

**IN THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF  
SRI LANKA.**

*In the matter of an application under  
and in terms of the Article 126 read with  
the Article 17 of the Constitution.*

Gnanendra Shani Abeysekara,  
No. L/1/1, Elvitigala Flats,  
Colombo 08

SC/FR :

**Petitioner**

**-Vs-**

1. Meril Ranjan Lamahewa  
Assistant Superintendent of Police,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01.
2. Niroshini Hewapathirana  
Women Chief Inspector of Police,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01.
3. Kavinda Piyasekara,  
Senior Superintendent of Police,  
Director,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01.
4. W. Thilakarathne  
Deputy Inspector General of Police,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01

5. Neville Silva,  
Assistant Superintendent of Police,  
Acting Director,  
Colombo Crimes Division,  
No. 185, Kolonnawa Road,  
Colombo 9.
6. Rohan Premarathne  
Deputy Inspector General of Police-  
Crimes,  
Western Province,  
No. 331, Olcott Mawatha,  
Colombo 11
7. Deshabandu Tennakoon  
Senior Deputy Inspector General of Police,  
Western Province- Colombo,  
Police Headquarters,  
Colombo 12.
8. C.D. Wickremaratne  
Inspector General of Police,  
Sri Lanka Police Headquarters,  
Colombo 12.
9. Lalitha Dissanayake  
Chief Inspector of Police,  
Officer in Charge of Special Branch,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01.
10. D K Induka Silva  
Chief Inspector  
Officer in charge of the Special  
Investigation Unit III,  
Criminal Investigation Department,  
No.534, New Secretariat Building,  
Colombo 01.

11. Major General (Retd.) Jagath Alwis  
Secretary to the Ministry of Public Security,  
Ministry of Public Security,  
Independence Square,  
Colombo 07.
12. Hon. Sarath Weerasekara, MP  
Minister of Public Security,  
Ministry of Public Security,  
Independence Square,  
Colombo 07.
13. General Kamal Gunaratne  
Secretary to the Ministry of Defense,  
Ministry of Defense,  
No. 15/5, Bauddhaloka Mawatha,  
Colombo 03.
14. Hon Attorney General  
Attorney General's Department,  
Colombo 12.

**Respondents**

On this the 17<sup>th</sup> day of February 2022

**TO HIS LORDSHIP THE CHIEF JUSTICE AND THE OTHER HONOURABLE  
JUDGES OF THE SUPREME COURT OF THE DEMOCRATIC SOCIALIST  
REPUBLIC OF SRI LANKA**

*The Petition of the Petitioner above named appearing by his registered Attorney-at-Law  
Mr. Manjula Balasooriya states as follows;*

**THE PETITIONER**

1. The Petitioner is a citizen of Sri Lanka, is 60 years of age, married and is a father of two children.

2. The Petitioner has held the rank of Senior Superintendent of Police of the Sri Lanka Police until his retirement in 2021, and the Petitioner further states that he has also held the post of the Director of the Criminal Investigation Department (CID) of the Sri Lanka Police from 2017 to 2019.
3. The Petitioner states that he joined the Sri Lanka Police on 10<sup>th</sup> February 1986, as a Sub Inspector of Police and had his basic training at the Sri Lanka Police College – Kalutara and thereafter he was assigned to different positions and stations as set out hereinafter:
  - Appointed as a Sub Inspector of Police at the Cinnamon Gardens Police Station from 30<sup>th</sup> May 1986 to 1<sup>st</sup> July 1986,
  - Absorbed into the Special Task Force of the Sri Lanka Police on 1<sup>st</sup> July 1986 and underwent Para Military Training at the Katukurunda Training Wing until 5<sup>th</sup> December 1986,
  - On the 1<sup>st</sup> January 1991, promoted to the rank of Inspector of Police and was transferred to the VIP Security Division of the Police Special Task Force with effect from 27<sup>th</sup> January 1992,
  - On the 11<sup>th</sup> April 1992 to 6<sup>th</sup> October 1994, assigned to provide close protection to His Excellency the then President and then Cabinet Ministers,
  - On the 6<sup>th</sup> October 1994, posted to the Special Task Force Camp at Porathiv in the Eastern Province of Sri Lanka, where he served as the Officer in Command till 20<sup>th</sup> January 1995,
  - On or about 20<sup>th</sup> January 1995, absorbed into the general duties of the Sri Lanka Police and served as the Deputy Officer-in-Charge of Crimes at the Narahenpita Police Station from on or about 20<sup>th</sup> January 1995 to 01<sup>st</sup> January 1996,
  - On the 01<sup>st</sup> January 1996, he was transferred to the Grandpass Police Station and served as Officer-in-Charge of the Crime Branch, until 10<sup>th</sup> January 1996,
  - Performed duties as Officer-in-Charge of the Range Criminal Investigation Office at the Maradana Colombo Unit from 27<sup>th</sup> September 1998 to 10<sup>th</sup> January 1999,

- Promoted to the rank of Chief Inspector of Police with effect from 8<sup>th</sup> September 1999 by the National Police Commission. This was considered as a special promotion on Merit by the Sri Lanka Police,
- Promoted to the rank of Assistant Superintendent of Police on 27<sup>th</sup> September 2007, which was considered as a field promotion of the Sri Lanka Police,
- On the 27<sup>th</sup> September 2007, he was posted as the Assistant Superintendent of Police in charge of Jaffna (District I) in the Northern Province of Sri Lanka,
- On the 1<sup>st</sup> January 2008, the field promotion was confirmed and he was gazetted as an Assistant Superintendent of Police,
- On the 1<sup>st</sup> April 2009, he was reposted to the Criminal Investigation Department, where he served till 20<sup>th</sup> April 2010, and subsequently transferred as the District-in-Charge Officer of Homagama South,
- On the 14<sup>th</sup> July 2010, he was transferred back to the Criminal Investigation Department. As a senior officer of the Criminal Investigation Department, he has supervised the Special Investigation Unit (II), Special Branch, Gang Robbery Branch and Homicide Investigation Unit of the Criminal Investigation Department,
- On the 25<sup>th</sup> August 2011 he was given a special promotion to the rank of Superintendent of Police, by the National Police Commission, based on a special recommendation made by the then Inspector General of Police, Mr. N. K. Illangakoon. The said special promotion was given by the National Police Commission, based on a commendation made by Hon. Justice Shiranee Tilakawardane, in consideration of the Petitioner's exceptional work in the Angulana Double Murder Investigation,
- Promoted to the rank of Senior Superintendent of Police by the National Police Commission on 25<sup>th</sup> August 2016, based on the unblemished record maintained by the Petitioner during 05 years of previous service in the rank of Superintendent of Police,
- On the 9<sup>th</sup> September 2017, he was appointed as the Director of the Criminal Investigation Department the functional division of the police charged with international law enforcement cooperation, investigation of high profile and complex crimes, large scale financial crimes and human smuggling. The Petitioner states that during his period of service over 33 years, he received numerous commendations, awards and special salary increments.

4. The Petitioner states that he was attached to the Criminal Investigation Department for 18 years. The Petitioner states that, during active service the Petitioner was involved in the investigation of a number of high-profile matters, including:
  - The attempted assassination of the then President Chandrika Bandaranaike Kumaranatunga in 1999;
  - The Katunayake International Airport attack by the LTTE in 2001;
  - The murder of Yvone Johnson at Royal Park Condominium in 2005;
  - The attempted assassination of then Secretary of Defense and the incumbent President Gotabhaya Rajapaksha in 2006;
  - The kidnapping and disappearance of 11 youth by Naval Intelligence personnel in 2008;
  - The 'Angulana double murder' case in 2009;
  - The kidnapping and disappearance of Prageeth Eknaligoda in 2010;
  - The abduction and contract killing of businessman Mohammed Shiyam by a team under a Deputy Inspector General of Police in 2013.
  
5. The Petitioner states that during his service as the Director of the Criminal Investigation Department, the Petitioner has supervised the investigations of the following high-profile crimes:
  - The fraud surrounding the issue of treasury bonds by the Central Bank in 2015 and 2016, resulting in separate indictments;
  - The Murder of journalist Lasantha Wicremathunga in 2009;
  - The abduction and torture of journalist Keith Noyahr in 2018;
  - The abduction and assault of journalist Poddala Jayantha in 2009;
  - The assault of journalist Upali Thennakoon;

- The assault of police officers and Parliamentary staff and attempted assault of the Speaker of Parliament by several Members of Parliament in 2018;
  - The murder of rugby player Wasim Thajudeen in 2012;
  - The murder of villagers in Rathupaswela in 2013;
  - The murder of inmates of the Welikada Prison in 2012.
6. The Petitioner states that during the course of his career, apart from his academic credentials, he has obtained several professional qualifications as well as local and international training courses especially with prominence on criminal investigations and public security. The Petitioner states that the said professional qualifications and local and international training courses he has followed are more fully described in the document marked as **P-1** of the Petition.

