 *a.m.*) *at Periakuppam.*]

(i) The allegations here are that the police came again to Periakuppam between 9·00 a. m. and 10·00 a. m. on Monday the 14th May 1973, beat the women and disrobed some of them due to which four women ran into the sea. The police took away brass, aluminium and ever-silver vessels, fishing nets, kattamarans and chicken from the lock site to Kadalur.

(ii) Subbulakshmi (P. 6) has stated in her written statement (Exhibit P. 6) that on Monday, 14th May 1973, the police at about 9·00 a. m. and beat the women like dogs. They were beaten whichever way they went. One Policeman embraced her and when she tried to escape, he wrenched away her saree. She ran and fell into the sea naked. Like her, three other women went and fell into the sea naked. They all went towards Chinnakuppam where they were rescued by Doraikannu Chettiar (P. 16) who gave his head cloth to them. They related their sad story to the people of Chinnakuppam and applied native medicine to their wounds. Vembuli Ammal (P. 7) corroborates the statement of P. 6 about the beating of women. She has also stated that on the northern side, some policemen disrobed some women. At that time, along a side lane she ran away to Chinnakuppam. She states that after 12 O'

clock, 4 women fell into the sea and reached Chinnakuppam. They were given sarees by the Chinnakuppam women. In her cross-examination by Special Counsel for Police, she has stated that it is only in the evening of Sunday that they went to Chinnakuppam and narrated the incidents and that there would have been about 20 of them who went to Chinnakuppam and that they also returned to Periakuppam that night. Nayagammal (P. 8) has stated that on Monday , 14th May 1973, one policeman caught hold of her and wrenched away her saree. Instead of losing her honour and considering death was better she fell into the sea naked. She also stated that along with her Kullammal (P. 9), Chinnammal, Subbulakshmi (P. 6) also come and fell into the sea naked. They all went to Chinnakuppam where they were rescued by Doraikannu Chettiar (P. 16). She was given a saree by a women named Arayi Ammal (P. 19). Two days afterwards, she went to Thiruvanmiyur Kuppam and narrated to her father-in-law (P. 2) about the incidents. She returned to Chinnakuppam afterwards. In her cross-examination by the Special Counsel for the Police, she has stated that on Monday, at about 10 O' clock in the morning, she, Chinnammal, Kullammal and Subbulakshmi ran and fell into the sea and went to Chinnakuppam. They did not say anything about the happening to any one there. She stayed in Chinnakuppam for about 2 or 3 days and then went to Thiruvanmiyur Kuppam by boarding a bus at Pudupatnam. She did not go to meet her husband, nor did she send word to him. Kullammal (P. 9) has stated in her written statement (Exhibit P.9) that on Monday they were about 20 women there and that at about 9 or 10 in the morning, police came from all sides and chased and beat them all like one seized and whichever way they went they were beaten. At that time one policeman wrenched away her saree. Afraid of losing her honour, she sat down on her heels when she was pushed down on her back and the policeemn threw sand on her private part and laughed. Like herself, three other women went and fell into the sea naked. They all went to Chinnakuppam where they were rescued by Doraikannu Chettiar (P. 16). She was given a saree by one Vellaiammal. In her cross-examination by the Special Counsel for the Police, she has stated that on Monday, when the police came, they were about only 20 women or so and the rest had left for various places. She remembers Navagammal, Chinnaponnu, Mariamma, Meghatha who were there on Monday. She has further stated that after reaching Chinnakuppam on Monday after having fallen into the sea, they were there for about 1½ months. They were going along the shore without clothes and they narrated the details to Chinnakuppam people.

(iii) Doraikannu (P. 16) of Chinnakuppam has deposed that he was returning at about 11-00 a.m. from the sea after fishing on 14th May 1973. He heard some commotion from the southern side of Chinnakuppam and when he looked that side, he observed some people waving their hands and beckoning to him. When he neared them, he found four women sitting in breast deep water in the sea and he identified them as Subbi Amma, Kullammal, Chinnammal and Navagam of Periakuppam. When they told him that they had no clothes, he took away his eight cubit dhoti tied over his head and threw it to the women and went to his home. He called the women of Chinnakuppam and asked them to go with sarees to help the women in the sea. The women in the sea told him that the police had taken away their clothes and to avoid humiliation they ran into the sea. Nayagammal (P. 8) told him that three policemen had raped her and therefore she ran into the sea to kill herself. He arranged for these women to be sheltered in various homes in Chinnakuppam. During his cross-examination by Counsel Lakshmana Reddy, on behalf of Special Counsel for the Police, he stated that he was in Chinnakuppam on that Saturday and Sunday and did not see any women from Periakuppam on Saturday or Sunday in Chinnakuppam. He further stated that it is not unusual for them to stay at sea for more than a day or even sometimes days together. On that particular day, he had gone alone for fishing in his kattamaran. While there were others also fishing in other kattamarans, he was the only one to see the women in the sea. He did not go to Kadalur or any other place to appraise any one of the incidents and the police behaviour. He did not also decide to go to the higher authorities to represent about the incidents. He did not even think of going to Periakuppam to see for himself what was happening there. About 10 or 15 days after the incident, the police came to the Lock Site and conducted inquiries. He went there at that time along with 9 others and told the police about the women in the sea and subsequent events. (This is the first time I hear of the police conducting enquiries at the Lock Site on or about 24th May 1973. This has not been stated by any one till now). He did not go to Kadalur Sornam to complain about these incidents as his relationship with him are not cordial. He tried to mention these incidents to the police, but they were indifferent. Arayiammal (P. 19) has filed written statement (Exhibit P. 17)

wherein she has stated that on that Monday at about 11 O' clock, Doraikannu Chettiar (P. 16) came to Chinnakuppam and shouted. She ran to him along with Nayagam, Poombavathi and Vellaiammal. Doraikannu told her that there were four women in the sea without clothes and asked them to take sarees to them. They went home, took sarees and ran towards the women in the sea. She (P. 19) gave the saree which she took to Nayagammal of Periakuppam and took her to Doraikunnu Chettiar's house. Nayagammal (P. 8) complained about the police beating and raping. They were given native medical treatment and fomentation. In her deposition she has stated that she does not know the names of the women to whom the sarees were given by the others who came with her. Apart from Nayagammal she does not know the names of the other three women in the sea. But she knows them. One of them said she was Subbulakshmi and another said she was Chinnammal. She stated that there were no male members in Chinnakuppam as they had all gone out for work excepting Doraikannu, who told them about the women in the sea. She gave a statement verbally to Jayarama Vathiar which was done some days after the women were brought home from the sea. She stated that he wanted the statement to be given saying there was going to be an inquiry and that witnesses are required.

(iv) Regarding the allegation of the police vans carrying brass, aluminium and eversilver vessels, fishing nets, etc. Only one witness has deposed.

(v) Vedachalam (P. 17) has filed written statement (Exhibit P-15) wherein he has stated that on 14th May 1973 at about 10 O' clock in the morning police vans came from the canal side to Kadalur with brass, aluminium and eversilver utensils, fishing nets. This van stopped for some time at Kadalur. When he asked why these articles were there Pandurangan (A. 1) who was in the vehicle said that these were stolen from Alikuppam by the Periakuppam people and that the Police were taking them to the Court. During his cross-examination by Counsel Lashmana Reddy on behalf of the Special Counsel for the Police, he stated that he did not on any occasion go and see any police official to give any complaint and that he does not know who the Deputy Superintendent of Police or the Inspector of Police was. He has not mentioned the content of Exhibit. P-15 to any-one except Vinayagam (P. 21) in Kadalur. This Vinayagam (P. 21) was also an outsider who had come to Kadalur like him. He heard about police atrocities from the talk of the residents of Periakuppam and Chinnakuppam in the vicinity of his shop situated on the main road at Kadalur. He does not know who they are but could recognise them.

(vi) The alibi of the police as stated by Ramanathan (A. 11) is that on 14th May 1973 at 7-00 a. m. he along with the police party left for Oyyalikuppam. He learnt that none of the accused had been arrested. He left the Sub-Inspector and all the party at Pudupatnam to stay there for the day to follow up the matter of arrest. Then along with the Inspector of Police, he left for Thenpatnam to investigate a murder case. After this, he returned to Chingleput at 4-30 p. m. After this, he did not go to Periakuppam till 28th June 1973, when he accompanied the Commission which inspected the village. Baluswamy (A. 13) corroborates the evidence of A. 11 about their visit to Oyyalikuppam, leaving the Sub-Inspector and the police party at Oyyalikuppam and his accompanying A. 11 to Thenpatnam. The Deputy Superintendent of Police left for Chingleput at 12 noon. After completing his work he himself returned to Madurantakam at about 6-00 p. m. After this he never went to Kadalur or Kadalur Lock, or Periakuppam or Alikuppam. At 9 p. m. he received information from the Sub-Inspector of Police, Cheyyur that he had arrested 7 accused in Crime No. 80 of 1973. Subramaniam (A. 14) corroborates his accompanying A. 11 and A. 13 to Oyyalikuppam. He stated that as instructed by the Deputy Superintendent of Police he stayed at Oyyalikuppam, along with the police party to apprehend the accused in Crime No. 80 of 1973. That evening he arrested 7 persons and brought them to Cheyyur Police Station at 8-30 p. m. After searching them and locking them up, he gave information to A. 13 at Madurantakam about the arrest of the 7 accused at about 9-00 p.m.,

(viii) The main event on this day, i.e. 14th May 1973 concerns Subbulakshmi (P. 6) Nayagammal (P. 8) and Kullammal (P. 9) and one other woman Chinnammal being disrobed and their running and falling into the sea and later going to Chinnakuppam.

(ix) Doraikannu (P. 16) says he found the four women sitting in breast deep water in the sea. It is quite obvious that when these women say they ran and fell into the sea, it was not with a view to commit suicide, but just to protect their modesty. However, none of them has stated that they were *sitting* in water. In fact Kullammal (P. 9) has stated

in her cross-examination by the Special Counsel for the Police that they were *going along the shore* without clothes. The fact of Doraikannu rescuing them has not been stated by any of them in their deposition during cross-examination. Nayagammal merely says that she Chinnammal, Kullammal and Subbulakshmi ran to the sea and fell into it and went to Chinnakuppam. From the evidence before me, it is seen that they ran to the sea, fell into it and went to Chinnakuppam. The statement of Doraikannu (P. 16) that he saw them in sitting in breast deep water is not supported by these women themselves.

(x) These are the very same women witnesses whose evidence I have found difficult to rely upon in respect of the other incidents of the previous days, due to contradictions, and lack of spontaneity.

(xi) According to the police version, they left in the morning for Oyyalikuppam, where the entire police party was left under the charge of the Sub-Inspector of Police and they never came back to Kadalur or Periakuppam. Once again this *alibi* of the police has not been substantially broken by the Counsel for Periakuppam.

(xii) In the absence of a better substantiated evidence of the disrobing event, by other independent witnesses and in view of the fact that the police *alibi* has not been broken, I must hold that the occurrence of disrobing and falling into the sea on 14th May 1973 is improbable.

(xiii) The only witness who saw the police carrying brass, aluminium vessels, etc., and fishing nets and chicken is Vedachalam (P. 17). It is inconceivable that of so many people who would have been there only he should see the police carrying brass utensils, chicken, etc., concerning the events of 12th and 13th I have already observed that the statements of Vedachalam (P. 17) are undependable. Here too, it is the same. I must therefore hold that this event is also improbable.

(*h*) EVENT No. 8.—

[*11th May* 1973 *to* 15*th May* 1973—*Police torture.*]

(i) Kuppuswamy (P. 15) has filed a written statement (Exhibit P. 14). This statement although dated 8th July 1973 was filed on 2nd September 1973 on the date of his deposition. In his written statement, he has stated that he does not know anything about the Periakuppam incidents. He has stated that for about a week before the Periakuppam incidents, he was in Chinambedu Vovalur. His wife was also there. He reached by a lorry the Cheyyur Road junction on Friday 11th May 1973 at about 9-00 a.m. Alikuppam Pandurangan and Chandran were there near the lorry shed. When he inquired why they had come there, he was told that there was a quarrel between them and Dhansingh and party. He then left for the bus-stand to catch a bus for Pavunjur. There, Cheyyur Balakrishnan, Kadalur Sornam, Alikuppam Pandurangan, Velayudham, Panchamirtham were near the Cheyyur Police Station. On seeing him, Pandurangan and Sornam went inside the police station and came out. Then from the police station, Head-constable Manickam and the Inspector came and called him. His wife was outside. Sornam said to the Inspector that he was a Periakuppam rowdy. The Sub-Inspector then twisted the towel he was wearing round his neck and dragged him inside beating at the same time. When the Inspector was beating him at the station, Pandurangan and Panchamirtham said that as the people will see it, he should be put in the lock up and beaten. Head-constable Manickam and the policeman Mallika then put him inside the lock up and beat him with a stick. They kicked him with booted legs. His wife was seeing all these from the verandah and crying. She was then chased out. That evening, he complained of hunger and requested for some food. Head-constable Manickam went outside and brought a mud pot with faeces and water mixed in it which he was asked to drink. He refused to do so. He was beaten till he fainted. When he regained consciousness, he found water had been splashed on him. About 7 p.m. his wife came. She then brought food to him. After three days, on Monday, his son Swaminathan was also one of those who were brought, having been arrested. He had also been beaten and tortured. Ultimately, he was sent on 15th May 1973, to Madurantakam Sub-Jail. He was threatened that if he breathed a word about this, his life will be in danger. On the date of his deposition, he said he was on bail, and temporarily in Periakuppam.

