



No. 6, Vallabai Road, Chokkikulam, Madurai - 625 002  
Phone: 0452-2531874 & 2539520 Fax: 0452- 2531874  
E-mail: [info@pwtm.org](mailto:info@pwtm.org); Web: [www.pwtm.org](http://www.pwtm.org)

---

**12.01.07**

### **We strongly condemn the recurring phenomenon of 'Encounter Deaths'**

Yet another encounter death has been staged in Tamil Nadu. Manalmaedu Shankar joins Muttai Ravi, Punk Kumar and Dori Mari in the list of recent 'encounter deaths'. He was a person who had implored for protection saying that his life was in imminent danger. His murder that was executed in an unabashed manner is being portrayed as an 'encounter death' by the police.

Manalmaedu Shankar was arrested in connection with the Pandhanallur Arul Murder Case and was lodged in Madurai Central Prison. Following this, the case came for hearing to Kumabakonam JM Court on 26, October, 2006. Manalmaedu Shankar, who was produced in Court, submitted before the Judge that his life was in danger from the police and that he needed protection. The judge too said that arrangements for providing protection would be done.

Following this Manalmaedu Shankar was imprisoned in Madurai Central Prison again. From the prison, he wrote a letter to Mr. Henri Tiphagne, Executive Director - People's Watch. In the letter he had written that his life was in danger from the police and had also implored for protection. Keeping this letter as the base document, the Executive Director of People's Watch had written a petition to the Director General of Police of Tamilnadu saying that protection should be provided to Manalmaedu Shankar. Copies of this petition were sent to the National Human Rights Commission, the National Commission for SC/ST, the Deputy Director General of Police, the IG (Southern Region) and to the District Collector of Madurai.

On receiving the afore said petition, Mr. Dasarathan, the Chairperson of the National Commission for SC/ST requested persons like Mr. Anbu, IPA, the Superintendent of Police of Madurai District and the Prison Superintendent of Madurai Central Prison to take legal measures regarding this petition.

In the case of the encounter death of Manalmaedu Shankar, the police have given the same explanations which they gave at the time of the killings of Muttai Ravi, Punk Kumar

and Dori Mari. It is clear from the confused report of the police that this was a preplanned murder. The police are giving contradicting versions that Manalmaedu Shankar escaped when an accident happened and that he took a Police Officer's pistol and ran. Press reports are also evidence to this. After the DMK govt. came to power 6 encounter deaths have taken place one after the other. Manalmaedu Shankar's killing is the 7<sup>th</sup> in this series.

The Police Department of Tamil Nadu, which claims that the rule of law and democracy is being upheld, is behaving in an authoritarian manner, taking law into its hands by staging such murders, violating the law.

When Venkatesa Pannaiyar was killed by the Police, DMK, which was the Opposition Party at that time, said that it was a murder and raised protests against this and also made his wife, Radhika Selvi, Member of Parliament. But why are they behaving contrarily even before one year has passed since they have come to power, by staging 7 encounter deaths in quick succession?

Why does the Chief Minister who requests that people of both states should respect the rule of law in the Kaveri River issue and the Mullaiperiyar Dam issue, remain unconcerned about the issue of 'Encounter Deaths'?

At this time when the whole nation is watching the protests of Kashmiris over the killings of innocent youths of Kashmir in the name of encounters and the dismissal of concerned authorities, it is condemnable that the Govt. of Tamilnadu has staged yet another encounter death.

A Seminar on Racial Discrimination is to be held by the United Nations on the 23<sup>rd</sup> of February, 2007. Many nations including India are submitting reports in this seminar. A report on the encounter deaths in Tamil Nadu is also to be presented. So, a stop should be put to such preplanned assaults by the Govt. against Dalits under the pretext of encounter deaths.

***Recommendations:***

1. The NHRC and SHRC should take up the case of encounter death of Manalmaedu Shankar, *suo moto* and the case should duly be investigated by the judiciary.
2. Immediate action should be taken against the officials who violated the Supreme Court guidelines that have to be followed when the police arrest a person.
3. The District Collector should undertake a speedy investigation on the police officials who are responsible for this murder.

4. Murder case should be filed against concerned police officials who executed the murder in a preplanned manner under the pretext of an encounter death and inquiry should be done.
5. The autopsy should not be done by the only medical officer, who is a female, in Thanjavur Medical College, where it is to be done. Instead, the autopsy should be performed by two Govt. Medical Officers from the nearby district.
6. The autopsy procedures should be video recorded.
7. Case should be filed against all concerned Police officials and enquiry should be undertaken.

These murders that the Police execute in the name of encounter deaths are the biggest challenge that the judiciary and the rule of law face. It is imperative that the Govt. and the Judiciary take into account that these killings which are permitted and justified will disillusion people who have placed faith on the Judiciary.