*In proof of the same, true copies of the personal profile of the Petitioner and certificates are annexed hereto marked **P-1** and pleaded as part and parcel of this Petition.*

7. The Petitioner states that in addition to his professional duties, he has contributed his expertise for the development of education skills regarding criminal investigation, practical forensic science and law enforcement for lawyers, University students, students in the school of military police, Sri Lanka Army training schools, Sri Lanka Air Force training schools and further he worked as a staff member for the Presidential Commission on Lessons Learnt and Reconciliation (LLRC).
8. The Petitioner states that in 2019, the Secretary General of the International Criminal Police Organization (INTERPOL), awarded him a certificate highly appreciating the Petitioners' high level of professionalism and excellent support to the Interpol incident response team in connection with the global response to the Easter Sunday suicide attacks in Sri Lanka.

### **THE RESPONDENTS**

9. The Petitioner states that:
- a) **The 1<sup>st</sup> Respondent** is the Supervising Officer of the Special Branch of the CID and **the 2<sup>nd</sup> Respondents** is the Officer in Charge of Commercial Crime Unit 2 of the CID and that they are the officers who conduct the inquiry of the Anonymous Petition which is morefully described hereinafter in the Petition.

- b) **The 3<sup>rd</sup> Respondent** is the Director of the Criminal Investigation Department,
- c) **The 4<sup>th</sup> Respondent** is the Deputy Inspector General of Police of the Criminal Investigation Department,
- d) **The 5<sup>th</sup> Respondent** is the Acting Director of the Colombo Crimes Division,
- e) **The 6<sup>th</sup> Respondent** is the is the Deputy Inspector General of Police of Crimes Western Province,
- f) **The 7<sup>th</sup> Respondent** is the is the Senior Deputy Inspector General of Police, Western Province of the Sri Lanka Police,
- g) **The 8<sup>th</sup> Respondent** the Inspector General of Police who is in the overall command of the Sri Lanka Police force;
- h) **The 9<sup>th</sup> Respondent** is the Officer in charge of the Special Branch, of the Criminal Investigation Department; and is the officer who has reported facts before the Magistrates Court of Kuliyaipitiya under the B report bearing No. B/1411/2022, which is morefully described hereinafter in the Petition.
- i) **The 10<sup>th</sup> Respondent** is Officer in charge of the Special Investigation Unit III of the Criminal Investigation Department; and one of the officers who conduct the inquiry of the Anonymous Petition which is morefully described hereinafter in the Petition.
- j) **The 11<sup>th</sup> Respondent** is the Secretary to the Ministry of Public Security,
- k) **The 12<sup>th</sup> Respondent** is the Minister of Public Security,
- l) **The 13<sup>th</sup> Respondent** is the Secretary to the Ministry of Defense,
- m) **The 14<sup>th</sup> Respondent** is the Hon. Attorney General and is made a party to this application both in terms of the Rules of the Supreme Court as well as *Article 35 of the Constitution* as amended by the 20<sup>th</sup> Amendment thereto.

*The Petitioner respectfully reserves the right to add parties to the instant application in limine and/or in the event of further material becoming available regarding the action complained of in the following paragraphs.*



## **SUBJECT MATTER OF THIS APPLICATION**

10. The Petitioner states that the Petitioner respectfully invokes the Jurisdiction of Your Lordships Court under and in terms of *Articles 17 and 126 of the Constitution* against the violation and/or imminent violation of the Petitioner's Fundamental Rights as guaranteed by *Article 12(1), Article 13(1) and 13(2)* of the *Constitution*.

## **THE BASIS OF THIS APPLICATION**

11. The Petitioner states that on or about 20<sup>th</sup> December 2021, he became aware that an anonymous petition has been addressed to the 11<sup>th</sup> Respondent, alleging the Petitioner was a responsible party to the Easter Sunday Attack which took place on the 21<sup>st</sup> of April 2019, and that an inquiry with regard to the said anonymous petition has already commenced by the Special Branch of CID which includes 1<sup>st</sup>, 2<sup>nd</sup> and 10<sup>th</sup> Respondents as the supervising officer and the inquiring officers respectively.

12. The Petitioner states that in the aforesaid anonymous petition *inter alia* the following allegations have been made against the Petitioner and his subordinate officers who were involved in the investigation of Mohammed Cassim Mohammed Saharan (hereinafter referred to as M.C.M. Saharan);

- a) That the CID officers including the Petitioner have not conducted a proper investigation about M.C.M. Saharan.
- b) That the Petitioner has intentionally disregarded to conduct investigations about M.C.M. Saharan.
- c) That the Petitioner neglected to give instructions when the team of CID officers including Sub Inspector of Police Dias visited the house of M.C.M. Saharan's wife in Kekunagolla thereby the Petitioner knowingly overlooked to provide necessary security to the house of M.C.M. Saharan's wife.
- d) Sub Inspector Dias, Seargent Wijerathne, Sargent Palitha, Sergeant Nandalal, Police Constable Dissanayake (Driver) and Police Constable Yapa have visited M.C.M. Saharan's wife's house and that S.I. Dias has made telephone calls to I.P. Marasinghe and the Petitioner from M.C.M. Saharan's wife's residence.
- e) That it would have prevented the death of nearly 300 people and injury to more than 200 people, if due protection and security had been provided to M.C.M. Saharan's wife's house and thereby arrested M.C.M. Saharan.

- f) That due to the aforementioned reasons a fair inquiry against the Petitioner including the team of officers who engaged in the investigations of M.C.M. Saharan is requested from the 10<sup>th</sup> Respondent.

*A copy of the Anonymous Petition marked as P-2 is annexed and pleaded as part and parcel of this Petition.*

13. The Petitioner states that statements were taken from his subordinate officers namely Inspector of Police Marasinghe, Sub Inspector of Police Dias, Police Sargent Nandalal and Police Sargent Palitha who conducted investigations relating to National Thowfeek Jamath (hereinafter sometimes referred to as 'NTJ') terror group led by M.C.M. Saharan which is morefully described herein after.
14. The Petitioner further states that he became aware that statements have not been obtained from the Superintendent of Police C.W. Wickremasekara who acted as the supervising officer of the said investigation team, the Senior Deputy Inspector General of Police (SDIG), CID Ravi Senevirathne who was the then head of the CID and from the Petitioner who was the then Director of the CID at the time in question.
15. The Petitioner further states that one or more of the Respondents including the 1<sup>st</sup>, 2<sup>nd</sup> and 9<sup>th</sup> Respondents are planning to maliciously and/or arbitrarily arrest the Petitioner under the section 6(1) (a) of the Prevention of Terrorism (Temporarily Provisions) Act No.48 of 1979 (*Herein after sometimes referred to as the PTA*), for the purpose of investigation on the allegations levelled against the Petitioner in the said anonymous Petition and thereafter to obtain an order to detain the Petitioner under the section 9 (1) of the Prevention of Terrorism (Temporarily Provisions) Act No.48 of 1979, to accomplish ulterior motives of one or more of the Respondents as described herein after.
16. The Petitioner states that the allegations as stated above in the anonymous petition marked as P-2, are belated and false and fabricated created to cause prejudice to the Petitioner. The Petitioner further states that no proof of evidence has been produced by the complainants and/or victims of the said Petition, as to any of the allegations as mentioned in the said Petition and has not raised the above-mentioned allegations in any fora. The Petitioner further states that on 11.11.2021 the 12<sup>th</sup> Respondent in a parliamentary speech from page 2317 to page 2325 of the Hansard has mentioned all the allegations which were included in the said anonymous petition, and given that the anonymous petition was referred to the 8<sup>th</sup> Respondent on 03.12.2021, the Petitioner verily believes that there a connection between the said anonymous petition and the said parliamentary speech.

*A copy of the hansard dated 11.11.2021 marked as P-3 and pleaded as part and parcel of this petition.*

17. The Petitioner states that he vehemently denies all the false, baseless, unreasonable and malicious allegations made against the Petitioner in the said petition, and the Petitioner further states that the sole basis of the said Petition, is to cause prejudice to the Petitioner and to taint the Petitioner's reputation and dignity for collateral purposes and to have him incarcerated.
18. The Petitioner states that he received information from a reliable source that the said inquiry file on the anonymous petition, has been referred to the Attorney General's Department to obtain advice from the Hon. Attorney General (14<sup>th</sup> Respondent), in order to initiate criminal proceedings against the Petitioner.
19. The Petitioner states that he also became aware on 10.02.2022 a B report bearing No. B/1411/2022 had been filed against the Petitioner by the 9<sup>th</sup> Respondent in the Magistrate Court of Kuliypitiya which will be morefully described hereinafter in the Petition. The Petitioner states that the Petitioner respectfully seeks Your Lordships' Courts' permission to allow the Petitioner to submit/ produce the said B report bearing No. B/1411/2022, to your Lordships' Court once it is made available to him.