(ii) In his cross-examination, he has stated that he had not mentioned anything about the torture to anybody before. He had not also said anything about the police torture to the Magistrate.

(iii) It is interesting to note that there is no mention about this incident of torture in Exhibit P-2 or Exhibit A-14. It is not also mentioned in Exhibit P-1 which is a document written by Tmt. Ramani Bai (P-1) after her visit to Periakuppam, Cheyyur Police Station and Sub-Jail, Madurantakam. There is also no medical evidence produced by him about any injuries.

(iv) It is seen from the remand report in Exhibit A-1 that Kuppuswamy, son of Ponnu Chetty was arrested only on 14th May 1973 at 12-30 p.m. at Oyyalikuppam and brought to the Cheyyur Police Station at 8-30 p.m. He along with six other accused was produced before the Magistrate for remand on 15th May 1973. The Magistrate's endorsement on this remand petition mentions " no complaints" from the 7 accused produced. The documentary evidence has not been rebutted anywhere. Thus, apart from his own bland statement about the torture, there is nothing at all in evidence or the records placed before me to come to any conclusion about the truth or otherwise of the accusation. The date of arrest is also different. In the result. I must hold that this event was highly improbable, and imaginary.

(*i*) EVENT No. 9.—

[*Wednesday 16th May* 1973.]

(i) Jayaraman (P-4) and Venu (P-5) have filed written statements Exhibit P-4 and Exhibit P-5 respectively. On 16th May 1973, both of them had been to Kuzhiambedu village and were returning. At that time, near Kadalur they saw the police van coming in front of them. From that van, policeman Mallika got down and beat both of them with a stick. Jayaraman got injuries in his leg and thigh and fell down. Venu got his left forefinger broken with blood coming. They were both dragged into the van. They were then taken to Kadalur Lock Site, where they were subjected by Policeman Mallika to indignities like being made to suck each others private parts. The D.M.K. men in the van were all laughing. After more beating they were taken to Cheyyur Police Station.

(ii) It is seen from the written statements filed by these two, that the names of the Alikuppam D.M.K. men and others as stated by them as found in the van, do not tally. Venu (P-5) in his written statement (Exhibit P-5) also says that he does not know their names but can identify them.

(iii) In his cross-examination by the Special Counsel for Police, Jayaraman (P-4) has stated that he was arrested on 15th May 1973 and sent to the Magistrate for remand next day. This is in contradiction of what he has stated in Exhibit P-4 where the date of arrest is given as 16th May 1973. He did not show the injuries to the Magistrate or complain about the police beating at that time, nor did he show the injuries to the Sub-Jail Doctor who visits every day and ask for treatment. He explained the details to Jayarama Vathiar based on which Exhibit P-4 was typed and which he signed. Venu (P-5) in his cross-examination by Special Counsel for the Police has stated that the police arrested him on Wednesday, 16th May 1973 and that he was taken to Madurantakam Magistrate's Court on Friday. He had contradicted himself at one stage by saying that he did not come to the Court and that he did not see the Magistrate. He complained to the Sub-Jail Doctor who asked him to be brought to the hospital where he was treated and sent back to the jail. About 4 or 5 days after he came out on bail, he went to Jayarama Vathiar near Santhome and narrated to him about the incident, which he recorded and to which he put his signature.

(iv) As in the case of Kuppuswamy P-15, these incidents of torture and beating by the police have not been mentioned in the affidavit filed by Thirumathi Ramani Bai in Exhibit P-1. They (P-4 and P.5) did not also file any affidavits themselves before the Commission. Their evidence has not been corroborated by any other independent witnesses. No medical evidence has also been adduced in support of their contention regarding the injuries. P-4 never made any complaint to the Magistrate or to the Sub-Jail Doctor. P. 5 however states that he complained about the injuries to the Sub-Jail Doctor but not to the Magistrate

While he says that he was treated by the doctor at the hospital, no medical evidence in this regard has been introduced. In the remand report in Exhibit A.2 where Jayaraman (P.4) and Venu (P.5) along with one other have been produced before the Sub-Magistrate, Madurantakam, the Magistrate has endorsed "no complaints" in the remand order. This document has not been rebutted anywhere.

(v) In view of the uncorroborated testimony of these two witnesses and contradictions mentioned above and in the absence of any medical evidence, I cannot but hold that the incidents concerning these two in this event, are also highly improbable and imaginary.

XVII. QUESTIONS FOR DETERMINATION.

(1) I have in the foregoing pages listed out Events Nos. 1 to 9 chronologically starting from the early hours of 11th May 1973 upto 16th May 1973 which is the relevant period under the terms of the inquiry. It should, however, be noted that evidence adduced before me during the inquiry reveals allegations against the police in Periakuppam for the dates 11th, 12th, 13th, and 14th May only. There have been no allegations against the police in Periakuppam for the dates 15th and 16th May 1973.

(2) I have discussed and analysed the evidence adduced both orally and through documents in support of as well as in rebuttal against the events. On the basis of the evidence and materials placed before me I have come to a reasonable conclusion about the probability or otherwise of these events. It now remains for me to reduce the whole episode of Periakuppam incidents into questions, the answers to which will establish the guilt or otherwise of the police and others against whom various allegations have been levelled by the Periakuppam people. Before doing so, however, I would like to discuss certain features of interest and significance in the development of the whole case.

(3) The earliest documents before me that brings to the notice of the authorities the happening of the incident in Periakuppam is the telegram dated 16th May 1973 (Exhibit A.13) from one Singaravelu addressed to the Inspector of Police, Madurantakam. This telegram mentions about a false complaint to the police by Pandurangan (A.1), harassment and implication of innocent persons, molesting of women, damage to property and undue influence of police. The next document in that order is the telegram, dated 17th May 1973 (Exhibit A.4) sent by one Sadagopal to the Deputy Superintendent of Police, Chingleput. It mentions about the Alikuppam fishermen looting and destroying huts and properties of Kadalur Periakuppam about the women being molested and chased out of Periakuppam, about the destruction of kattamarans and boats and the Police siding with the Alikuppam fishermen. The third and the most important document in that order is the cyclostyled petition sent by Kannappa Chetty (P.2), Nandagopal, Sadagopal, Shanmugam and Kanrajan dated 19th May 1973 (Exhibit A.14). This is important because it is the first petition that gives some details about what is alleged to be taking place in Periakuppam and it is addressed to the Chief Minister, Minister for Fisheries, Chief Secretary to Government, District Collector, Chingleput, Sub-Collector, Chingleput, Inspector-General of Police, District Superintendent of Police, Saint Thomas Mount, Deputy Superintendent of Police, Chingleput, Inspector of Police, Madurantakam, Sub Inspector of Police, Cheyyur and the Director of Fisheries, Madras. The signatories to this petition mention about the development of the dispute in Alikuppam between Dhansingh's group and Pandurangan's group about the use of the power boat and the demand of Rs. 5,000 by the villagers, etc., and speak about the connected events upto the night of 11th May 1973. They were not present in Periakuppam from the early hours of 12th May 1973 onwards. What they have stated as happening in Periakuppam on 12th May is what they *have heard* from other people and is not an account of what *they have themselves seen* in Periakuppam. It is also of interest to note that nothing is mentioned in this document about any incidents on 13th, 14th, 15th and 16th May 1973. The names of the women of Periakuppam affected by Police atrocities are also not mentioned.

(4) During the arguments, the Special Counsel for Police and Counsel Lakshmana Reddy pointed out that the only eye-witnesses on behalf of the Periakuppam people P.6, P.7, P.8, P.9, P.10, P.12, P.13 and P.20 did not file any affidavits as required by the Commission but came up suddenly with written statements only at the time of the

deposition. They further pointed out that these cyclostyled written statements (Exhibit P–6 to Exhibit P–10, Exhibit P–12, Exhibit P–13 and Exhibit P–20) contain allegations against the Police for the dates 12th, 13th and 14th May 1973 repeated parrot like and which were introduced for the first time only at the time of the deposition of the witnesses before the Commission. They also pointed out that these allegations were not included in the earlier documents Exhibits A.–4, A.–13, A.–14 and A.–15. They contended therefore that the stereotype written statements have been thought of and built up subsequently as the inquiry proceeded day by day, and that no reliance should be placed on these documents. It is true that in the affidavits filed by Thirumathi V. Ramani Bai (Exhibit P.–1), no mention has been made of any incidents relating to the dates 13th, 14th and 15th May 1973. The affidavit of Kannappa Chetty (Exhibit P–2,) mentions incidents only upto the early hours of 12th May 1973, when he ran away from Periakuppam. It is also significant to note that the names of Thiru Arumugham M.L.A. is not mentioned in any one of the written statements filed by the eye witnesses mentioned before. While thus the prime movers in this case Thirumathi V. Ramani Bai (P.–1) and Kannappa Chetty (P.–2) are not eye witnesses to the incidents, I have to depend entirely on what the 8 women eye witnesses have spoken. The whole case hinges on the strength of what they say. The credibility of their evidence and the extent to which it stands unimpeached will therefore have a direct bearing on the guilt or otherwise of the police and others. I have already brought out earlier the hopeless contradictions, ambiguity and prevarications in their evidence as between their oral depositions and written statements, and in their cross-examinations, and also the absence of any medical evidence whatsoever which is a *must* regarding the allegations of molestation, raping, etc., of the women. On the basis of evidence and materials placed before me, the *alibi* of the police in regard to their activities on the 12th, 13th and 14th May 1973 have not been broken in any substantial way as to demolish their version or impeach their credibility. Thiru Arumugham, M.L.A., and Cheyyur Balakrishnan, D.M.K. party leaders implicated in the accusations have also successfully established their *alibi*. There is no reason to disbelieve the occurrence of rioting, etc., in Alikuppam leading up to the registration of Crime No. 80 of 1973. Otherwise why should Dhansingh, Seetharaman and their followers and their supporters in Periakuppam run away from the police on 12th May 1973 as disclosed in the evidence? There is a case registered against them rightly or wrongly and nothing prevented them from going to the Police with their own complaints they felt that the case against them was false.

(5) It is difficult for me to conceive that the people of Chinnakuppam with their close proximity to Periakuppam would not have known about the happenings there if they had really happened as alleged. It is also hard to imagine that the 30 and odd women of Periakuppam would have stayed in Periakuppam from the night of 12th May onwards as contended, had the molestation, raping, beating and other harassments really taken place. The normal action one could expect from the women of Periakuppam is for them to go to friendly Chinnakuppam and seek its protection and shelter. The contention of the Special Counsel for Police and Counsel Lakshmana Reddy that what the eye witnesses have stated is an after-thought and subsequently introduced into the inquiry has some force in it. This is because no explanation has been forthcoming as to why the earlier documents in Exhibit A.–4 and Exhibit A.–13 and particularly the detailed petitions in Exhibit A.–14 and Exhibit A.–15 which were sent soon after the alleged events did not mention them. However, as these allegations have been made and based on which evidence has been led and documents produced, it is necessary for me to frame questions in regard to each of these dates along with alleged events and arrive at an answer. Accordingly, I will now proceed to frame the questions for determination. The answers to these questions which are also given side by side will establish the guilt or innocence of the Police and others.

Question No. 1.—Have any malafides been established on the part of the Police regarding the Registration of Crime No. 80/73 of Cheyyur Police Station?

Answer.—This has been discussed in detail under Event No. 1. I have come to the conclusion that there is no doubt about the probability of the events leading upto the registration of Crime No. 80/73.

I therefore hold that primafacie no malafides are established in the registration of Crime No. 80/73.

Question No. 2.—Did the incidents at 4·30 p.m. and 11.00 p.m. on Friday, 11th May 1973 take place as alleged at Alikuppam and Periakuppam respectively ?

Answer.—I have discussed this under Events No. 2 and 3 respectively and I have come to the conclusion on the basis of evidence and materials placed before me, that the first event, viz., 4.30 p.m. on 11th May 1973 at Alikuppam is improbable and the second event i.e., at 11.00 p.m. on 11th May 1973 at Periakuppam did not take place.

I therefore hold that these two incidents did not take place as alleged.

Question No. 3.—Did the incidents on 12th May 1973 between 11.00 a.m. and 5.30 p.m. take place in Periakuppam as alleged by the Periakuppam people ?

Answer.—I have discussed this in great detail under Event No. 4. On the basis of the evidence and materials placed before me I have come to the conclusion that the accusation of molestation, raping and other indignities by the Police must be rejected as baseless and without any substance.

I therefore hold that the incidents as alleged by the Periakuppam people did not take place on 12th May 1973 between 11·00 a.m. and 5.30 p.m.

Question No. 4.—Did the incident on 13th May 1973 at 11.00 p.m. take place in Periakuppam as alleged by Periakuppam people ?

Answer.—I have discussed this under Event No. 5 and have come to the conclusion on the basis of the evidence and materials placed before me that the occurrence of this event is improbable.

I therefore hold that the incident as alleged by the Periakuppam people did not take place at 11.00 p.m. on 12th May 1973 at Periakuppam.

Question No. 5.—Did the incident on 13th May 1973 between 9.00 a.m. and 2.00 p.m. take place in Periakuppam as alleged by the Periakuppam people ?

Answer.—I have discussed this under Event No. 6 and have come to the conclusion that the occurrence of this event is improbable.

I therefore hold that on the basis of the evidence and materials placed before me, the incident as alleged by the Periakuppam people did not take place on 13th May 1973 between 9.00 a.m. and 2.00 p.m.