**THE INVESTIGATIONS CONDUCTED BY THE CRIMINAL INVESTIGATION DEPARTMENT RELATING TO NATIONAL THAWHEED JAMATH PRIOR TO THE EASTER SUNDAY ATTACK.**

**● THE CID INVESTIGATIONS INTO THE MURDER OF TWO POLICE OFFICERS AT VAVUNATHIVU AND THE ATTEMPT BY THE MILITARY INTELLIGENCE TO MISLEAD THE CID**

20. The Petitioner states that on 30.11.2018 two police constables namely Ganesh Dinesh and Walpita Gamage Niroshan Indika Prasanna were stabbed and shot to death by an unidentified group of assailants at a checkpoint in Vavunathivu in the Eastern Province, Batticaloa. The Petitioner further states that the revolvers (bearing No. 641042 and No. 639927) and 10 ammunition which were under the possession of the said two deceased police constables and parts of their official uniforms (belts and peak caps) have also been taken by the said group of assailants.
21. The Petitioner states that, on 30.11.2018, the Special Investigation Unit (SIU) of the CID was assigned to investigate the aforesaid murder by an order of the then Inspector General of Police (IGP). The Petitioner further states that during the aforesaid investigations, the CID officers have obtained statements from more than 30 individuals including some police officers in the said area and in addition the Directorate of Military Intelligence (hereinafter referred to as 'DMI') has also provided information to the CID related to the said incident.

22. The Petitioner further states that, accordingly, the reports dated 05.12.2018, 08.12.2018, 14.12.2018, and 03.01.2019 sent by the DMI made the case that the murder of the two police officers was committed by ex-LTTE Cadres provoked by Vavunathivu Police for interrupting war memorial events honoring the LTTE terrorists which was supposed to be held on 27.11.2018.
23. The Petitioner further states that the report dated 08.12.2018 claimed that one of the murdered Police Constables has been involved in an extra-marital affair with a married woman, whose husband has taken out a contract with an ex-LTTE cadre to have the Police Constable murdered. Moreover, the Petitioner states that the recent report of the DMI dated 03.01.2019, further confirmed that the suspects are from the LTTE and that the two suspects are namely Ajanthan and Rasayagam Sarvanandan alias Imiyawan are responsible for the murder of the said two police constables. Moreover, the Petitioner states that before the said intelligence reports were shared by the DMI, the CID investigations, did not have any other evidence to prove that the suspects were the Ex- LTTE members who were involved with the murder of the two constables.

*Copies of the reports dated 05.12.2018, 08.12.2018, 14.12.2018, and 03.01.2019 marked as P-4(a) to P-4(d) are annexed and pleaded as part and parcel of this Petition.*

24. The Petitioner further states that on or about 03.12.2018, the then Director of SDIG SIS Nilantha Jayawardene, upon an information provided by a Sub Inspector attached to the SIS, has informed SDIG CID Ravi Seneviratne, about a “motorcycle jacket” found inside a channel in a paddy field which was 3 kilometres away from the crime scene, alleging that the jacket was linked to the murderer. The Petitioner states that the said information was provided by the then SIS, Director only after three days of the said murder. The Petitioner states that thereafter upon the information provided by the then SDIG SIS Nilatha Jayawardena, a team of CID officers were assigned to conduct the investigations related to the said ‘bicycle jacket’. the Petitioner states that on the same day, i.e. 03.12.2018 the team of CID officers have visited the said place and when the CID officers arrived at the said location, SIS officers were already at the location.
25. The Petitioner further states that, Superintendent of Police Jayasinghe attached to the CID was deployed to conduct investigations with a team of Police Kennel Division. The Petitioner states, the sniffer dogs picked up a scent from the jacket and followed the scent to the ex-LTTE cadre’s house namely Ajanthan but not to the crime scene.

26. The Petitioner further states that the CID officers carried out further investigations, and detained the said Ajanthan and Rasayagam Sarvanandan alias Imiyawan whom were suspected to be the masterminds of the murder of the said two police officers under the provisions of the PTA,

*A copy of the letter dated 19.12.2018 and the report addressed to IGP by the Petitioner is marked as **P-5(a)** and **P-5(b)**, A copy of the report on the progress of the investigation dated 2018.12.19 addressed to the Petitioner by J.P.D. Jayasinghe SP is marked as **P-5(c)**, A copy of the letter by the Petitioner addressed to the SDIG, CID to extend the Detention Order for further investigation is marked as **P-5(d)** are annexed and pleaded as part and parcel of this Petition.*

27. The Petitioner states that later, the investigations conducted after the Easter Sunday attacks it was revealed that the said Ajanthan and the ex LTTE member is not responsible for the murder of police officers and that the said Ajanthan and the ex LTTE member had been **falsely framed** for the murder of police officers by the intelligence services (DMI and SIS). **The Petitioner further states that the DMI and SIS are suspected to have conspired to plant the motorcycle jacket in a school bag**, to mislead CID investigations on the murder of two police officers in to prevent them from discovering the real assailants involved in the murder. The Petitioner further states that due to the confusions caused by the SIS and DMI, CID officers discovered only after the attacks of Easter Sunday, that the murder of the two officers was committed by the NTJ terror group led by M.C.M Saharan, which is more fully described in the following paragraphs.

● **MAWANELLA AND WANATHAWILLUWA INVESTIGATIONS**

28. The Petitioner states that the initial confrontation of the Criminal Investigation Department (CID) with the NTJ, occurred when the CID was involved with the investigation of the terrorist activities of Muslim terror groups, in the incidents of causing vandalism to Buddha statues in the Mawanella, Peradeniya and Velambada Police areas that took place in Mawanella and surrounding areas from 23.12.2018 to 26.12.2018. The Petitioner states that the preliminary investigation of the said incident was conducted by the Mawanella Police Station and Crime Division of Kegalle. The Petitioner states that under the verbal order received on 26.12.2018 by the then IGP, a CID team was assigned to assist the Mawanella Police Station and the Crime Division of Kegalle in the investigation of the aforesaid Mawanella incident. The Petitioner states that a team of CID officers including Inspector of Police Marasinghe and Assistant Superintendent of Police C.W.Wicremasekara, were assigned to assist about the said Mawanella incident.

29. The Petitioner further states that with the assistance of the said team of CID officers, the Kegalle Police Division was able to arrest 9 suspects connected to the Mawanella incident on 26.12.2018. The Petitioner states that after further interrogating the said 9 suspects, the CID was able to reveal two persons namely, Mohammed Ibrahim Sadik Abdulla and Mohammed Ibrahim Zahid Abdul Haqq as the main suspects behind mobilizing the said terror activity.
30. The Petitioner states that in order to arrest the aforesaid two main suspects, the Investigation team has obtained and scrutinized the Call Data Records of the previously arrested 9 suspects. The Petitioner states that through the Call Data Records it transpired that the aforementioned Mohammed Ibrahim Sadik Abdulla and Mohammed Ibrahim Zahid Abdul Haqq have closely associated a person namely A.H.M.Mufees from Vanathawilluwa, Puttalam.
31. The Petitioner states that on or about 27.12.2018 all the 9 suspects related to these investigations were produced before the Learned Magistrate of Mawanella Magistrate's Court under the Cases bearing No. B 11330/18 and B 11343/18 for the offenses under the section 3(1) of the International Covenant for Civil and Political Rights Act no. 56 of 2007 and under section 32 read with 140, 102, 113(b), 314, 317, 410, 290, 290(a) and 291(b) of the Penal Code of Sri Lanka.
32. The Petitioner further states that during the investigations of the Mawanella incident, Superintendent of Police, Chamika Wickremasinghe attached to the Kegalle Police Division has requested from the Petitioner to get assistance from the INTERPOL to verify whether the Mawanella incident is an act of an International Terrorist Organization to disrupt the unity, peace and security of Sri Lanka. The Petitioner states that when the Petitioner requested the assistance of INTERPOL, Superintendent of Police, Ranjith Wedasinghe attached to the INTERPOL Branch of CID has reported to the Petitioner that according to the mandate of INTERPOL, it can intervene in a situation only if the alleged International Terrorist Organization has an identified country which is involved in aiding the terrorist organization, have identified persons behind the international conspiracy and the way the attacks were planned and conducted. The Petitioner states that he was informed by the Superintendent of Police, Ranjith Wedasinghe attached to the INTERPOL Branch of CID that since the Mawanella incident is not clearly identified as an attack carried out by an International Organization, the INTERPOL were unable to provide the necessary assistance as requested.