Question No. 6.—Did the incident on 14th May 1973 between 9.00 a.m. and 10.00 a.m. take place in Periakuppam as alleged by the Periakuppam people ?

Answer.—I have discussed this under Event No. 7 and have come to the conclusion that the occurrence of this event is improbable.

I therefore hold that on the basis of the evidence and materials placed before me, the incident on 14th May 1973 between 9.00 a.m. and 10.00 a.m. did not take place as alleged.

Question No. 7.—Do the allegations of Police torture levelled by Thiru Kuppuswamy from 11th May 1973 to 15th May 1973 and Tvl. Jayaraman and Velu on 16th May 1973 stand established ?

Answer.—I have discussed this under Events No. 8 and 9 and have come to the conclusion that the allegations are improbable.

I therefore hold that on the basis of the evidence and materials placed before me these allegations are baseless and without substance.

Question No. 8.—Does the allegation that Thiru Arumugham, M.L.A. and Cheyyur Balakrishnan actively aided and abetted the police in the Commission of atrocities as alleged by the Periakuppam people stand established ?

Answer.—I have dealt with this while discussing the *alibi* of Thiru Arumugham, M. L.A. and Cheyyur Balakrishnan and have come to the conclusion that their *alibi* has not successfully been demolished or impeached and that the allegations against them cannot be sustained.

I, therefore, hold that the implication of Thiru Arumugham, M. L. A. and Cheyyur Balakrishnan. the D.M.K. Party leader is unwarranted and the allegations against them are baseless and without substance.

XVIII. LOOTING OF HOUSES AND DAMAGE TO HOUSEHOLD ARTICLES, ETC.

(1) During my visit to Periakuppam village on 28th June 1973 along with various Counsels representing various interests and other officials, I inspected 13 huts. (*See* Annexure VI). In 11 of them broken pots were found outside and in the households themselves which were deserted, some boxes were found broken open and articles were found scattered pell-mell. In the house belonging to one Panchanathan and another Thulasingam, I found a wooden bureau broken inside. It is however, interesting that when the Tahsildar, Madurantakam along with the Village Munsif of Kadalur inspected Periakuppam on 31st May 1973 and sent a report to the District Collector (Exhibit A. 18), he saw only two huts and one petty shop damaged and they were said to belong to Karivaradan, Kunthai Chettiar and Pushpalingam respectively. He has also recorded about seeing broken pots in front of houses. He has not recorded anything about the state of affairs inside the houses, as he could not enter them as 57 male members were reported to have been arrested and the elderly members including women and children had left for their relatives' houses in adjacent villages. The houses must have been locked. He has also mentioned that there was no one in the kuppam on that day. His inspection report was not also questioned during cross-examination.

(2) From this it would appear that the state of affairs seen by me inside the houses when I inspected the village must have come into being *after 31st May* 1973 and not during the period (12th to 14th May 1973) when the incidents are alleged to have taken place in Periakuppam. The contention, therefore, of the Periakuppam people that all this was done by the Police between 12th to 14th May 1973 along with the people of Alikuppam, viz., Pandurangan, Panchamirtham, Vadivelu, Bupalan, Balakrishnan, Manoharan and Velayutham cannot be sustained. As already discussed and held by me otherwise, no blame can be pinned on the police for this. Still, the question would remain, how, when and by whom these acts were done ? It looks to me that some local miscreants and anti-social elements have taken advantage of the desertion of Periakuppam village by the people and its remaining uninhabited and committed these acts of vandalism. In any case, the possibility of this cannot be ruled out.

XIX. ALLEGATION OF BRIBERY AGAINST THIRU C. ARUMUGHAM, M.L.A.

During the course of the inquiry one of the motivating factors for Thiru Arumugham, M.L.A. actively participating in and abetting the Police in the commission of atrocities was the alleged demand of a bribe of Rs. 5,000 from Dhansingh and/or Seetharaman, and its refusal. However, this has been categorically refuted by Thiru Arumugham, M.L.A. himself during his deposition and has not been countermanded in any way during his cross-examination. Apart from this, Kuppuraj (P. 23) has also stated that the allegation about the M.L.A. demanding bribe, etc., was a lie. As this is not an issue germane to the enquiry, it is not within my purview to go into this question except to observe that in the course of this inquiry this allegation stands refuted.

XX. FINDINGS.

On the basis of the evidence and materials placed before me, my findings as a result of the inquiry are :—

(*a*) An ordinary local dispute between two factions owing allegiance to different political parties has been politicized and exaggerated out of all proportions needlessly implicating the Police and other innocent persons to make political capital out of it.

(*b*) Accusation of harassment, molestation and raping of women, looting and destruction of property made by the people of Periakuppam and alleged to have been perpetrated by the police in Periakuppam on 12th May 1973 are un-substantiated and must therefore be rejected as baseless and without substance.

(*c*) The presence of the police in Periakuppam on 13th and 14th May 1973 has not been established and the allegations made against them on these dates are therefore not sustainable.

(*d*) The people of Periakuppam have not accused the Police of having done anything on 15th and 16th May 1973 in Periakuppam and therefore no finding is called for.

(*e*) The implication of Thiru Arumuhgam, M.L.A. and Cheyyur Balakrishnan, local D.M.K. leaders is both un-warranted and un-justified and is politically motivated.

(*f*) The damages caused to household articles like bureaus, boxes and pottery appear to be the result of undesirable activities on the part of some local miscreants and anti-social elements. The Police are not blame-worthy in this.

XXI. OBSERVATIONS.

(1) *Need for the Higher Executive Authorities to visit trouble spots immediately.*–(*a*)–I would like to make an observation in this connection regarding the need for the Executive Authorities in charge of Law and Order to be more watchful and alert. The petition in Exhibit A-14 signed by Kannappa Chetty (P-2), dated 19th May 1973 is addressed among others to the District Collector, Chingleput, Sub-Collector, Chingleput and the Superintendent of Police, Saint Thomas Mount. It alleges rather serious things and should have been taken note of by higher authorities straightaway. It is strange that it did not strike the District Collector, Chingleput or the Superintendent of Police or the sub-Collector, Chingleput to pay an immediate visit to Periakuppam to acquaint themselves with what was going on. The Deputy Superintendent of Police has of course hurried at the earliest possible opportunity to Alikupppm and Periakuppam and sent his reports to his superiors including the Superintendent of Police. I would have expected the Superintendent of Police to have paid a visit on the 20th or 21st May 1973 to satisfy himself about the state of affairs in the hamlets, in view of the seriousness of Crime No. 80/73. Similarly,either the District Collector or at least the Sub-Collector, Chingleput could have visited the hamlets immediately on receipt of the petition, dated 19th May 1973. In any case the Sub-Collector, Chingleput being the local Executive Authority in Charge of Law and Order ought tohave gone straightaway. I have no evidence to show that any oneofthese officers paid a visit to Periakuppam except the visit of the Tahsildar, Madurantakam, which was belated on 31st May 1973 and that too at the instance of the Collector. In my opinion an immediate visit by the higher Officers in-charge of Law and Order would have had a salutory effect in boosting up the morale and confidence of the people. Had this been done here, say on the 20th or 21st May 1973, the situation could have been defused effectively and correct information made available to the public. Of course the Press Statement of the Inspector-General of Police and Deputy Inspector-General of Police had served some purpose but they came only after distorted versions of the incident appeared in the papers. An authentic statement either by the District Collector or the Sub-Collector on the 20th or 21st May 1973 would have prevented the appearance of distorted and sensational versions in the Press, apart from stopping extraneous elements stepping in and exploiting the people and situation.

(*b*) I would therefore suggest that the Government may emphasise the need for immediate visits to trouble spots by higher Executive Authorities in such a Law and Order situations.

(2) *Role of the Village Munsiff*—(*a*) According to section 45 (1) of Criminal Procedure Code and sub-paragraph 6 of paragraph 2 of chapter III of Village Officers and Ryots Manual, every village Headman shall forthwith communicate to the nearest Magistrate or to the Officer in-charge of the nearest Police Station whichever is the nearer, any information which he may possess respecting the commission of or intention to commit any of the offences punishable under various Sections of the Indian Penal Code quoted therein.

(*b*) The Village Munsif of Kadalur does not appear to have been in the picture at all, or if he was it is not brought out in evidence. He was not present at the time of the Police, visit and search in Periakuppam, nor is there any evidence to show that he sent any report before or after the rioting in Alikuppam to higher officers. It has been brewing for some time. The District Collector may like to look into this.

XXII. RECOMMENDATIONS.

(1) *Need for establishing better accessibility to fishing hamlets.*—(*a*) The fishing hamlets on the Eastern side of the Buckingham Canal in this region suffers from a sense of great isolation . In the absence of bridges across the Buckingham Canal in suitable places, it is difficult to reach these hamlets quickly in times of emergency. One has to cross the Buckingham Canal at the P. W. D. Lock Site and walk quite some ditsance in the sand to reach the hamlets. The difficulty is particularly so for the fishermen to get their fish to the markets or their sick to the hospital for medical attention, etc. Their isolated existence also emboldens miscreants and anti-social elements to indulge in undesirable octivities without fear of the law agency.

(*b*) I would therefore recommend for the consideration of the Government to take immediate measures for chalking out a special progamme of construction of the required number of bridges across the Buckingham Canal to take vehicular traffiic and also for construction of link roads leading into the kuppams.

(2) *Security proceedings under Criminal Procedure Code.*—As I see it, the whole episode of the Periakuppam incidents is the out-come of the activities of two warring groups, viz., Dhansingh, Seetharaman and followers on one side and Pandurangan, Velayudham and followers on the other side. There have been constant feuds and altercations including fisticuffs between them over personal matters endangering local peace. Appropriate action could have been initiated earlier under the provisions of section 107 of Criminal Procedure Code by the Law and Order authorities. I understand that as of now, some action has been initiated after the occurrence of an incident of arson on 30 th May 1973 in Periakuppam, and a peace Committee has also been formed by the Collector. I would suggest that further action is pursued vigorously and those responsible for breaking Law and Order, disturbing the peace of the countryside and indulging in other acts of vandalism, etc., are brought to book and bound over expeditiously.

(3) *Need for the establishment of Police Outposts.*—In order to infuse confidence in the people and afford protection against miscreants and anti-social elements, it seems necessary that one or two police outposts in suitable places in the coastal area are established quickly.

XXIII. ACKNOWLEDGMENTS.

(1) Before concluding my report, I would like to express my sincer thanks to the learned Counsels who appeared before me for their co-operation throughout the inquiry. I would also like to express my thanks to the Press who attended the enquiry throughout for their co-operation in factual reporting of the proceedings without indulging in undue sensationalism.

(2) I would like to place on record my appreciation of the valuable and very hard work put in cheerfully by thiru P. Thiruvengadam, Tahsildar of Chingleput district, as Manager of the Commision of Inquiry.

(3) I would also like to place on record my appreciation of the very hard work put in by Thiru K. Bashyam, my personal Assistant who helped me untiringly and cheerfully in the strenuous job of typing all the evidence to my dictation during the enquiry and later at the time of writing the report.

(4) My thanks are also due to Thiru M. Muthiah, Assistant, Thiruvalargal A. Mani and E. Kothandam, Typists of the Chingleput Revenue Establishment for the cheerful and hard work put in by them. They all co-operated with me fully at all times without any demur and worked very hard day and night, not only during the inquiry but also during the writing of the report.

(5) Lastly, I must express my thanks to the Collector of Chingleput, Superintendent of Police, District Revenue Officer, Chingleput and the Revenue Subordinates in Maduran-takam and Chingleput for affording me all facilities for the conduct of the inquiry.

(6) I am particularly thankful to the Sub-Collec'or, Chingleput and the office staff for placing the Court Hall at my disposal and making all other arrangements for the inquiry by the Commission.

Dated at Madras this the 17th day of December 1973.

(Signed) M. G. RAJA RAM,
Commission of Inquiry.

ANNEXURE I.

Copy of G.O. Ms. No. 1543, *dated, the* 2nd *June* 1973, *Received from the Deputy Secretary to Government, Public (General-D) Department, Fort Saint George, Madras-9 constituting the Commission.*

[ABSTRACT.—Law and Order—Chingleput District—Madurantakam taluk—Periakuppam Village—Clash between two groups—Allegation against Police Excess—Inquiry under Commissions of Inquiry Act 1952—ORDERED.]

ORDER:

There were some personal quarrels between Dhansingh on one side and Pandurangan on the other in the village of Alikuppam a hamlet of Kadalur village of on or about 11th May 1973, Dhansingh and his family who had shifted the residence from Alikuppam to Periakuppam another neighbouring hamlet are alleged to have entered Alikuppam village and attacked the fish rmen there. A case has been registered in Cheyyur Police Station in Crime No. 80/1973 under various penal sections.

Investiogatins were taken up by the Inspector of Police on 11th May 1973 and by the Deputy Superintendent of Police, Chingleput on 12th May 1973 and subsequent days. 17 persons have been arrested so far. The representations have been received particularly from the womenfolk of Periakuppam village that atrocities were committed by the Police during the course of their investigation.

A Press Statement issued by the Inspector-General of Police on 31st May 1973 has not satisfied them. Accounts of what is alleged to have been done, have appeared in the Press.

The Government have therefore decided to have an inquiry into the incidents that occurred in Periakuppam village of Madurantakam taluk, in Chingleput district during the period from 11th to 16th May 1973 and in particular the allegations of atrocities committed by the police. They have accordingly decided to constitute a One-Man Commissiom and appoint Thiru M. G. Raja Ram, I.A.S., First Member, Board of Revenue, Madras, for this purpose under the Commissions of Inquiry Act, 1952.

The following notifications will be published in an extraordinary issue of the Tamil Nadu Government Gazette, dated 2nd June 1973.

NOTIFICATION.

In Exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby appoints Thiru M. G. Raja Ram, I. A. S., First Member, Board of Revenue, Madras as Commission of Inquiry, for the purpose of making an inquiry into the incidents that occurred in Periakuppam village of Madurantakam taluk in Chingleput district during the period from 11th May 1973 to 16th May 1973, and in particular the allegations of atrocities committed by the Police during the course of investigation into the case in Crime No. 80/1973 of Cheyyur Police Station, Chingleput district. The Commission will submit its report to Government within a period of one month from the date of this Notification.

NOTIFICATION II.

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 sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of the said section 5, shall apply to the Commission of Inquiry appointed by Public (General-D) Department Notification S. R. O. No.....supra.

(By Order of the Governor.)

2nd June 1973.

(Signed)
M. VAITHIALINGAM,
Deputy Secretary to Government.

(True Copy)

ANNEXURE I *(a)*

Copy of G.O. Ms. No. 1821, *Public* (*General-A*) *Department, dated the 4th July* 1973. *Received from the special additional Secretary to Government Public* (*General-A*) *Department, Fort Saint George, Madras-9, giving extention of time up to 15th August* 1973.

[ABSTRACT—Law and Order—Chingleput District–Periakuppam Village—Alligations of Police excesses—Inquiry under Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Ordered—Extension of time to submit the inquiry report—Granted.]

Read—

1. G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973.

2. From the Commission of Inquiry letter No. 5 of 1973 P. A. M1, dated 22nd June 1973.

ORDER—

On the request of the One Man Commission of Inquiry appointed in G.O. first read above, the Government have decided to extend the time up to 15th August 1973 for the submission of its report. In pursuance of the above decision, the Government direct that the following Notification be published in an extraordinary issue of the *Tamil Nadu Government Gazette*, dated the 4th July 1973.

NOTIFICATION.

In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby makes the following amendment to the Public (General-A)Department Notification II-1, No. 2586 (*e*) of 1973 published at page 1 of Part II—Section 1 of the *Tamil Nadu Government Gazette* (*Extraordinary*), dated the 2nd June 1973.

AMENDMENT.

In the said Notification for the words "within a period of one month from the date of this Notification" the expression "on or before the 15th August, 1973" shall be substituted.

(By order of the Governor,)

H.K. GHAZI,

Special Additional Secretary to Government.

ANNEXURE I (*b*).

Copy of G.O. Ms. No. 2271, *Public* (*General-A*) *Department, dated the* 22*nd August* 1973 *Received from the Chief Secretary to Government, Government of Tamil Nadu, Fort Saint George, Madras-9 granting extension of time up to* 15*th October* 1973.

[ABSTRACT—Law and Order—Chingleput District—Periakuppam Village—Allegations of Police excesses—Inquiry under Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Ordered—Further Extension of time to submit the inquiry report—Granted.]

READ—

1. G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973.

2. G.O. Ms. No. 1821, Public, (General-A), dated 4th July 1973.

3. From the One Man Commission of Inquiry letter No. 5/73, dated 2nd August 1973.

ORDER—

On the request of the One Man Commission of Inquiry appointed in G.O. first read above, the Government have decided to further extend the time up to 15th October 1973 for the submission of its report. In pursuance of the above decision, the Government direct that the following Notification be published in an extraordinary issue of the *Tamil Nadu Government Gazette*, dated the 22nd August 1973.

NOTIFICATION.

In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby makes the following amendment to the Public (General-A) Department Notification II-1 No. 2586 (*e*) of 1973, published at page 1 of part II—section 1 of the *Tamil Nadu Government Gazette* (*Extraordinary*), dated the 2nd June 1973, as subsequently amended.

AMENDMENT.

In the said Notification for the words "on or before the 15th August, 1973" the expression "on or before the 15th October 1973" shall be substituted.

(By order of the Governor.)

P. SABANAYAGAM,
Chief Secretary.

ANNEXURE I (c).

Copy of G.O. Ms. No. 2826, *Public (General-A) Department, dated 27th October* 1973 *granting extension of time up to 30th November* 1973.

[ABSTRACT—Law and Order—Chingleput District—Periakuppam Village—Allegations of Police excesses—Inquiry under Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Ordered—Further extension of time to submit the inquiry report—Granted.]

READ—

1. G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973.

2. G.O. Ms. No. 1821, Public (General-A), dated 4th July 1973.

3. G.O. Ms. No. 2271, Public (General-A), dated 22nd August 1973.

4. From the One Man Commission of Inquiry, Madras, letter No. 5 of 1973, dated 3rd October 1973.

ORDER—

On the request of the One Man Commission of Inquiry appointed in G.O. first read above, the Government have decided to further extend the time up to 30th November 1973 for the submission of its report. In pursuance of the above decision, the Government direct that the following Notification be published in an extraordinary issue of the *Tamil Nadu Government Gazette*, dated the 27th October 1973.

NOTIFICATION.

In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby makes the following amendment to the Public (General-A) Department Notification II-1 No. 2586 (*e*) of 1973 published at page 1 of part II—Section 1 of the *Tamil Nadu Government Gazette* (*Extraordinary*), dated the 2nd June 1973, as subsequently amended.

AMENDMENT.

In the said Notification for the words " on or before the 15th October, 1973 ", the expression " on or before the 30th November 1973 " shall be substituted.

(By order of the Governor.)

P. SABANAYAGAM,
Chief Secretary.

ANNEXURE I (*d*).

Copy of G.O. Ms. No. 3187, *Public (General-A) Department, dated 5th December* 1973 *granting extension of time up to 25th December* 1973.

[ABSTRACT.—Law and Order—Chingleput District—Periakuppam village—Allegations of Police excesses—Inquiry under Commissions of Inquiry Act, 1952 (Central Act LX of 1952)—Ordered—Further extension of time to submit the Inquiry report—Granted.]

READ—

1. G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973.
2. G.O. Ms. No. 1821, Public (General-A), dated 4th July 1973.
3. G.O. Ms. No. 2271, Public (General-A), dated 22nd August 1973.
4. G.O. Ms. No. 2826, Public (General-A), dated 27th October 1973.
5. From the One Man Commission of Inquiry, Madras, letter No. 5 of 1973, dated 28th November 1973.

ORDER—

On the request of the One Man Commission of Inquiry appointed in G.O. first read above, the Government have decided to further extend the time up to 25th December 1973 for the submission of its report. In pursuance of the above decision, the Government direct that the following Notification be published in an extraordinary issue of the *Tamil Nadu Government Gazette*, dated the *5th December*, 1973.

NOTIFICATION.

In exercise of the powers conferred by section 3 of the Commissions of Inquiry Act 1952 (Central Act LX of 1952), the Governor of Tamil Nadu hereby makes the following amendment to the Public (General-A) Department Notification II-1 No. 2586(e) of 1973 published at Page 1 of Part II—Section 1 of the *Tamil Nadu Government Gazette* (Extraordinary), dated the 2nd June 1973, as subsequently amended.

AMENDMENT.

In the said Notification for the words "on or before the 30th November 1973", the expression "on or before the 25th December 1973" shall be substituted.

(By order of the Governor.)

P. SABANAYAGAM,
Chief Secretary.

ANNEXURE II.

Copy of the Press statement issued by the Deputy Inspector-General of Police, Northern Range, Madras, dated 30th May 1973.

A Press report in the name of Thirumathi Ramani Bai, which had appeared in two Tamil dailies, contain the following allegations against the Police:—

(i) that one Seetharaman who is the President of the local Fishermen Co-operative Society belongs to the D.M.K. and that his family belong to Congress (O) party ;

(ii) that the D.M.K. party men demanded Rs. 5,000 as donation to the local temple fund from Seetharaman who refused to pay the same, as a result of which the D.M.K. party men beat Seetharaman and his brother Dana Singh and that the complaint given by Seetharaman to the local police was neither registered nor any action taken due to the interference of the local M.L.A.;

(iii) that in the month of April 1973, Seetharaman and his family members were beaten by D.M.K. men about which also a complaint was given to the local police and no action was taken. So Seetharaman and his brother Dana Singh and his family members shifted their residence from Alikuppam to Periakuppam.

(iv) that in May 1973, the Alikuppam D.M.K. men went to Periakuppam and attacked Seetharaman and his family members. when Periakuppam Fishermen went to the rescue of Seetharaman and his family. So the Alikuppam D.M.K. men approached the local M.L.A. on 11th May 1973 and then about 1 a.m. went with a police party to Periakuppam. Since the police party were in Mufti the residents of Periakuppam, thinking that some rowdies have come to attack them, they prevented the party from entering the village.

(v) that on 12th May 1973, the District Superintendent of Police with S.A.P. party went to Periakuppam village when all the male members of the village ran away and only the womenfolk were present with their children. On entering the village the police men and D.M.K. men of Alikuppam ransacked each and every house, damaged the pots and other properties. Further, the womenfolk were beaten and made to walk naked in the street and were made to sit on the sand inthe hot sun from 12 noon to 9 p.m.;

(vi) that on 13th and 14th May also similar atrocities were committed by the police-men and some women were also raped by heartless people ;

(vii) that the cattle were cut and thrown into the sea, the casurina seedlings were damaged in the fields and the fishing boats were broken. Further rice and fowls were stolen from the huts and were cooked and eaten by the police. Since the women were ill-treated some of them went to the extent of committing suicide by drowning in the sea, when the Chinnakuppam Fishermen prevented them ; and

(viii) that Thirumathi Ramani Bai and others visited Cheyyur and Chittamoor Police Stations and Madurantakam Sub-Jail, where they saw the 17 accused remanded, with injuries caused by the attack of Policemen and that one Natarajan was being kept for the past six days at Cheyyur Police Station.

2. The above allegations have been made regarding an occurrence which took place at Alikuppam on 11th May 1973 and the investigation made by the Police on 11th May 1973, and subsequent days at Periakuppam and Alikuppam.

3. As regards allegation No. (1), it is not true that Seetharaman, as admitted by him, is a member of the D.M.K. party, whereas his brother Dana Singh, who was a member of the D.M.K. party for a decade in the past, has since ceased to be so for the last three years.

4. As regards allegatian No. (2) there is no D.M.K. branch either at Alikuppam or Periakuppam which are only hamlets. But there is a D. M.K. branch at Kadalur villlage about a mile off, in which a few residents of Alikuppam and Periakuppam are members, As per

the statement of Seetharaman, no D.M.K. men had demanded Rs. 5,000 for temple fund. Further it is not true to say that the police did not take any action on the complaint of Dana Singh given to the police on 23rd March 1973. In fact a case in Cheyyur Cr. No. 46/73 was registered on 23rd March 1973, and duly investigated by the Police. While the investigation was proceeding, Dana Singh gave a statement that his complaint was not true and that no further action was necessary. Hence, further action was dropped.

5 As regards the third allegation, it is not true that the police did not take any action on the complaint of Arumugham, uncle of Seetharaman. On the other hand a case in Cheyyur Cr. No. 71/73 was registered on 23rd April 1973 and is under investigation.

6. As regards the allegation No.(iv) no report was given to the police regarding the attack on Seetharaman and his family members by the D.M.K. men of Alikuppam. In fact no date and place of occurrence has been furnished regarding the attack mentioned above. Whereas on 11th May 1973, between 3 a.m. and 5 a.m. Dana Singh, Seetharaman and his family members along with 100 others of Periakuppam attacked the fishermen of Alikuppam and caused injuries to 12 fishermen of whom 3 are admitted in Chingleput Medical College Hospital, while 9 others were treated in Cheyyur hospital. They also caused damages to 14 thatched huts and robbed 2 transistors, brass vessels, clothes and cash from some other huts at Alikuppam. On the complaint of Pandurangan, a case in Cheyyur Station Cr. No. 80/73 was registered at 2·15 p.m. on 11th May 1973 against 59 accused and investigation taken up. The Inspector of Police, Madurantakam, with 10 local uniformed policemen visited Alikuppam at about 8 p.m. and took up investigation. While the Inspector was returning with the police party after investigation at Alikuppam, about 200 fishermen of Periakuppam came as a body in a threatening gesture, when the police warned them to disperse peacefully. The police party returned, when the Periakuppam fishermen went away.

7. As regards allegation No. (v), it is the Deputy Superintendent of Police and not the District Superintendent of Police who went with an Armed Reserve but not S.A.P. party on 12th May 1973 to both Alikuppam and Periakuppam and investigated the case. At Periakuppam, the accused persons in Crime No. 80/73 were absent, while womenfolk alone were present. The Deputy Superintendent of Police enquired them regarding the whereabouts of the absconding accused and about the stolen property from Alikuppam. On 14th May 1973, seven accused were arrested at Alikuppam on 17th May 1973, three accused and on 19th May 1973, seven other accused were arrested at Kadalur village. None of the 17 accused arrested preferred any complaint of ill-treatment before the Sub-Magistrate, Madurantakam when they were remanded. The remaining 42 accused were arrested on 30th May 1973 at Madurantakam and are being remanded. The Police under the Deputy Superintendent of Police had visited Periakuppam only for effecting the arrest of the accused and the recovery of stolen property in Cr. No. 80/73. It is utterly false to say that the women were beaten and made to walk naked in the street and sit on the sand in the hot sun from 12 noon to 9 p.m.

8. The contents of allegation No. (vi) are utterly false. The Police party did not stay at Periakuppam on 13th and 14th May 1973. The A. R. Party was kept in Kadalur village and was taken by the Inspector for arresting the accused in various other villages.