*The copy of the letter dated 28.12.2018 addressed to Petitioner by SP Chamika Wickremasinghe marked as P-6(a), a copy of the letter dated 24.01.2019 by SP Ranjith Wedasinghe marked as P-6(b) and copy of the letter dated 29.01.2019 addressed to SP Chamika Wickremasinghe by the the Petitioner marked as P-6(c) Are annexed and pleaded as part and parcel of this Petition.*

33. The Petitioner states that thereafter, on 31.12.2018, the then IGP ordered the CID to take over the overall investigations of the Mawanella incident.

*A copy of the letter addressed to the IGP by the SDIG, CID Ravi Senevirathne dated 31.12.2018 is marked as P- 7 is annexed and pleaded as part and parcel of this Petition.*

34. The Petitioner states that thereafter, with the assistance of an informant named Thaslim, and by a thorough investigations of digital forensic evidence on or about 16.01.2019 the team of CID officers have been able to locate a NTJ safe house and/or a training base in an estate called *Lactowatte* in Wanathawilluwa, Puttalam. The Petitioner states that at or around 5.30 pm, on the same day the aforesaid team of CID officers raided and recovered over a hundred Kilograms of locally manufactured explosives (Urea Nitrate), 99 detonators, detonation cords, firearm parts, compasses, and other munitions inside the said safe house and/or the training base. The Petitioner states that Inspector of Police Marasinghe has reported to the Petitioner about the said explosives found in the estate of *Lactowatte*, and thereafter, the Petitioner has taken steps to inform the Commander of the Special Task Force to neutralize the explosives discovered in the said *Lactowatte* and to provide security to the officers who were involved with the raid. The Petitioner further states that the Petitioner has reported to the SDIG, CID Ravi Seneviratne, about the progress of the investigations from time to time.
35. The Petitioner further states that at the time of the raid, the team of CID officers have arrested 4 suspects namely, A.H.M. Mufiz, A.H.M. Hamas, M.N.M. Nafrid and M.N.M. Navid who were in *Lactowatte*. The Petitioner states that the aforesaid 4 suspects were detained under Section 6(1) and 9(1) of the Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979 for a period of 90 days for further interrogation. The Petitioner *inter alia* states that the following facts were revealed from the aforementioned suspects namely A.H.M. Mufiz, A.H.M. Hamas through the extensive interrogations conducted by the CID;
- M.C.M. Saharan was the leader of the NTJ,
  - That M.C.M. Saharan has conducted extremist preaching and workshops,
  - That M.C.M. Saharan has conducted short training courses to NTJ members relating to weapons in Nuwara Eliya,
  - That all the members in NTJ were given an alias apart from their original name,
  - That the members of this organization have been categorized under two teams as Suicide Attackers and Lone Wolf Attackers,

- That M.C.M. Saharan and head members of the organization has engaged in collecting weapons and manufacturing explosives in Lactowatte, Puttalam,
- That M.C.M. Saharan has planned to establish a training camp at Lactowatte.

*A copy of the letter addressed to the director CID, dated 2019.04.11 by ASP, (CID) Wicremasekara regarding the extension of 90 days period of the Detention Order issued under section 9(1) of the PTA for further investigations is marked as **P- 8** and the copies of the said letter dated 2019.04.11 forwarded to the DIG CID by the Petitioner, to SDIG CID by DIG CID, and to the Secretary to the Ministry of Defence by the SDIG CID are marked as **P-8(a) to P-8(c)** and annexed and pleaded as part and parcel of this Petition.*

36. The Petitioner further states that from the interrogations conducted on A.H.M. Mufiz and A.H.M. Hamas, the CID investigation officers were able to reveal that the person named M.C.M. Saharan is intending to carry out several extremist activities in Sri Lanka in order to cause communal disharmony.
37. The Petitioner further states that on or around 17.01.2019, the Petitioner visited the safe house and/or training base at Lactowatte, Vanathavilluva. The Petitioner states that without any prior notice made to the CID, Assistant Superintendent of Police Mallawarachchi, the officers from the State Intelligence Service (SIS), Lieutenant Colonel Anuruddha Karunaratne and Captain Nanayakkara from the Directorate of Military Intelligence (DMI) and officers from the Special branch with each of their separate teams were present to conduct investigations. The Petitioner further states that officers from the Special Task Force were also present at the site to receive briefings from the CID officers when the contraband explosives and firearms tied to M.C.M. Saharan and NTJ were found by CID officers. The Petitioner further states that the government analyst was also presented at the said site. The Petitioner further states that the officers of the SIS and DMI were also given permission to interrogate the aforementioned 4 suspects who were arrested from the *Lactowatte* raid and to examine and take photographs of the productions of the NTJ.
38. The Petitioner states that on or about 26.01.2019 all the 4 suspects related to these investigations were also produced before the Learned Magistrate of Mawanella Magistrate's Court under the Cases bearing No. B 11330/18 and B 11343/18.
39. The Petitioner states that on 06.02.2019 the CID officers have obtained a travel ban against M.C.M. Saharan from the Magistrates Court of Mawanella under the facts submitted in the B report bearing No. B 11330/18 and further an order was issued by the Learned Magistrate of Mawanella to the Department of Immigration and Emigration to prevent M.C.M. Saharan from traveling overseas.



40. The Petitioner states that after in depth investigation of each suspect related to the Mawanella incident it was revealed that two suspects namely, M.N.M. Nafrid and M.N.M. Navid were not directly or indirectly involved with any sort of terror activities related to the incident of Lactowatte and therefore they were released on 10.04.2019 subjected to conditions under Section 11(1) of the Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979. The Petitioner states that the said conditions are effective up to date.

*A copy of the Report addressed to Director CID from the OIC Special Investigation Branch of CID marked as P-9(a), a copy of the letter 02.04.2019 to the DIG CID from the Petitioner marked as P-9(b) and a copy of the letter addressed to the Secretary to the Ministry of Defense and Urban Development from the SDIG CID D.W.R.B. Seneviratne are marked as P-9(c) are annexed and pleaded as part and parcel of this Petition.*

41. The Petitioner states that on 02.02.2019, SDIG CID Ravi Seneviratne, together with the Petitioner had met the then President Maithripala Sirisena and explained that the attacks on Buddhist statues in Mawanella and the illegally storing over 100kg of explosives in *Lactowatta*, Vanathavilluva are suspected to be done by the same group, and therefore this matter should be given serious consideration. The Petitioner further states that since the CID was not a member of the Security Council, SDIG CID Ravi Seneviratne, has requested the then President Maithripala Sirisena, to bring this matter to the attention of the Security Council with a view of getting assistance from the intelligence services and the military to support the CID to prevent any terrorist bombings or extremist activities. The Petitioner states that although then the President Maithripala Sirisena, has mentioned that he will give an opportunity to the then SDIG CID Ravi Seneviratne to present a briefing of the aforementioned matter at the Security Council, the said undertaking was not put into effect by the then President Maithripala Sirisena.
42. The Petitioner states that after the Vanathavilluwa recovery, the CID officers conducted further investigations to arrest M.C.M Saharan and his close associates in NTJ. During the said investigations the CID officers were able to identify a person called Badurdeen Mohamed Mohideen alias Army Mohideen who was a suspect of an incident that took place in Aliyar Junction on 10.03.2017. The Petitioner further states that he became aware that the CID officers have investigated the background of the said Army Mohidden and that it has been revealed that the said Army Mohidden has been a close associate of M.C.M. Saharan, and after the aforementioned Aliyar incident he has severed his ties with M.C.M Saharan. The Petitioner states that after the said Aliyar incident, a warrant had been issued to arrest him from the Magistrate's court of Kalmunai. The Petitioner states that later on, Police Sergeant Nandalal and Sub Inspector of Police Dias attached to the CID, has used him as an informant to trace NTJ and its activities.

- **FURTHER INVESTIGATION CONDUCTED BY THE CID WITH REGARD TO M.C.M. SAHARAN**

43. The Petitioner states that on the information provided by a suspect of Vanathavilluva namely A.H.M. Hamas, the CID has conducted investigations in Puttalam on 02.02.2019 and in there, the CID has been able to obtain a statement from a person named A.R.A. Lebbe and revealed a telephone number which had been used by M.C.M Saharan upon A.R.A. Lebbe's statement. The Petitioner states that however, the CID officers were only able to extract details of normal incoming and outgoing voice call records received to the said telephone number. The Petitioner states that it was discovered from the details of the said voice call records that M.C.M Saharan has used the said telephone number only to communicate with his family members.