9. As regards allegation No.(vii), it is just a figment of imagination to say that the cattle were cut and thrown into the sea and the casuarina seedlings were damaged in the fields and the boats broken. No rice or fowls were stolen from the village to be used as food. No women attempted to commit suicide by drowning in the sea.

10. As regards the allegation No. (viii), none of the 17 accused remanded, complained to the Sub-Magistrate, Madurantakam of any ill-treatment or injuries. Natarajan is a member of the D.M.K. party and an accused in Cr. No. 80/73 and was arrested on 30th May 1973 along with other accused ; but not kept in Cheyyur Police station as alleged.

11. Thus the allegations are either exaggerated, baseless or false. An incident which took place on 11th May 1973 has been magnified after a lapse of 19 days making wild allegations supported by stage-managed photographs, with an ulterior motive.

For favour of publication,

P. PARAMAGURU,

Deputy Inspector-General of Police Northen Range, Madras-18

ANNEXURE–II (a)

Copy of Press Statement issued by the Inspector-General of Police, Madras, dated 31st May 1973.

Between 3 a.m. and 5 a.m. on 11th May 1973 a group of fishermen from Periakuppam numbering about 100 entered into Alikuppam and attached the fishermen there. In the rioting, 12 fishermen of Alikuppam were injured, 3 of whom were admitted as in-patients in the Chingleput Medical College Hospital, Chingleput and the rest were treated in Cheyyur Hospital. Damages were also caused to 14 thatched huts, 2 transistors, brass vessels and clothes, some cash was also removed from the huts. On the complaint of one Pandurangan a case in Cheyyur Police Station Cr. No. 80/73, under Sections 149, 147, 397, 395, 325, 326, 324, 323, 448, 379, 402, 427, and 34, I. P. C. was registered. On the night of 11th May 1973, Inspector of Police, Madurantakam visited the scene of crime and took up investigation. On12th May 1973, Deputy Superintendent of Police, Chingleput visited the scene of crime and guided investigation. Between14th May 1973 and 30th May 1973, all the 59 accused named in the First Information Report have been arrested by police and remanded to Judicial custody. When these accused were remanded before the Sub-Magistrate, Madurantakam, they did not make any allegation of ill-treatment against police.

2. Superintendent of Police, Chingleput West, who visited the villages on my instructions and made enquiries found that the allegations levelled against the Police, viz., damage to property, ill-treatment of women, ill-treatment of arrested persons and inaction on complaints are ill founded.

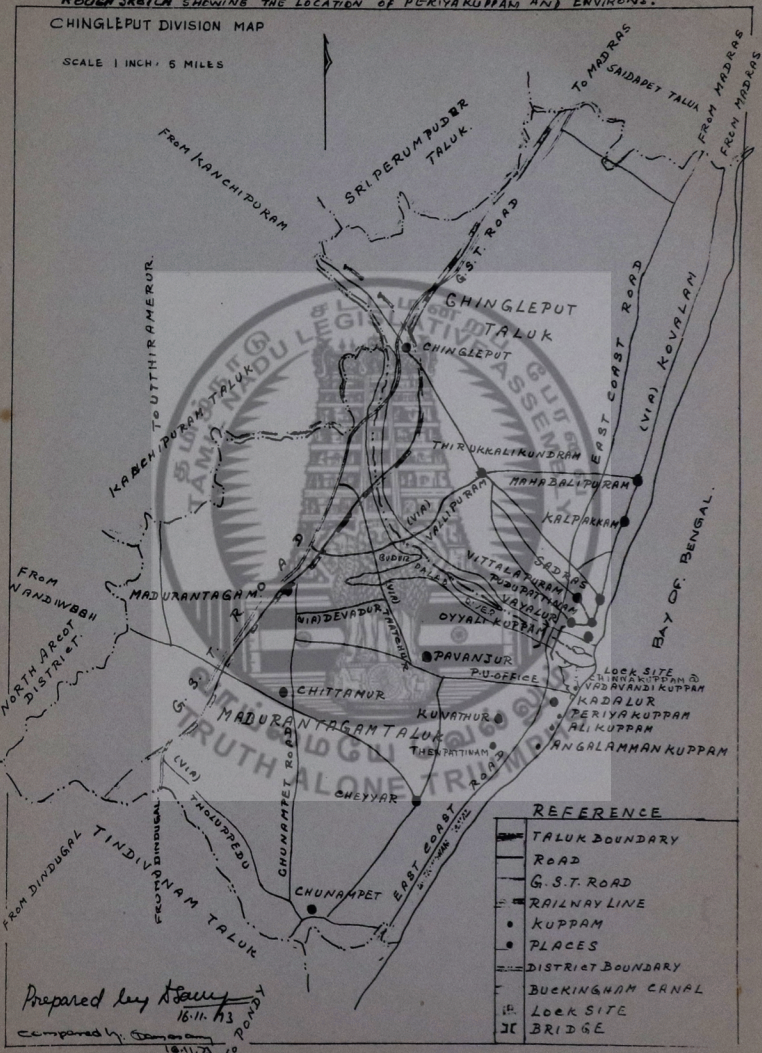
3. Making such allegations may cause unnecessary alarm in the public mind and may be actionable under law.

TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

ANNEXURE II

ROUGH SKETCH SHEWING THE LOCATION OF PERIYAKUPPAM AND ENVIRONS.



Prepared by [signature] 16.11.73

Compared by [signature] 16.11.73


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

ANNEXURE IV

Ccpy of complaint of Thiru K. V. Pandurangan Cr. No. 8073, dated 11th May 1973

உயர்திரு செய்யூர் போலீஸ் சப் இன்ஸ்பெக்டர் அவர்கள் சமூகத்திற்கு ஆலிக்குப்பம் வெங்கட செட்டி மகன் பாண்டுரங்கன் கொடுத்த ரிபோர்ட்.

ஐயா,

1973-ம் ஆண்டு மே திங்கள் 10-ந் தேதி இரவு விடியற்காலை சுமார் 3 மணிக்கு எங்க ஊர் ஆலிக்குப்பத்து நபர்கள் தன்சிங், சிதாராமன், ராமு, தனபால், தங்கராஜு, ஆறுமுகம், அண்ணாமலை, வேலாயுதம், சிங்காரவேலு, சிவனேசன், பத்மநாபன், ஜெயபாலன், பெருமாள், முருவன், செல்வம் இவர்களும், கடலூர் காலனியைச் சேர்ந்த ஆட்கள் தேவராசன், பலராமன், காளப்பன், காசி, எட்டியான், செல்லப்பன், கண்ணன், தேவராசன் இவர்களும், பெரியகுப்பத்தைச் சேர்ந்த ஆட்கள் நடராஜன், ஜெயராமன், கோவிந்து, ஜெயபாலன், கணேசன், புல்பவிங்கம், நந்தன், நாராயணன், சுந்தரமூர்த்தி, மணி, குப்பன், துளசிங்கம், சாமிநாதன், வீரமுத்து, சிவானந்தம், பாலன், கோதண்டன், தேவேந்திரன், நாராயணன், சண்முகம், வாமணி, கந்தன், லக்ஷ்மணன், பேசா ரங்கநாதன், வேலாயுதம், வச்சிரவேலு, செல்வராஜி, செல்வம், ஜெயராமன், பஞ்சநாதன், ஜெகநாதன், த. கணேசன், கோட்டி ராமன், கருப்பு தம்பி, ரா. சிங்காரவேலு, இன்னும் பெரிய குப்பத்து ஆட்கள் பெயர் தெரியாத ஆள் தெரிந்த நபர்கள் சுமார் 30 பேர்கள் தடி, கொம்பு, இரும்பு, பைப்பு, வேலா முள், திருகிவால், தொங்காட்டி, கத்தி, இல்லாக் கோலங்கள் சகிதமும் அடி, வெட்டு, குத்து, கொள்ளி அடி என்று கோஷம் போட்டுக்கொண்டு ஆலிக்குப்பத்திற்குள் பெரியகுப்பம் மார்க்கத்திலிருந்து வந்து நுழைந்தார்கள். நான் எழுந்து ஒடிப்போய்ப் பார்க்கும் போது எங்கள் ஊருக்குள் புகுந்துவிட்டார்கள். என்னைக் கண்டதும் தன்சிங் 'விடாதே அவனை' என்று சொன்னான். என்னைத் தூரத்தினார்கள். நான் ஒரு சந்து வழியாகப் புகுந்து ஓடி ஒரு பூவரச மரத்தில் ஏறிக்கொண்டேன். அப்போது 50 (மேற்படி) நபர்கள் செல்வம், கந்தசாமி, பஞ்சாமிர்தம், பட்டையன், பிச்சைக்காரன், சாமிநாதன், செல்வம், தேசியன், பொன்னுரங்கம், ஆரணிசெட்டி, இவர்களின் வீடுகளில் புகுந்து விட்டார்கள். வீட்டிலுள்ள பொருள்களை அடித்தும், நொறுக்கியும், நாசம் செய்து அந்த வீட்டிலுள்ள ஆண்களைத் தடியாலும், கொம்பாலும், இரும்புப்பாலும், திருகிவால், வேலமுள்ளாலும் குத்தியும், பொருள்களைக் கொள்ளை அடித்தும், சூறையாடியும் பயங்கரமான காயங்களையும், பொருட் சேதங்களையும் விடியற்காலை 5 மணி வரை அவர்கள் கலகத்தை செய்துவிட்டு என்னுடைய வீட்டிலும் அவர்கள் புகுந்து பணம், பித்தளைச் சாமான்கள், இன்னும் சில ரிகார்டுகளை கொள்ளை அடித்துச் சென்றுவிட்டார்கள். மேற்படி அடிபட்ட நபர்களை போலீஸ் ஸ்டேஷனில் தக்க நடவடிக்கைக்கு அழைத்துத்தி இருக்கிறேன். மேற்படி பொருள்களின் சேதம் அடிபட்ட நபர்களைக் கேட்டால் குத்தப்பட்ட, அடிபட்ட விபரமும், அவர்களுக்குத் தெரியும். மேற்படி சம்பவம் நடக்கும்போது மின்சார தெரு விளக்குகள் எல்லாம் எரிந்துகொண்டு இருந்தது. சாட்சிகள் புஷ்பட்டினம் வேலாயுதம், ஆலிக்குப்பம் பாலிருஷ்ணன், மற்றும் சிலரும் இருந்தார்கள்.

கே. வி. பாண்டுரங்கன்,
11—5—1973.

(உண்மை நகல்.)

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

ANNEXURE V.

Copy of Regulations framed by the Commission.

One-Man Commission constituted under G.O. Ms. No. 1543, *Public (General-D) Department, dated 2nd June* 1973.

(Inquiry into the incidents at Periakuppam village, Madurantakam taluk, Chingleput district.)

Regulations.

(Framed under Rule 14 of the Commissions of Inquiry (Tamil Nadu) Rules, 1972).

1. The Commission shall sit in private on dates and in place or places notified from time to time.

2. The Commission will hold its sittings on the notified dates ordinarily from 10-00 a.m. to 1-00 p.m. and 2-30 p.m. to 4-30 p.m.

3. *Processes.*—All processes including summons to witnesses by the Commission shall be signed by the Chairman or the Manager of the Commission or any other persons authorised by the Chairman and sealed with the seal of the Commission (Rubber Stamp).

4. *Advocates.*—Advocates appearing for any persons or group of persons shall file memo. of appearance from them authorising them to so appear.

5. *Oaths and affirmations.*—Evidence will be recorded on oath by the Commission and it will be subject to cross-examination by the advocates or persons permitted by the Commission.

Form of Oath.—The form of oath will be as follows :—

"I.....solemnly affirm in the presence 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 ".

6. 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 ".

7. Names of persons who offer to give evidence shall be entered in a register and when summons are issued to them, a note to that effect shall be made in the said register. The witnesses will be summoned normally in the order in which their names are registered, subject to any change in procedure as may be decided by the Commission.

8. Properties and material objects received in the Commission shall be entered in the Property Register. Suitable orders shall be passed by the Commission for their final disposal at the end, after the enquiry is over.

9. *Registers and diaries.*—The Commission shall maintain a diary in the Civil Register No. 18 and this diary shall show the time at which the proceedings of each day commenced and the time at which they ended and shall indicate clearly the daily progress made in the hearing. The entries shall be initialled by the Commission on the date to which they relate.

10. Court-fee and process fee received shall be entered in a register in C.R. Form No. 19.

11. The Register for payment of batta to witnesses shall be maintained in Criminal Register No. 18 and the daily payments shall be carried over to the Cash Balance Register.

12. *Payment of batta.*—Payment of batta to the witnesses shall be in the discretion of the Commission and will be ordinarily fixed at the rates allowed under the Criminal Rules of Practice and Circular Orders in the places where the sittings are held. The Batta will be paid to non-official witnesses.

13. *Contingencies.*—A contingenct register shall be maintained in proper form for payment out of the contingencies along with necessary vouchers. Cash book shall be maintained for showing amounts disbursed, etc.

14. Copies of depositions of witnesses when ordered to be granted by the Commission to parties shall be granted on plain papers subject to payment of such charges as may be specified by the Commission.

15. Witnesses examined will be denoted by letters as under—

(*a*) Witnesses for the Administration as "A. 1, A. 2, A. 3., etc."

(*b*) Witnesses for the Public as "P. 1, P. 2, P. 3, etc."

(*c*) Witnesses by the Commission as "C. 1, C. 2, C. 3, etc."