44. The Petitioner states that the CID officers were able to discover through investigation of the aforesaid telephone number, that NTJ members including M.C.M. Saharan communicated through a paid mobile application called "Threema", which is an open-source end-to-end encrypted instant online messaging and calling application. The Petitioner further states that the CID officers have requested the details of the calls made over the internet by M.C.M. Saharan, however, the service providers have not produced any details and/or reports of the said telephone calls due to the lack of facilities to obtain the details of an open-source end-to-end encryption.

*Copies of the reports prepared by IP Marasinghe on the investigation to arrest M.C.M. Saharan and the investigations conducted by the CID on the Mawanella incident are marked as **P-10 (a)** and **P-10 (b)** are annexed and pleaded as part and parcel of the Petition*

45. The Petitioner further states that the CID has taken several statements from A.H.M. Mufiz on 05.02.2019, 07.02.2019, 08.02.2019 and 09.02.2019 and on the information gathered from the said statements, the CID officers were able to discover about a van which has been used by the NTJ members to transport materials used to manufacture explosives to *Laktowatte* and that the said van has been checked at the Kalpitiya Navy check point during a delivery. The Petitioner states that thereafter, on the said information, the CID officers have visited Kalpitiya Navy Camp on 15.02.2019 to get details of the said van. The Petitioner states that the team of CID officers have been able to trace a Nissan Vanette van bearing No. WP PA 2855 used by M.C.M. Saharan and his team from the records which have been recorded by the officers who were at the said Navy check point.

46. The Petitioner states that in order to find the owner of the Nissan Vanette van bearing No. WP PA 2855, a team of CID officers have searched the areas of Kuliypitiya, Kekunagolla, Alahitiyawa, Gallagama, Kegalle, Mawanella and Aranayaka on 18.02.2019 and 19.02.2019. The Petitioner states that during the search the team of CID officers have been able to obtain statements from about 6 persons.

47. The Petitioner states that from the statements obtained the CID officers were able to locate a house belonging to the wife of M.C.M. Saharan in Kekunagolla. The Petitioner states that on 19.02.2019 a team of CID officers visited M.C.M. Saharan's wife, Abdul Cader Fathima Hadia alias Siththiya , questioned her showing a photograph of Saharan. At that instance, she had acknowledged that the person in the said photograph is her husband, but stated she was unaware about his location. Thereafter, the CID officers have requested her to place her signature on the back of the said photograph affirming her statement provided to the CID.
48. The Petitioner states that upon the statement given by the brother Hadia, namely Mohommad Anwar Mohamed Riskan, the CID officers were able to recover the said Vanette van in Kekunagolla. The Petitioner further states that the ownership of the said vanette van has been changed at the time it was taken into the custody of the CID officers.
49. The Petitioner states the CID has produced the Nissan Vanette van bearing No. WP PA 2855 which was used by M.C.M. Saharan to the Mawanella Magistrates' Court under B report bearing No. B 11330/18 and the said van was sent to the Government Analyst under the orders of the Learned Magistrate of Mawanella Magistrates' Court.
50. The Petitioner states that further searches have been conducted by CID officers in several areas to locate M.C.M. Saharan and they are as follows;
- a. From 27.02.2019 to 02.03.2019 a team of CID officers searched in Kuliypitiya, Kekunagolla, Paththampitiya, Hettipola and Puttalam in order to arrest M.C.M. Saharan. The Petitioner states that upon a statement obtained by one Donald Priyankara about the whereabouts of M.C.M. Saharan, the CID officers have been able to reveal that M.C.M. Saharan has kept himself hidden in *Laktowatte*, Palawith in Kuliypitiya and in Hettipola.
  - b. On 06.03.2019 and 07.03.2019 a team of CID officers conducted searches in a coconut estate in Pasikuda, Kalkuda.
  - c. On 19.03.2019 a team of CID officers searched the Grandpass Police area based on information received by the CID.
51. The Petitioner states that due to the continuous searches conducted by the CID, M.C.M Saharan has frequently changed his whereabouts.

● **THE CID INVESTIGATIONS ON THE BICYCLE BLAST WHICH TOOK PLACE IN KATTANKUDY**

52. The Petitioner states that he became aware that on or about 16.04.2019, an explosion had been conducted by detonating a bomb set on a bicycle at a land near Kattankudy. The Petitioner states that on 17.04.2019 the owner of the said land lodged a complaint to the Kattankudy Police Station. The Petitioner states that thereafter, on 18.04.2019 the then SDIG SIS Nilantha Jayawardena has informed the then SDIG CID Ravi Seneviratne about the said explosion and subsequently, on the same day, i.e. 18.04.2019, SDIG CID Ravi Seneviratne has informed the then IGP about the said explosion and upon the direction of the IGP, SDIG CID Ravi Seneviratne has assigned ASP Wickramasekara to investigate the said incident.
53. The Petitioner states that according to the investigations, the CID officers were able to discover that two identical motor bicycles have been bought by the group who conducted the said explosion in Kattankudy. The Petitioner states that the CID officers have requested the SIS to find the registered owner of the said two motor bicycles for further investigations of the CID to locate the other motorcycle. The Petitioner states that details of the chassis numbers of the said two motor bicycles were received on 20.04.2019 by the then SDIG CID Ravi Seneviratne and the said details have been forwarded to the then SDIG of Western Province Nandana Munasinghe on the orders of the then IGP.

**EASTER SUNDAY SUICIDE ATTACKS CONDUCTED BY M.C.M SAHARAN AND NTJ**

54. The Petitioner states that on the 21.04.2019, in the space of 20 minutes from 8.45 AM local time, there were a series of seven coordinated suicide bomb attacks taken place in popular hotels in Colombo and several Churches in Negambo, Batticaloa and Colombo. Furthermore, on the same day evening between 1.40 pm to 2.35 pm another two suicide bomb attacks were launched. Accordingly, the details of the times and the places of the suicide bomb attacks are as follows;

| <b>Time</b>                     | <b>Place</b>                             |
|---------------------------------|--|
| 8.45 a.m and 8.55 a.m           | Shangrila Hotel Colombo                  |
| 8.45 a.m                        | St. Anthony's Church, Kochchikade        |
| Between 8.45 a.m and 8.50 a.m   | St. Sebastian Church, Katuwapitiya       |
| 8.47 a.m                        | The Kingsbury Hotel, Colombo             |
| 9.03 a.m                        | Zion Church, Batticaloa                  |
| 9.12 a.m.                       | Cinnamon Grands, Colombo                 |
| Between 13.40 p.m and 13.45 p.m | Tropical Inn -Dehiwala                   |
| 14.15 p.m and 14.35 p.m         | No. 656/90, Mahawela Gardens, Dematagoda |

*Copy of the report containing investigation details of the Suicide Attacks carried on 21.04.2019 marked as P-11 is annexed and pleaded as part and parcel of this Petition.*

### **THE AFTERMATH OF THE EASTER ATTACKS**

55. The Petitioner states that the CID has launched investigations with regard to said Easter Sunday Terror attacks and upon the information obtained through the said investigations, the CID was able to arrest a NTJ operative known as Mohammed Sareef Adam Lebbe alias 'Gafoor Mama'. The Petitioner further states that the CID was able to apprehend and interrogate 'Gafoor Mama' and according to his information, it was revealed that the murder of the two Police Constables in Vavnathivu area had been committed by the NTJ terror group led by M.C.M Saharan. The Petitioner further states that based on the evidence provided by the NTJ operative 'Gafoor Mama'; the CID officers were able to recover two revolvers which belonged to the two murdered police constables from Vavunathivu and Kalmunai areas.
56. The Petitioner states that a week after the Easter Sunday attacks, officers attached to the Ampara Division have recovered a T56 rifle from a NTJ safe house located outside Sainthamaruthu area. The Petitioner states that sometimes later it was revealed upon the information of the Government Analyst Report that the particular T56 rifle has been used to assassinate the police constables in Vavunathivu. The Petitioner further states that the government analyst report also confirmed that the shell casings recovered at the Vavunathivu murder scene were fired from the same weapon recovered in Sainthamarudhu area.
57. The Petitioner states that he became aware that, at a NTJ safe house at Kalmunai at least 16 people were killed in a fierce gun battle which took place between NTJ terrorists and the military on the 26.04.2019. The Petitioner further states that M.C.M Saharan's father, namely Mohomad Hasheem, and his two brothers, namely Zainee Hasheem and Rilwan Hasheem, were among the people who were killed in the said gunfight. The Petitioner further states that M.C.M. Saharan's wife, Abdul Cader Fathima Hadia alias Siththiya and her child were also found injured inside the said house, and thereafter she was taken into Police custody and admitted to Ampara General Hospital.

58. The Petitioner states that through further investigations conducted by the CID officers it was revealed that,

- a. On 21.04.2019 a NTJ operative named Abdul Lathif Jamil has intended to detonate his suicide backpack in Hotel Taj Samudra, however, after receiving a call he had left Taj Samudra, which was also proved from the CCTV footages.
- b. The Petitioner states that later he has gone to a hotel called Tropical Inn in Dehiwala and left his suicide backpack in a room reserved by him and thereafter, he has gone to a Mosque in Dehiwala to pray. The Petitioner states that while he was inside the Mosque, the others who were present at the Mosque noticed that the said Jamil was unfamiliar and unknown to them, therefore they have informed the security officer of the Mosque who was a retired Police Officer.
- c. Thereafter, when the security officer questioned the said Jamil, Jamil informed the Security officer that he came from home after having a disagreement with his wife and asked the security officer to call his wife if he wanted confirmation. Thereafter, when the said security officer has telephoned Jamil's wife for further clarifications, Jamil's wife has informed the security officer that Jamil left his house in the previous night after a dispute and she has further informed the security officer that at the time being several Intelligence Officers are at his house in search of the said Jamil.
- d. A few moments later another telephone call came to the security officer from Jamil's wife's phone, where he was informed by one of the officers of the Military Intelligence to keep Jamil until the arrival of the officers of Ministerial Intelligence to the said Mosque, to which the Security officer has refused.
- e. The Petitioner states that however, Jamil has left the Mosque before the arrival of the Military Intelligence officers and gone to the Tropical Inn and thereafter he has detonated his backpack inside the Tropical Inn.
- f. After the said blast the said security officer was summoned to the Wellawatte Police Station by the said Military Intelligence officers who contacted the said Security officer through Jamil's wife mobile on the same day. The Petitioner states that at that moment the Security officer becomes aware that the said Military Intelligence officers are from the Directorate of Military Intelligence.

- g. The Petitioner further states that the said security officer has testified the same before the Presidential Commission of Inquiry on Easter Attacks and revealed the chain of events that took place on the day of the said blast before the commission.
- h. The Petitioner further states that later it was revealed that Military Intelligence officers have firstly visited Jamil's mother's house in Wellampitiya to find the whereabouts of Jamil, and after that proceeded to the house of Jamil in Dematagoda before the blast in Tropical Inn occurred, without ever informing the CID who were engaged in the investigation of M.C.M. Saharan and NTJ at the time being. In the said circumstances, it can be reasonably inferred that despite repeated requests by the CID for assistance in locating M.C.M. Saharan, military officers attached to DMI had prior knowledge of Abdul Lathif Jamil's identity, his role in the NTJ and his whereabouts, but for reasons yet unknown they have decided not to share this information with the CID to help apprehend Saharan and dismantle the NTJ.

59. The Petitioner states that after the Easter Sunday Attacks, the CID officers became aware through the American Federal Bureau of Investigation (FBI) about an Internet Protocol (IP) address belonging to an individual who had been in frequent communication with M.C.M. Saharan which was discovered by analyzing computers, mobile devices and internet accounts tied to Easter attackers. The Petitioner states that the CID began interrogating the said individual who refused to give any information about his connection to M.C.M. Saharan or to NTJ. The Petitioner further states that thereafter, the Ministry of Defense through the then DMI Director Brigadier Chula Kodithuwakku prevented the CID from detaining the said individual asserting that that the activities of the said individual were classified as national security reasons as his activities were part of a secret military intelligence operation

60. The Petitioner states that through the investigations conducted after the Easter Attacks the CID was able to find out about a person called 'Podi Saharan' alias Matale Saharan who lived in Matale, who had connections with NTJ. The Petitioner further states that the said 'Podi Saharan' was arrested by Police Officers attached to Matale Police station and later on the same day he was again arrested by the CID.

61. The Petitioner states that while the said 'Podi Saharan' was being interrogated by the CID it was transpired that he had communicated with a person called 'Sonic Sonic', thereafter the CID was able to locate the sim of the said 'Sonic Sonic' through an IP address. The Petitioner states that upon said revelation the CID investigated the details pertaining to SIM cards and IP addresses used by the said 'Sonic Sonic'.
62. The Petitioner states that according to the investigations it was revealed that the SIM which was used by 'Sonic Sonic' has been obtained under the name of a policewoman sergeant attached to Colombo City Traffic Division. The Petitioner states that consequently, the CID interrogated the said women police sergeant and she revealed that she has given the said SIM card to one Sub Inspector Bandara who is attached to the SIS, whom she claimed to have an affair with.
63. The Petitioner states that the CID proceeded to interrogate said SI Bandara and at that time DIG SIS Sampath Liyanage contacted the Petitioner and informed him to not proceed with the said interrogation as the involvement of SI Bandara with Podi Saharan is a part of covert operation which is directly connected to the national security. However, the Petitioner refused to follow the request of said DIG and managed to get a statement, but the said Sub Inspector Bandara took the same stand in his statement and refused to divulge any information with regard to his connection with the said 'Podi Saharan'.
64. The Petitioner further states that he became aware that the then SDIG SIS Nilantha Jayawardena, has sent a report to the CID for the first time providing full details of the NTJ command structure and evidence of their involvement in the killings of the two Police Constables in Vavunathivu a few hours after the Easter Attacks. The Petitioner states that the CID has been searching for M.C.M. Saharan for the past four months with no support from the Intelligence Services and if this specific information related to the NTJ Command structure and the murder of the two constables in Vavunathivu were made available to CID or provided to the Security Council prior to the attacks by the then SDIG SIS Nilantha Jayawardena it may have been possible to prevent the attacks.
65. The Petitioner states that as a result of the CID investigations, suspects of the incidents related to Vavunathivu, Mawanella, Vanathavilluwa, Kattankudy and Easter Sunday attacks has been produced before the respective Magistrate Courts and some suspects were detained under the PTA at the CID. The Petitioner states that the details of the cases pending before respective courts are as follows;



| <b>Incident</b>  | <b>Court</b>   | <b>Case No.</b>   | <b>No. of Suspects</b> |
|--|--|---|------------------------|
| Murder of two Police Constables  | Magistrates Court of Batticaloa  | MC/B/1077/2018  | 4 Suspects             |
| Vandalism of Buddhist Statues in Mawanella and Recovery of explosives in Laktowatte, Vanathavil luva | Magistrates Court of Mawanella   | MC/B/11330/2018<br>MC/B/11343/2018                                  | 22 Suspects            |
| Kattankudy blasting of the Bicycle   | Magistrates Court of Batticaloa  | MC/B/397/2019   | 4 Suspects             |
| Sainamardhu bomb blast   | Magistrates Court of Kalmunai  | MC/B/9924/2019  | 16 Suspects            |
| Easter Sunday Attacks -  | Magistrates Court of Negombo   | MC/B/95839/2019   | 25 Suspects            |
| Kingsbury Hotel bomb blast   | Magistrates Court of Fort  | MC/B/13100/2019   | 12 Suspects            |
| Zion Church Blast  | Magistrates Court of Batticaloa<br>Magistrates Court of Kalmunai<br>Magistrates Court of Samanthurai | MC/B/401/2019<br>MC/B/9924/2019<br>MC/B/4595/2019<br>MC/B/4596/2019 | 7 Suspects             |
| Dematagoda Mahawila Blast  | Magistrates Court of Colombo   | MC/B/10263/8/2019   | 3 Suspects             |
| Shangrila Hotel bomb blast   | Magistrates Court of Fort  | MC/B/13099/19   | 3 suspects             |
| St. Anthony's Church, Kochchikade bomb blast   | Magistrates Court of Colombo   | MC/B/10193/19<br>MC/B/10262/19                                      | 2 Suspects             |
| Cinnamon Grand Colombo blast   | Magistrates Court of Fort  | MC/B/13101/19   | 2 Suspects             |
| St. Sebastian Church, Katuwapitiya blast   | Magistrates Court of Negombo   | MC/L/95839/19   | 13 Suspects            |