16. Exhibits admitted in the inquiry shall be marked as follows :—

(*a*) Exhibits filed by the Administration will be marked as "Ex.A. 1, Ex.A. 2, Ex.A. 3, etc."

(*b*) Exhibits filed by the Public will be marked as "Ex. P. 1, Ex. P. 2, Ex. P. 3, etc."

(*c*) Exhibits filed by the Commission will be marked as "Ex. C. 1, Ex. C. 2, Ex. C. 3, etc."

17. Material objects will be marked as under—

(*a*) Material objects for the Administration will be marked as "M.O.A. 1, M.O.A. 2, M.O.A. 3, etc."

(*b*) Material objects for the Public will be marked as "M.O.P. 1, M.O.P. 2, M.O.P. 3, etc."

(*c*) Material objects for the Commission will be marked as "M.O.C. 1, M.O.C. 2, M.O.C. 3, etc."

18. Court attendance certificates will be issued to the Officers attending the inquiry.

19. When communications are sent by the Commission to others inclusive of summons, entry shall be made in the Despatch Register.

20. Communications intended for the Commission shall be addressed to the Manager, Commission of Enquiry in the notified place of sittings and thereafter, to the First Member, Board of Revenue, Ezhilagam, Chepauk, Madras-5.

Madras,

Dated: 19*th June* 1973.

(Signed) M. G. RAJA RAM,

Commission of Inquiry.

ANNEXURE VI.

Copy of Inspection Notes of Periakuppam Village, dated 28th June 1973 by the Commission of Enquiry (4-30 p.m. to 6 p.m.)

Inspected Periakuppam which is situated near the Palar river-delta on the south of the Palar river and 30 k.m. east of Madurantakam. Periakuppam is a hamlet of Kadalur village and it is in Kadalur Panchayat. There are about 80 to 85 houses (all palmyrah huts) in this village.

2. The following Counsels and Officers were present at the time of my inspection :—

(i) Thiru K. V. Sankaran, Counsel for representators.
(ii) Thiru C. Ganesan, Advocate for Periakuppam, Alikuppam and Kadalur public.
(iii) Thiru S. Santhanam, Advocate for Periakuppam, Alikuppam and Kadalur public.
(iv) Thiru Adimoolam, Public Prosecutor.
(v) Thiru D. Lakshmana Reddy, Advocate for Alikuppam villagers.
(vi) The Collector of Chingleput District.
(vii) The District Revenue Officer, Chingleput District.
(viii) The Sub-Collector, Chingleput.
(ix) The Deputy Superintendent of Police, Chingleput (Thiru S. Ramanathan).
(x) Thirumathi Ramani Bai.

One Thiru Jayaraman, said to be a native of Periakuppam village and residing at Madras was also present.

Inspected the Panchayat Union School (thatched hut) situated on the western part of the village. The thatched roofing of the building was resting on the ground.

Inspected an old round (Cement) well just on the west of this school. This well is silted up with debris. It is alleged that the well was filled up with sand and bricks after 25th May 1973.

Inspected 13 huts in the village reported to belong to the following persons and the result of inspection is noted against each :—

(1) Hut facing east belonging to Thiru Karivaradan.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(2) Hut facing north belonging to Munusami Chetty.	Pots broken and the house-holds articles scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(3) Hut facing south belonging to Sivanandan, son of Sadayan.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(4) Hut facing south belonging to Chinnaveerappan.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(5) Hut facing south belonging to Pitchai Chetti.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.

(6) Hut facing east near the shore belonging to Panchanathan.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation. A wooden bureau is found broken inside.
(7) Hut facing east near the shore belonging to Rajalingam.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are are no signs of its recent occupation.
(8) Hut facing east near the shore belonging to Periaveeran.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(9) Hut facing south belonging to Thulasingam.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation. A wooden bureau is found broken inside. It is also alleged that trunks, ear rings and bangles were taken away after breaking open an almirah found inside.
(10) Hut facing north belonging to Shanmugham.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(11) Hut facing east belonging to Natarajan alleged to belong to D.M.K.	Pots broken and the house-hold articles are scattered pell-mell. The house was open and deserted at the time of inspection. There are no signs of its recent occupation.
(12) Hut facing east side belonging to Thirumathi Kasturi.	This was found locked. It is said that Thirumathi Kasturi took refuge here along with others, when police came.
(13) Hut facing east belonging to Sachithanandam, husband of Kasturi.	It is alleged that the inner door was broken open with the aid of crow-bar and articles taken out by Police.

Inspected the place where the Kuppam Panchayats (Jathi Panchayats) are traditionally convened by the Villagers and where it is alleged that the Police after rounding up women folk, asked them to sit naked in the hot sand.

Inspected a fishing boat on the shore which is said to have been damaged by Alikuppam people and police and to belong to Dhansingh. Saw marks of recent denting by a sharp instrument at the bottom of the boat where the two halves are joined. It was alleged that after damaging the boat it was set adrift on the sea by people of Alikuppam sided by the police and that it was retrieved by the Periakuppam people and secured on shore. There was also the fishing net stacked in a heap nearby. It is alleged that the hauling ropes were taken away.

There was also an allegation putforth by Thirumathi Ramani Bai and others that the Kattamarans were taken away by the police in their vans for use as firewood at Madurantakam Sub-Jail.

I was shown a spot near the lock where it is alleged that chicken numbering about 300 or so were cooked and eaten by the police.

The hamlet was deserted totally and except for a stray cat I saw slinking away, there was no other animals like dog or cow in the place. However on my way back to the lock I saw a few cattle grazing in the area near the Buckingham Canal.

A rough sketch of the area in Periakuppam and the houses etc., inspected is enclosed.

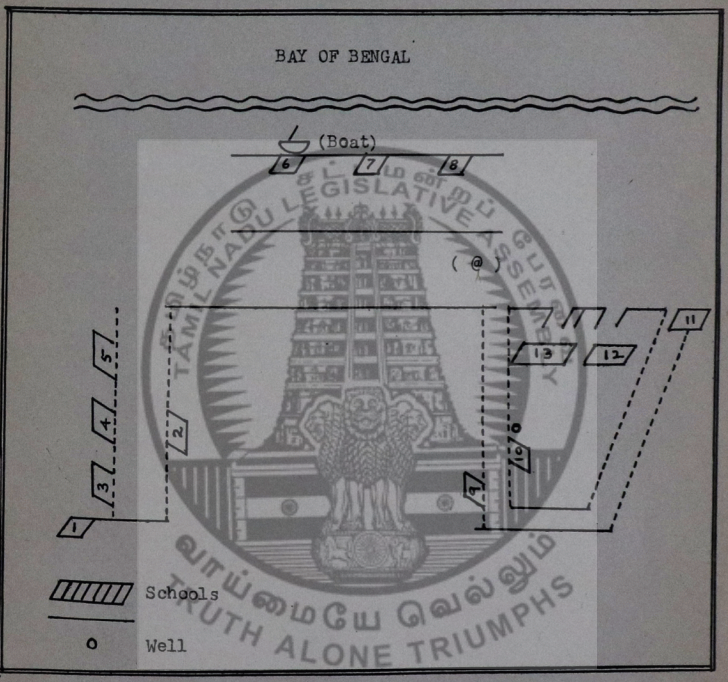
M. G. RAJA RAM,
Commission of Inquiry.

28*th June* 1973.


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

Annexure - VI(a).

ROUGH SKETCH SHOWING THE HUTS AND OTHER PLACES INSPECTED BY THE COMMISSION OF INQUIRY ON 28TH JUNE 1973.



.. School

.. Well

.. Hut

(@) .. Village Jathi Panchayat Place.

.. Boat damaged belonging to Dhanaraj.

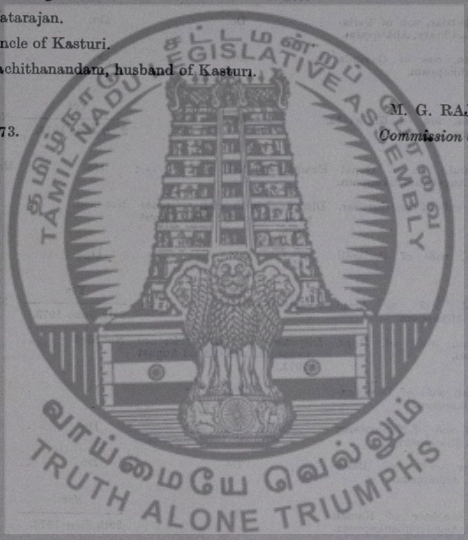

தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

Hut said to belong to—

(1) Karivaradan.
(2) Munusami Chetty.
(3) Sivanandan, son of Sadayan.
(4) Chinnaveerappan.
(5) Pitchai Chetti.
(6) Panchanathan.
(7) Rajalingam.
(8) Periavenu.
(9) Thulasingam.
(10) Shanmugam.
(11) Natarajan.
(12) Uncle of Kasturi.
(13) Sachithanandam, husband of Kasturi.

28*th June* 1973.

M. G. RAJA RAM,
Commission of Inquiry.



ANNEXURE VII.

Particulars of witnesses cited and examined on behalf of "Administration".

Serial number and List of witnesses cited.	*Whether examined and if, so, witness number.*	*Whether affidavit filed or not* / *Date of receipt.*	*Whether the affidavit marked as exhibits and if, so, number.*
(1)	(2)	(3)	(4)
1 R. Panchamirtham, son of Raji Chettiar, Alikuppam.	Examined as A.-2	Yes / 29th June 1973.	Not marked.
2 K. V. Pandurangan, son of Venkata Chetty, Alikuppam.	Examined as A-1	Do.	Not makred.
3 Balakrishnan, son of Rangasamy Chettiar, Alikuppam.	Dispensed with with reference to memo., dated 22nd August 1973.	Not filed ..	....
4 Vadivelu Chettiar, son of Periathambiran Chetty, Alikuppam.	Do.	Do. ..	....
5 Ponnurangan, son of Govinda Chetty, Alikuppam.	Do.	Do. ..	....
6 Arunachalam, son of Kadirvelu, Angalammankuppam.	Do.	Yes / 29th June 1973.	Not marked.
7 G. Appadurai, son of Gopal Chettiar, Angalammankuppam.	Examined as A-5	Do.	Marked as Ex. A-21.
8 Kodiambal, wife of Raji Chettiar.	Dispensed with with reference to memo., dated 22nd August 1973.	Not filed. ..	....
9 Angamuthu, wife of Periaraji Chettiar.	Do.	Do.	....
10 Lalithambal, wife of Arani Chettiar, Alikuppam.	Examined as A-3	Yes / 29th June 1973.	Not marked.
11 Chinnaponnu, wife of Raju, Alikuppam.	Dispensed with with reference to memo., dated 22nd August 1973.	Not filed ..	....
12 Kanagambal, wife of Davasigamani, Alikuppam.	Do.	Do. ..	....
13 Kodiambal, wife of Munuswamy Chettiar, Alikuppam.	Do.	Do. ..	....
14 Amaravathy, wife of Pattu Chettiar, Alikuppam.	Do.	Do. ..	....
15 Ilanjam, daughter of Raman Chettiar, Angalammankuppam.	Do.	Yes / 29th June 1973.	Not marked.
16 Annapurani, wife of Vadivelu Chettiar, Alikuppam.	Do.	Not filed ..	....
17 Rukmani, wife of Periathambiran Chettiar, Alikuppam.	Do.	Do. ..	....
18 K. T. Narayanasamy, Lock Superintendent, Kadalur.	Examined as A-6	Yes / 29th June 1973.	Not marked.
19 Mrs. Narayanasami, wife of Narayanasami, Lock Superintendent, Kadalur.	Dispensed with with reference to memo., dated 22nd August 1973	Not filed ..	....
20 Krishnan, Luscar, P.W.D. Lock, Kadalur.	Do.	Yes / 29th June 1973.	No tmarked.

ANNEXURE VII—*cont.*

Particulars of witnesses cited and examined on behalf of "Administration"—cont.

Serial number and List of witnesses cited.	*Whether examined and if, so, witness number.*	*Whether affidavit filed or not. Date of receipt.*	*Whether the affidavit marked as exhibits and if, so, number.*
(1)	(2)	(3)	(4)
21 Mrs. Krishnan, wife of Krishnan, Luscar, P.W.D. Lock.	Dispensed with with reference to memo., dated 22nd August 1973.	Not filed.	..
22 Krishna Gounder, son of Velu Gounder, Kadalur.	Do.	Do. ..	..
23 Narayanasamy Gounder, son of Thangavelu Gounder, Kadalur.	Do.	Do. ..	..
24 P. Mani, son of Puravi Nadar, Kadalur.	Examined as A-7	Yes 29th June 1973.	Not marked.
25 Munusamy, son of Perumal, Toddy Shop, Kadalur.	Dispensed with with reference to memo., dated 22nd August 1973.	Do.	Do.
26 Sornam, son of Sundaramurthy, President, Panchayat Board, Kadalur.	Do.	Not filed ..	..
27 D. Chandran, son of Doraisamy Naicker, Kadalur.	Examined as A-8	Do. ..	..
28 Kali Ammal, wife of Ettiappan, Vadapattinam.	Dispensed with with reference to memo., dated 22nd August 1973.	Do. ..	..
29 T. P. Murugesan, Tahsildar, Madurantakam.	Examined as A-15	Do. ..	..
30 M. K. Natarajan, Sub-Magistrate, Madurantakam.	Examined as A-4	Do. ..	..
31 C. R. Subramanian, Sub-Inspector of Police, Chevvur Police Station.	Examined as A-14	Yes 29th June 1973.	Marked as Ex. A-16.
32 M. N. Balusamy, Inspector of Police, Madurantakam.	Examined as A-13	Do. ..	Marked as Ex. A-11.
33 S. Ramanathan, Deputy Superintendent of Police, Chingleput.	Examined as A-11	Do.	Not marked.
34 K. N. Annasamy, M.A., B.L., Superintendent of Police, Chingleput (West) District, Kanchipuram.	Dispensed with with reference to memo., dated 22nd August 1973.	Not filed ..	..
35 M. Balasubramaniam, Sub-Magistrate, Madurantakam.	Examined as A-12	Do. ..	—
36 K. Chellamuthu Naicker, son of Kothandarama Naicker, Village Munsiff, Vasavasamudram.	Examined as A-9	Do. —	..
37 G. Anjaneyalu, son of Gangulayya, Bearer-*cum*-Helper, Guest House, Kalpakkam.	Examined as A-10	Do. ..	..

ANNEXURE VII (*a*).

Particulars of witnesses cited on behalf of Alikuppam Public.

1 Velayudham, son of Perumal Chettiar.	Dispensed with with reference to memo., dated 5th September 1973.	Yes 29th June 1973.	Not marked.
2 Irusappa Naicker, son of Raman Naicker.	Do.	Do.	Do.

ANNEXURE VIII.

Exhibits marked on Administrative Side.

Serial number.	*Number of Exhibit.*	*Contents.*	*Page numbers in exhibits file.*	*Marked through.*
(1)	(2)	(3)	(4)	(5)
1	Ex. A. 1 ..	Remand report, dated 15th May 1973 from the Inspector of Police, Madurantakam to the Sub-Magistrate, Madurantakam in Crime No. 80/73 of Cheyyur- Police Station and the Sub-Magistrate's endorsements thereon.	1—4 ..	A. 4.
2	Ex. A. 2. ..	Remand report, dated 18th May 1973 from the Sub-Inspector of Police, Cheyyur to the Sub-Magistrate, Madurantakam in Crime No. 80/73 of Cheyyur Police Station and the Sub-Magistrate's endorsements thereon.	5—6 ..	A. 4.
3	Ex. A. 3 ..	Remand report, dated 19th May 1973 from the Sub-Inspector of Police, Cheyyur to the Sub-Magistrate, Madurantakam in Crime No. 80/73 of Cheyyur Police Station and the Sub-Magistrate's endorsement thereon.	7—8 ..	A. 4.
4	Ex. A. 4 ..	Telegram, dated 17th May 1973 by Sadagopal alleging looting, destruction of huts and properties to the Deputy Superintendent of Police, Chingleput.	9—10 ..	A. 11.
5	Ex. A. 5 ..	Copy of the press report by the Deputy Inspector-General of Police, Northern Range, Madras attested by the Superintendent of Police, Chingleput (West) District.	11—16 ..	A. 11.
6	Ex. A. 6 ..	First Information Report and its enclosures in Crime No. 80/73 of Cheyyur Police Station.	17—22 ..	A. 11.
7	Ex. A. 7 ..	Recovery Mahazar, dated 12th May 1973 for the recovery of Voil Saree concerned in Cr. No. 80/73 of Cheyyur Police Station.	23—24 ..	A. 11.
8	Ex. A. 8 ..	Daily diary for vehicle M.D.H. 6346 for 12th May 1973 in the file from 6th May 1973 to 21st May 1973.	25—60 ..	A. 11.
9	Ex. A. 8 (*a*) ..	Daily diary for vehicle MDH 6628 from 4th May 1973 to 21st May 1973.	61—100 ..	A. 11.
10	Ex. A. 9 ..	Remand report, dated 31st May 1973 from the Inspector of Police, Madurantakam to the Sub-Magistrate, Madurantakam in Crime No. 80/73 of Cheyyur Police Station with Sub-Magistrate's endorsement.	101—108 ..	A. 12.
11	Ex. A. 10 ..	Bail Application records on behalf of the accused in Crime No. 80/73 of Cheyyur Police Station.	109—138 ..	A. 12.
12	Ex. A. 11 ..	Affidavit filed by Mr. M. N. Balusamy, Circle Inspector of Police, Madurantakam to the Commission.	139—148 ..	A. 13.
13	Ex. A. 12 ..	Observation Mahazar about the destruction of huts, etc., in Alikuppam village, dated 11th May 1973 in Crime No. 80/73 of Cheyyur Police Station.	149—152 ..	A. 13.
14	Ex. A. 13 ..	Telegram from Singaravelu, dated 16th May 1973 to the Inspector of Police, Madurantakam.	153—154 ..	A. 13.
15	Ex. A. 14 ..	Cyclostyled petition signed by 5 persons (Kannappa Chetti and four others), dated 19th May 1973.	155—164 ..	A. 13.
16	Ex. A. 15 ..	Cyclostyled petition signed by the same persons, dated 23rd May 1973.	165—168 ..	A. 13.
17	Ex. A. 16 ..	Affidavit filed by Thiru C. R. Subramaniam, Sub-Inspector of Police, Cheyyur to the Commission.	169—174 ..	A. 14.
18	Ex. A. 17 ..	Wound Certificate given by the Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246707—Serial No. 27/73).	175—176 ..	A. 14.
19	Ex. A. 17 (*a*) ..	Wound Certificate given by the Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246708—Serial No. 28/73).	177—178 ..	A. 14.

ANNEXURE VIII—*cont.*

Exhibits marked on Administrative Side—cont.

Serial number.	*Number of Exhibit.*	*Contents.*	*Page numbers in exhibit file.*	*Marked through.*
(1)	(2)	(3)	(4)	(5)
20	Ex. A. 17 (*b*) ..	Wound Certificate given by the Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246709—Serial No. 29/73).	179—180 ..	A. 14.
21	Ex. A. 17 (*c*) ..	Wound Certificate given by Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246710—Serial No. 30/73).	181—182 ..	A. 14.
22	Ex. A. 17 (*d*) ..	Wound Certificate given by the Assistant Surgeon Cheyyur, dated 6th June 1973 (Printed Serial No. 246711—Serial No. 31/73.)	183—184 ..	A. 14.
23	Ex. A. 17 (*e*) ..	Wound Certificate given by the Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246712—Serial No. 32/73).	185—186 ..	A. 14.
24	Ex. A. 17 (*f*) ..	Wound Certificate given by the Assistant Surgeon, Cheyyur, dated 6th June 1973 (Printed Serial No. 246713—Serial No. 33/73).	187—188 ..	A. 14.
25	Ex. A. 18 ..	Copy of the report of the Tahsildar, Madurantakam Rc. 7710/73, A-1, dated 31st May 1973—to the Collector of Chingleput district.	189—192 ..	A. 15.
26	Ex. A. 19 ..	Statement signed and written by Thiru Dhansingh and attested by nine others on 4th June 1973 before the Tahsildar, Madurantakam.	193—194 ..	A. 15.
27	Ex. A. 20 ..	True copy of the report of the Tahsildar, Madurantakam Rc. 7710/73, A1, dated 5th June 1973, to the Sub-Collector, Chingleput.	195—196 ..	A. 15.
28	Ex. A. 21 ..	Affidavit filed by Thiru Appadurai before the Commission on 29th June 1973.	197—202 ..	A. 5.

TAMIL NADU LEGISLATIVE ASSEMBLY
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ANNEXURE IX.

Brief description of weapons alleged to have been used in Crime No. 80/73 of Cheyyur Police Station.

Just to have an idea about the weapons alleged to have been used by the riotous mob of Periakuppam at Alikuppam, as deposed by A. 1, the Commission was shown specimens of these weapons. They were—

Velamullu(வேலா முள்ளு)—This is actually one half of the snout of the saw fish with sharp teeth like projections on the side and this is wielded like any other weapons to hit and the victims, sideways.

Thirukkaival (திருக்கைவால்).—This is actually the tail of the fish called in Tamil as "திருக்கைமீன்" which is actually a Star fish. I am told that this will be softened by oil when it becomes like a leather tail and this is used for flogging or whipping victims.

Sillakol (சில்லாக்கோல்).—This is actually a bamboo about 5½' mounted by an iron cone (sharp) with a barb like projection on top. This is normally used for picking fish and is used also something like a pig sticker. I am told this is also used for sticking at human beings.

Pattakathi (பட்டாக்கத்தி).—This is an ordinary iron sword like thing about 2' in length with an improvised handle. This is used like any other instrument for chopping.

Apart from these, an iron hook to lift fish and a length of steel pipe were also shown which are said to be used as weapons of assualt.

30th June 1973.

M. G. RAJA RAM,
Commission of Inquiry.

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TRUTH ALONE TRIUMPHS

ANNEXURE X,

Particulars of witnesses cited and examined on behalf of Periakuppam villagers,

Serial number and list of witnesses cited.	*Whether examined and if so, witness,*	*Whether filed affidavit or not and date of receipt,*	*Whether the affidavits marked as exhibits and if so, number of exhibit,*
(1)	(2)	(3)	(4)
1 Thirumathi V. Ramani Bai, wife of Ramani, Vazhail House, Madras-81,	Examined as P-1	Yes. 18th June 1973,	Marked as Ex. P-1.
2 Thiru Kannappa Chetty, son of Kalappa Chettiar, Kadalur-Periakuppam,	Examined as P-2	Yes. 18th June 1973,	Marked as Ex. P-2.
3 Thiru M. L. Balu, son of S, Loganathan, 27, Bajanai Koil Street, Madurantakam. (Secretary, Congress Committee,)	Dispensed with with reference to Memorandum, dated 5th September 1973.	Yes. 19th June 1973.	Not marked.
4 Thiru R. Balasundaram, son of K. Rajagopal Mudaliar, Palayamambakkam. (District President, Bharathia Jana Sangh.)	Do.	Yes. 19th June 1973.	Do.
5 Thiru M. E. Rose, son of Irusappa Naicker, Vanmialpottai (Vice-President, Town Congress Committee, Madurantakam,)	Do.	Yes. 19th June 1973.	Do.
6 Thiru M. P. Venkataraman, son of Ponnuswami, Madurantakam, (Secretary, Town Congress Committee, Madurantakam.)	Do.	Yes. 19th June 1973	Do.
7 Thiru M. Balaraman, son of Mari Naicker, Madurantakam. (T.N.C.C, State Member,)	Do.	Yes. 19th June 1973.	Do.
8 Thiru T. G. Thimmiah, son of Govindaswami Chettiyar, Karunguzhi Post. (Secretary. C.P.I. (M). Madurantakam.)	Do.	Yes. 19th June 1973.	Do.
9 Thiru R. Sripathi. son of T. V. Ramanuja Reddiar, Madurantakam, (Socialist Party, Madurantakam.)	Do.	Yes. 19th June 1973.	Do.
10 Thiru S. K. Arjunan, son of P. Kathavaraya Gramani, Karunguzhi, (Secrteary, C.P.I., Karunghuzht.)	Do.	Yes. 19th June 1973.	Do.
11 Thiru R. Shanmugham, son of Arumugham, Madurantakam, (Organiser, A.D.M.K. Madurantakam.)	Do.	Yes. 19th June 1973.	Do.
12 Thiru Dhansigh, son of Dakshinamurthy, Alikuppam.	Do.	Not filed ..	....
13 Thiru Seetharaman, son of Dakshinamurthy, Alikuppam.	Examined as P-3	Do.	....
14 Thiru Venu, son of Pavadai Chetty, Periakuppam.	Examined as P-5, ...	Do. ..	....
15 Thiru Jayaraman, son of Kannappa Chetty, Kadalurkuppaam.	Examined as P-4	Do.	....
16 Thirumathi Vembuli Ammal, wife of Chinnakkannu, Periakuppam.	Examined as P-7	Do.	....
17 Thirumathi Kullammal, wife of Pattu Chetty, Periakuppam.	Examined as P-9	Do.	....
18 Thirumathi Nayagammal, wife of Jayaraman, Periakuppam.	Examined as P-8	Do.	....
19 Thirumathi Chinnammal, wife of Shanmugham, Periakuppam,	Dispensed with with reference to Memorandum, dated 5th September 1973.	Do.	....

ANNEXURE X—cont.

Particulars of witnesses cited and examined on behalf of Periakuppam villagers—cont.

Serial number and list of witnesses cited.	*Whether examined and if so, witness.*	*Whether filed affidavit or not and date of receipt.*	*Whether the affidavits marked as exhibits and if so, number of exhibit.*
(1)	(2)	(3)	(1)
20 Thirumathi Subbulakshmi, wife of Raman, Periakuppam.	Examined as P-6	Not filed.	....
21 Thiru Kuppusami, son of Ponnu Chetty, Periakuppam,	Examined as P-15	Do.	....
22 Thiru M, Natarajan, son of Mariappa Chettiar, Periakuppam.	Examined as P-11, ...	Do.	....
23 Thirumathi Boopathi Ammal, Wife of Natarajan, Periakuppam.	Examined as P-13	Do.	....
24 Thirumathi Boopathi Ammal, wife of Hariraman, Kadalur. Periakuppam,	Examined as P-20	Do,	....
25 Thirumathi Rajambal, wife of Periakaruppan, Periakuppam.	Examined as P-10	Do.	....
26 Thirumathi Kasturi, wife of Nandan alias Sachithanandam, Periakuppam.	Examined as P-12	Do.	....
27 Thirumathi Arayee Ammal, wife of Rajakkannu, Chinnakuppam,	Examined as P-19	Do.	....
28 Thiru Doraikkannu, son of Veerappa Chettiar.	Examined as P-16	Do.	....
29 Thiru Vinayagam, son of Kandasami Desigar, Kadalur.	Examined as P-21	Do,	....
30 Thiru Devarajan, son of Muthan, Kadalur.	Examined as P-14	Do.	....
31 Thiru Kuttiappan, son of Palayam Kadalur Colony.	Examined as P-18	Do.	....
32 Thiru Vedachalam, son of Ramasami Naicker, Kadalur.	Examined as P-17	Do.	....