**UNREASONABLE AND UNJUST ALLEGATIONS MADE AGAINST THE PETITIONER SINCE 2019**

66. The Petitioner further states that the Petitioner who was a highly decorated and internationally renowned Senior Officer at the Sri Lanka Police Department, was arbitrarily, unreasonably and maliciously removed from his post as the Director CID on 21<sup>st</sup> November 2019, and transferred to Galle as the Personal Assistant to the Deputy Inspector General of Police, Galle Range. The Petitioner further states that up to date no reason has been provided by the National Police Commission for approving the transfer. The Petitioner further states that after the arbitrary interdiction, the Petitioner has received a threatening phone call from an unusual number which is indicated as 501, threatening him and his family.
67. The Petitioner further states that subsequent to the arbitrary transfer of the Petitioner, the security personnel and the vehicles which was assigned to the Petitioner as security measures, by the then IGP, Mr. N.K.Illangakoon for the protection of the Petitioner were also unreasonably and arbitrarily withdrawn by the 8<sup>th</sup> Respondent.
68. The Petitioner states that he was arbitrarily, unreasonably and illogically interdicted on 07.01.2020 from service, allegedly due to the recorded telephone conversations he had with a Member of Parliament. The Petitioner states that no investigations have been carried out in order to corroborate the allegations against the Petitioner and he has not been served with a charged sheet nor he was summoned to give a statement regarding the said recorded telephone conversation.
69. The Petitioner states that on 31.07.2020 he was arrested on purported allegations that he has falsely introduced certain weapons that fall within the provisions of the Offensive Weapons Act, Firearms Ordinance and the Explosives Act and for fabrication of false evidence to implicate DIG, Vass Gunawardana in the abduction and contract killing of a businessman namely Mohammed Shiyam. The Petitioner states that subsequent to the arrest he was produced before the learned Magistrate of Gampaha courts and on 07.08.2020, an order was issued dismissing the bail application for the reason of lack of jurisdiction thereafter, the Petitioner has instituted Bail Application No. 339/20 in the High Court of Gampaha and on 09.12.2020 the Learned High Court Judge of Gampaha has rejected the said Bail Application. Subsequently, the Petitioner has instituted a Revision Application before the Court of Appeal bearing Case No. CA (Rev.) Application No. CA/CPA/18/2021, and on 16.06.2021, the Petitioner was enlarged on bail for more than 10 months in remand custody.

70. The Petitioner states that whilst enlarging him on bail the Hon. Justices of the Court of Appeal determined that:

*“Upon the statements of apparent backers and supporters or collaborators of the convicted Murderers, purported facts have been reported in B/1536/20 to the Learned Magistrate's Court of Gampaha against the suspect, in a blatant attempt to frame allegations through fabrication of false evidence pertaining to purported commission of offences under the Penal Code and for the purported possession of a cache of firearms, explosives and ammunition in a manner that constitutes offence under the Offensive Weapons and the Explosives Act. However, no credible evidence had been brought to the attention of the Court to substantiate this position or credibly establish a semblance of a prima facie case.”*

*A copy of the Bail Order of the Court of Appeal in Case Number CA/CPA/18/2021 dated 16.06.2021 is marked as P-12 and is annexed and pleaded as part and parcel of the Petition*

71. The Petitioner further states that from time to time he has been summoned from the Special Investigation Unit and the CID to provide statements. The Petitioner further states that the said investigation units continued to routinely summon the Petitioner and question him at length with an apparent view to falsely implicate the Petitioner in additional crimes, including alleged complicity in the 2019 Easter Sunday terrorist attacks. The Petitioner further states that several other anonymous petitions have been filed against the Petitioner, and that they are referred to the Colombo Crimes Division to conduct further inquiries pertaining to the anonymous petitioners.

*Copies of the police notices dated 03.12.2019, 25.02.2020, 25.04.2020, 14.09.2021 and a report dated 28.10.2021 address to the director CID by the Director of the Special Investigation unit are marked as P- 13(a), P-13(b), P-13(c),P-13(d) and P-13(e) are annexed respectively and pleaded as part and parcel of the Petition.*

72. The Petitioner states that, even after extensive investigations of the Easter Sunday 2019 Terror attacks by multiple quasi-judicial bodies including the Presidential Commission of Inquiry (PCoI) into the Easter Sunday Attack and the Parliamentary Select Committee, none of the reports compiled by any of these bodies after thorough investigations included any finding of wrongdoing by the CID or the Petitioner, nor did any of the reports recommend any action be taken against the Petitioner or the CID, nor any decisions of the Petitioner were impugned.

## INQUIRING OFFICERS OF THE SPECIAL UNIT ON THE ANONYMOUS PETITION

73. The Petitioner states that the 1<sup>st</sup>, 2<sup>nd</sup> and 10<sup>th</sup> Respondents being the supervising officer and the inquiring officers respectively have an animosity towards the Petitioner since Petitioner has taken several disciplinary actions against them while he was in service. The Petitioner states that therefore the 1<sup>st</sup>, 2<sup>nd</sup> and 10<sup>th</sup> Respondents are disqualified to hold any inquiry against the Petitioner on the anonymous petition.

These are as follows:

### 1<sup>st</sup> Respondent-

- The 1<sup>st</sup> Respondent was served a charge sheet, for failing to represent the CID before Colombo Magistrates Court case bearing No. B3932/11 as the investigation officer of the murder of Baratha Lakshman Premachandra and four other persons. On the said ground on 01.04.2012 he was interdicted from the service. Thereafter, a disciplinary inquiry was carried against him for the offenses of act of misconduct, dishonest and fabricating truth under chapter XLVIII of the Establishment Code, Volume 2 and a charge sheet was issued against the 1st Respondent where he pleaded guilty.
- The Petitioner further states that however, by the letter dated 11.04.2010, the 1<sup>st</sup> Respondent was reinstated in service for no reasons whatsoever and his promotion to the rank of Inspector of Police antedated from 01.02.2006 to 01.04.2001. The Petitioner further states that thereafter the 1<sup>st</sup> Respondent was promoted to the rank of Chief Inspector of Police by antedating his appointment from 01.01.2006 which the Petitioner vehemently believes to be for collateral reasons.
- The Petitioner further states that the 1<sup>st</sup> Respondent has a personal interest to proceed with the said Anonymous Petition to the reason that the Petitioner was the officer in charge of the inquiry related to the incident of Welikada prison massacre in 2012. The Petitioner states that Emil Ranjan, who was the brother of the 1<sup>st</sup> Respondent is the then Prison Commissioner who was also accused for the said incident. in January, 2022 and convicted by a trial at bar on several counts of murder. In his dock statement before the trial court, the said Emil has alleged that the Petitioner had conducted a partial investigation and fabricated evidence against him. However, it was considered as not credible by the trial at bar (from page 87 to 94). Thereafter, the said Emil was sentenced to death by the Colombo Permanent High Court Trial at Bar.

*A copy of the order dated 12.01.2022 of the case bearing No. HC(TAB)/493/2019 marked as P-14 is annexed and pleaded as part and parcel of this Petition.*

- The Petitioner states that in 2018, during the investigations pertaining to the Avant Garde Maritime Services, the 1<sup>st</sup> Respondent was transferred out of the CID to the Child and Women Bureau on the recommendation of the Attorney General's Department due to disciplinary grounds, however, he was appointed back to the CID in 2019, which the Petitioner vehemently believes to be a political decision.
- The Petitioner further states that the 1st Respondent had lodged a complaint at the Presidential Inquiry into Political Victimization against the Petitioner based on Petitioner's recommendation to transfer the 1st Respondent during the investigations pertaining to the Avant Garde Maritime Services.

*A copy of the charged sheet dated 11.05.2012 of the 1<sup>st</sup> Respondent issued by the then IGP marked as **P-15(a)**, Interdiction letter dated 10.04.2012 marked as **P-15(b)** and the promotion letters dated 12.04.2010 is marked as **P-15(c)** and the letter dated 27.04.2010 marked as **P-15(d)** are annexed and pleaded as part and parcel of the Petition.*

#### 2<sup>nd</sup> Respondent-

- At the time the Petitioner was in service as the Director CID, he had received a complaint related to malpractice against the 2<sup>nd</sup> Respondent, where the said complaint had been referred to the Bribery Commission by the Petitioner and the inquiry on the said complaint bearing No. BC/2768/2019-B207 is still pending before the Bribery Commission.
- The Petitioner further states that the on 10.11.2020, the 2<sup>nd</sup> Respondent was transferred from CID to the Matara Division however on 25.11.2021 just days after the said anonymous Petition been received the 2<sup>nd</sup> Respondent was re-called back to the CID and assigned to conduct the investigations on the aforesaid anonymous petition.

*Copies of the letter dated 16.01.2020 issued by the Commission to Investigate Allegations of Bribery or Corruption marked as **P-16(a)**, transfer letters dated 2020.11.10 and 23.11.2021 are marked as **P-16(b)** and **P-16(c)** and are annexed and pleaded as part and parcel of the Petition.*

#### 10<sup>th</sup> Respondent-

- The Petitioner states that there have been a number of disciplinary actions against the 10<sup>th</sup> Respondent, out of which the Petitioner was involved in conducting disciplinary inquiries on the following;

- a. Upon the IGP's order the Petitioner has conducted a preliminary inquiry against 10th Respondent due to his failure to conduct an inquiry with regard to an illegal mining which took place in Pudukudi Iruppu, Devapuram Gramaya and the Petitioner has given recommendations based on the inquiry to transfer the 10th Respondent out of CID. Thereafter the 10<sup>th</sup> Respondent has filed a Fundamental Rights Application bearing SC FR 206/2017 against the Petitioner's recommendation to transfer the 10th Respondent but the said application has been dismissed in limine.