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ANNEXURE XI.

List of Exhibits filed on behalf of Public before the Commission of Inquiry.

Serial number.	*Number of Exhibit.*	*Contents.*	*Page number in Exhibit file.*	*Marked through.*
(1)	(2)	(3)	(4)	(5)
1	Exhibit P-1 ..	Affidavit of Thirumathi V. Ramani Bai filed before the Commission of Inquiry on 18th June 1973.	1—8 ..	P-1.
2	Exhibit P-2 ..	Affidavit of Thiru Kannappa Chettiar. son of Kalappa Chettiar filed before the Commission of Inquiry on 18th June 1973.	9—14 ..	P-2.
3	Exhibit P-3 ..	Written statement of Thiru Seetharaman. son of Dhakshinamurthy of Alikuppam filed before the Commission of Inquiry on 26th August 1973.	15—18 ..	P-3.
4	Exhibit P-4 ..	Written statement of Thiru Jayaraman. son of Kannappa Chettiar, Kadalur Periakuppam filed before the Commission of Inquiry on 26th August 1973.	19—20 ..	P-4.
5	Exhibit P-5 ..	Written statement of Thiru Venu. son of Pavadai Chettiar of Kadalur Periakuppam filed before the Commission of Inquiry on 28th August 1973.	21—22 ..	P-5.
6	Exhibit P-6 ..	Written statement of Thirumathi Subbulakshmi Ammal wife of Raman Chettiar of Periakuppam, filed before the Commission of Inquiry on 28th August 1973.	23—24 ..	P-6.
7	Exhibit P-7 ..	Written statement of Thirumathi Vembuli Ammal, wife of Chinnakannu of Kadalur Periakuppam filed before the Commission of Inquiry on 28th August 1973.	25—26 ..	P-7.
8	Exhibit P-8 ..	Written statement of Thirumathi Nayagammal, before the Commission of Inquiry on 1st September 1973.	27—28 ..	P-8.
9	Exhibit P-9 ..	Written statement of Thirumathi Kuttammal, wife of Pattu Chettiar of Periakuppam filed before the Commission of Inquiry on 1st September 1973.	29—30 ..	P-9.
10	Exhibit P-10 ..	Written statement of Thirumathi Rajambal, wife of Periakaruppan of Periakuppam filed before the Commission of Inquiry on 1st September 1973.	31—32 ..	P-10.
11	Exhibit P-11 ..	Written statement of M. Nataraj, son of Mariappa Chettiar of Periakuppam filed before the Commission of Inquiry on 1st September 1973.	33—34 ..	P-11.
12	Exhibit P-12 ..	Written statement of Thirumathi Bhoopathy Ammal, wife of Nataraja Chettiar of Periakuppam. filed on 2nd September 1973.	35—36 ..	P-13.
13	Exhibit P-13 ..	Written statement of Thiru Devarajan, son of Muthan filed before the Commission of Inquiry on 2nd September 1973 (Kadalur Colony).	37—38 ..	P-14.
14	Exhibit P-14 ..	Written statement of Thiru Kuppuswami, son of Ponnu Chettiar of Kadalur, Periakuppam filed before the Commission on 2nd September 1973.	39—40 ..	P-15.
15	Exhibit P-15 ..	Written statement of Thiru Vedachalam, son of Ramaswami Naicker of Kadalur filed before the Commission on 4th September 1973.	41—44 ..	P-17.
16	Exhibit P-16 ..	Written statement of Thiru Kuttiappan, son of Palayam of Kadalur Colony filed before the Commission on 4th September 1973.	45—46 ..	P 18.
17	Exhibit P-17 ..	Written statement of Thirumathi Arayi Ammal. wife of Rajakannu of Kadalur Chinnakuppam filed before the Commission on 5th September 1973.	47—48 ..	P-19.
18	Exhibit P-18 ..	Written statement of Thirumathi Boopathi Ammal, wife of Hariram Chettiar, Periakuppam village filed before the Commission on 5th September 1973.	49—50 ..	P-20.
19	Exhibit P-19 ..	Trip Sheet Book of Taxi TNH 1006 from dates 11th April 1973 to 3rd June 1973 (Pages 1 to 50).		P-21.
20	Exhibit P-19 (a),	Original of Trip Sheets Book of Taxi TNH 1006 from dates 11th April 1973 to 3rd June 1973.		P-22.
21	Exhibit P-20 ..	Trip sheet book of Taxi TNH 1006 from dates 29th March 1973 to 4th April 1973.	Kept in separate bundle.	P-23.
22	Exhibit P-20 (a).	Original of Trip Sheet Book of Taxi TNH 1006 from 29th March 1973 to 4th April 1973,		P-22.
23	Exhibit P-21 ..	Trip sheet book of Taxi TNH. 1006 from dates 5th June 1973 to 13th September 1973,		P-22.
24	Exhibit P-21 (a),	Original of TripSheet book of Taxi TNH. 1006 from 5th June 1973 to 13th September 1973.		P-22.

ANNEXURE XII.

Copy of Interlocutory Petition received on 14th July 1973, on behalf of the people of Periakuppam by Thiruvathi Ramani Bai through their Counsel addressed to the One Man Commission constituted under G.O. Ms. No. 1543, Public (General), dated 2nd June 1973.

The Representators above named beg to state as follows :—

(1) This Commission has been constituted to enquire into the depredations of the Police and the rowdy D.M.K. elements upon the people of Periakuppam between 11th and 16th May 1973.

(2) While the Commission is just coming to grips, with the matter in issue and the evidence of the people of Periakuppam is yet to be recorded, the people of Periakuppam have been subjected to further attack on the night of 11th July 1973. This time it was arson and it has been perpetrated by the persons including some who have been examined at this very Commission as witnesses in support of the police version of the incidents. The proceedings in the enquiry appear to have given the impression to them, that they can do anything and get away with it. This has come about only because many persons who are in the position of accused in the enquiry, namely, the Deputy Superintendent of Police Mr. Ramanathan, Mr. M. N. Baluswmay, Circle Inspector of Madurantakam, Mr. P. N. Subramaniam, Sub-Inspector of Police, Cheyyur, Head Constable Manickam, Constable Mallika and others whose names have been specifically mentioned, are still holdings posts of power and authority over the same jurisdiction. This emboldened them to believe that anything can be done with impunity.

(3) The people of Periakuppam are, therefore, constrained to submit to the Commission that if the tasks assigned to the Commission are to be discharged justly and properly a sense of security must be infused among the people of Periakuppam by the following among others being done immediately ;—

(*a*) The Police Officers mentioned above should desist from holding office within Chingleput ;

(*b*) the persons against whom various complaints have been given in March and April 1973 at Cheyyur Police Station should be apprehended and investigation commenced with atleast as much enthusiasm and eagerness as was evinced in investigating Crime No. 80 of 1973 on the Cheyyur Police Station.

(4) The people of Periyakuppam are constrained to state that unless these two are done immediately, there will be no sense of security among the people of Periakuppam and the entire proceedings before this Commission would become otiose and the Commission could as well return the warrant of appointment unexecuted.

(5) The people of Periakuppam believe that the Commission itself can take up the matter with the State Government as a part of its effort to discharge its duties. The people believe that if the Commission itself will take up the matter energetically, the Government of Tamil Nadu will be moved into taking suitable action on the lines stated above.

(6) The people of Periakuppam therefore pray that the Commission should stop all further proceedings including the proceedings scheduled for 14th July 1973 and adjourn the proceedings to 19th and Commission should in the meantime use its goods offices with the Government to move the Government in the matter.

(7) The people of Periakuppam wish to make it clear that if the Commission does not agree with this prayer they will have no other alternative but to stop participating in all further proceedings as till such time as their legitimate requests are met satisfactorily.

The above facts are true.

Dated at Chingleput, this the 14th day of July 1973.

(Signed) K. V. SANKARAN,
(Signed) C. GANESAN,
14-7-1973.
Counsel for Representators and people of Periakuppam.

(Signed) V. RAMANI BAI,
Representator.

ANNEXURE XII (*a*).

Copy of Orders of Commission issued in Proceedings No. 5/73 of the Commission of Enquiry constituted under G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973.

Chingleput,
Dated 14th July 1973.

To-day before the commencement of proceedings, a memo. was submitted to the Commission by learned Counsels Thiru K. V. Sankaran and Thiru C. Ganesan on behalf of Thirumathi Ramani Bai mentioned as representator of the people of Periakuppam.

The Commission heard the arguments put forward by learned Counsel Thiru K. V. Sankaran and also arguments of learned Counsel Thiru K. Ramasamy on behalf of the Police and Thiru Lakshmana Reddy on behalf of the people of Alikuppam.

Having heard the Counsels on both sides, and studied the memo., the Commission now proceeds to give the following rulings in seriatum :—

Paragraph 1 of the memo.—The Commission regrets to observe the statement that " this Commission has been constituted to enquire into the depredations of the police and the rowdy D.M.K. elements, etc." is incorrect and presumptuous. The learned Counsels ought to know that G.O. Ms. No. 1543, Public (General-D), dated 2nd June 1973, states " that the Commission is appointed for the purpose of making an inquiry into the incidents that occurred in Periakuppam village of Madurantakam taluk in Chingleput district during the period from 11th to 16th May 1973 and in particular the allegation of atrocities committed by the police during the course of investigation into the case in Crime No. 80/73 of Cheyyur Police Station, Chingleput District ". This is the way in which it ought to have been stated.

Paragraph 2 of the memo.—The Commission takes exception to and summarily rejects the statement that "the proceedings in the inquiry appear to have given the impression to them (meaning the persons including some, who have been examined by this Commission as witnesses in support of the Police version of the incidents), that they can do anything and get away with it. The Commission is constrained to observe that this is as irresponsible a statement, as it is unwarranted.

The Commission has no reason to believe that because the police officers mentioned therein are functioning in their jurisdiction, it has emboldened them to believe that anything can be done with impunity. The alleged unfortunate arson on the night of 11th July 1973 in Periakuppam is under investigation, under due processes of Law. This has nothing to do with the subject matter of enquiry presently before the Commission.

Paragraph 3 of the memo.—The Commission has no reason to believe that the people of Periakuppam are now under any sense of insecurity. The Commission has on authority from the District Collector, Chingleput that the following action has been taken promptly by the authorities :—

The Tahsildar has visited Periakuppam on the morning on 12th and arranged for supply of rice to the victims affected by fire. The District Collector has visited the village on the night of 12th July 1973 and again on 13th July 1973 morning with the Assistant Collector, Tahsildar and Village Officers, etc. Immediate relief measures have been organised by payment of Rs. 80 per family affected by the fire. The Assistant Collector who continued to camp there has arranged for the supply of palmyrah thatches and bamboos for the reconstruction of the houses. Rice was also supplied on 13th July 1973. The District Collector is in touch with the Assistant Director of Fisheries for further relief measures.

2. Pickets have been posted in the villages along with a Revenue Inspector each and the Tahsildar is camping at the Lock Site to be available for any eventuality.

The District Collector will also be having a Peace Committee formed consisting of few elders from both the villagers to infuse confidence and provide security. The Collector will also be visiting the villages periodically along with other authorities.

Paragraph 3 (*a*) *of the memo.*—The Government to whom the matter was remitted (as has been stated by this Commission on a number of occasions before) have not considered it necessary to transfer them. So long as they are in position as police officers they will continue to discharge their lawful functions, as expected of them.

Paragraph 3 (*b*).—As regards the complaints given in March and April 1973 at Cheyyur Police Station, the learned counsel for the police has explained the position as under—

C.R. No. 46/73.—The complainant in this case one Dhansingh, son of Dakshinamoorthy of Alikuppam has himself given a petition to the Police that his complaint was false under date 23rd April 1973. On his petition, this case was referred as mistake of fact.

C.R. No. 71/73.—In this case complained by one Arumugham, son of Ramasamy Chettiar of Alikuppam) the learned counsel for the Police informs me that the 9 accused mentioned in the case were not arrested as they were absconding and that the case is still under investigation.

Paragraph 4.—As has been stated already, the Commission has no reason to believe of any sense of insecurity among the people of Periakuppam as all action necessary to provide security for the people has been taken by the District authorities. In view of this, there is no cause to believe that the proceedings before this Commission would become otiose as stated by the learned counsel. In any case, the suggestion that " the Commission could as well return the warrant of appointment unexecuted " is untenable, and is not within the competence of the learned counsel.

Paragraph 5.—The Commission will communicate the suggestion of the learned counsel to the concerned authorities in Government.

Paragraphs 6 *and* 7.—In view of the observation of the Commission as mentioned above, the Commission is of the view that there is no need to adjourn the proceedings to the 19th. The Commission feels that the proceedings may be resumed forthwith and appeals to the learned counsels and the people concerned to co-operate with the Commission and enable it to complete the inquiry with all expedition. The Commission points out that the Government expect the report of the Commission by 15th August 1973.

M. G. RAJA RAM,
Commission of Inquiry.

Dated 14*th July* 1973.

TRUTH ALONE TRIUMPHS


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