*A Copy of the letter dated 31.01.2017 issued by the then IGP, Pujith Jayasundara with regard to Pudukudi Iruppu illegal mining case marked as P-17(a), a letter dated 23.03.2017 issued by SDIG CID in order to conduct a preliminary inquiry against the 10<sup>th</sup> Respondent marked as P-17(b) are annexed and pleaded as part and parcel of this Petition.*

- b. The Petitioner has forwarded a bribery complaint which was filed against the 10<sup>th</sup> Respondent with regard to a corruption incident during an investigation.

*A copy of the letter dated 29.03.2019 issued by Commission to Investigate Allegations of Bribery or Corruption arrested to the Petitioner marked as P-18, is annexed and pleaded as part and parcel of this Petition.*

- c. The Petitioner has referred a Complaint which was filed against the 10<sup>th</sup> Respondent with regard to having an extra-marital affair with a Women Police Constable namely Iresha Chandani in the CID to the SDIG CID Ravi Seneviratne, recommending that the particular complaint to be investigated by the Special Investigation Unit. Thereafter, the Petitioner has taken measures to transfer the said Iresha Chandani out of CID.

*Copies of the complaints dated 23.10.2017 and 01.11.2017 made by the wife of the 10<sup>th</sup> Respondent marked as P-19(a) and P-19(b), copy of the report dated 13.11.2017 compiled by the Petitioner marked as P-19(c), and a copy of the letter dated 20.11.2017 issued by SDIG CID Ravi Seneviratne to IG with regard to the complaint made by 10<sup>th</sup> Respondent's wife requesting to conduct a disciplinary inquiry against the 10<sup>th</sup> Respondent marked as P-19(d) are annexed and pleaded as part and parcel of this Petition.*

- d. On 25.09.2016 the 10<sup>th</sup> Respondent filed a false complaint at the Welikada Police Station stating that he was assaulted and robbed by the said assailants. Thereafter, based on the said false complaint, the 10th Respondent was issued a charge sheet by the CID.

*A copy of the letter dated 01.11.2016 issued to the then SSP Nugegoda, letter dated 19.11.2016 issued by the then SSP Nugegoda to the then DIG Western Province South Range, a letter dated 06.12.2016 issued to the then SDIG Western Province by the then DIG Western Province South Range, letter dated 28.03.2017 issued to the then IG by the then SDIG Western Province, a copy of the letter issued to the then IGP by the then SDIG CID are marked as P-20(a) to P-20(e) are annexed and pleaded as part and parcel of this Petition.*

- ii) The Petitioner states that the 10<sup>th</sup> Respondent was transferred out of CID on disciplinary ground in 2016, however he was re absorbed to CID on 15.12.2021, which the Petitioner verily believes to be a political appointment to conduct investigation against the Petitioner.

*A copy of the letter dated 15.12.2021 issued by DIG M.N. Sisira Kumara with regard to the transfer of the 10<sup>th</sup> Respondent back to the CID marked as P-21 is annexed and pleaded as part and parcel of the Petition.*

74. The Petitioner further states that the 1<sup>st</sup>, 2<sup>nd</sup> and 10<sup>th</sup> Respondents have built animosity against the Petitioner for taking action against them while the Petitioner was in service. Therefore, the Petitioner states that 1<sup>st</sup>, 2<sup>nd</sup> and 10<sup>th</sup> Respondents have inquired about the anonymous petition marked as P-2 with predetermined and/or ulterior motives to defame the Petitioners' good name.

**B REPORT BEARING NO. 1411/2022 FILED IN THE MAGISTRATE'S COURT OF KULIYAPITIYA AGAINST THE PETITIONER**

75. The Petitioner became aware that on 10.02.2022 , a B report has been filed by the 9<sup>th</sup> Respondent *inter alia* alleging that as a result of the serious omissions made by the Petitioner paved the way to the Easter Sunday Attack. The Petitioner states that following allegations have been included in the said B report;
  - a. That the Petitioner has failed to act on the Report dated 24.01.2018 sent by the SDIG SIS Nilantha Jayawardena.
  - b. That the Petitioner has failed to obtain information from the INTERPOL in respect of vandalism of Mawanella Buddhist Statues.
  - c. In the said B report, it was alleged that the Petitioner has not provided adequate strength for the investigations in Mawanella.
  - d. That in the said B report, it was mentioned that on the night of 19.02.2019 Mohamed Casim Saharan and Mohommad Anwar Mohamed Riskan have come to take Hadia, her children and Sara Jasmine alias Mahendran Pulasththi from Hadia's house in Kekunagolla.

76. In respect of the allegation stated in Paragraph 75(a) of the Petition, the Petitioner states that he has neither received nor was aware about any report dated 24.01.2018 addressed to CID by the then SDIG SIS Nilantha Jayawardena. The Petitioner states that it was only after the Mawanella Incident which took place from 23.12.2018 to 26.12.2018 the Petitioner and/or the CID became aware of the terrorist organization named NTJ. The Petitioner further states that the then SDIG SIS Nilantha Jayawardena communicated with CID with regard to NTJ only after the Mawanella Incident, and states that any of the previous reports which had been sent by the then SDIG SIS Nilantha Jayawardena to CID does not relate to any NTJ extremist activities and further states that the Terrorist Investigation Division was in charge to conduct any investigations regarding terrorist activities. The Petitioner further states that only upon the orders of the IGP, the CID commences their investigations which do not fall within the mandate of the CID.
77. In respect of the allegation stated in Paragraph 75(b) of the Petition the Petitioner denies the said allegations leveled against the Petitioner and further states that he has taken due action upon the request of SP Chamika Wickramasinghe. The Petitioner states that as mentioned in the said B report the Petitioner has not received any letter or any request from ASP Kamal Perera attached to Kegalle Police Station.
78. In respect of the allegation stated in Paragraph 75(c) of the Petition the Petitioner states that there were more than 30 officer under IP Marasinghe, and more than 100 officers under ASP Wickramasekara, and the said officers had no obstacle to select their own investigation teams therefore it is not the duty of the director of the CID to micromanage the investigation team and functions of the CID investigation teams. The Petitioner further states that he has provided another 5 officers including two Tamil speaking officers and three senior experienced officers from other branches of the CID (Sub Inspector of Police Dias, Police Constable Dissanayake (Driver), Sergeant Wijeratne, Sergeant Nadalal, Sergeant Palitha) for the Mawanella investigations upon the written request made by IP Marasinghe. The Petitioner states that no allegations were made by either IP Marasinghe or ASP Wickramasekara in respect of strengths of the teams assigned for the said investigations.
79. In respect of the allegation stated in Paragraph 75(c) of the Petition, the Petitioner further states that if the investigation officer, IP Marasinghe required additional personnel he could have made a request to his immediate supervisor who is ASP C.W. Wickramasekara, if it failed he could have requested the Petitioner, who was the then Director of CID, and if that also failed he could have requested from the DIG of CID, and if that too fails IP Marasinghe could have made a request to SDIG CID Mr. Ravi Senevirathne and further states that such requests should be recorded. The Petitioner states that, however, there have been neither such request made by IP Marasinghe for additional personnel nor has he had made any complaint against the Petitioner for not providing additional personnel and therefore the said allegation as aforementioned in the B report bearing B/1411/2022 is a *prima facie* false accusation.



80. In respect of the allegation stated in Paragraph 75(d) of the Petition, the Petitioner further states that based on the information received by the CID, the said M.C.M. Saharan was presumed to be hidden in the Eastern Province, therefore, the CID has allocated additional teams for surveillance to locate M.C.M. Saharan within the areas of Eastern Province.
81. The Petitioner further states that, according to Hadia's statement given to the CID on 19.02.2019 and to the Presidential Commission of Inquiry into the Easter Sunday Attacks she has never mentioned that M.C.M. Saharan or Mohommad Anwar Mohamed Riskan visited her house in Kekunagolla on 19.02.2019 in order to bring his wife, children and Sara Jasmine alias Mahendran Pulasththi from Kekunagolla.
82. The Petitioner further states that after detaining the said Hadia on a Detention Order by the CID , she has been in the custody of the 2nd Respondent who was the OIC of the Registry of CID. Further to that the child of Hadia has been under the care of the 2nd Respondent while that child was suffering from Dengue fever.
83. The Petitioner states that he came to know from a reliable source and verily believes that the 2nd Respondent is planning to tally the information in the anonymous petition and in the B Report, by inducing Hadia as a witness to give a statement against the Petitioner.

#### **IMMINENT INFRINGEMENT OF THE PETITIONERS' FUNDAMENTAL RIGHTS**

84. In the aforementioned circumstances the Petitioner states that one or more of the Respondents :-
- a. Are attempting to falsely implicate the Petitioner by launching a tainted, biased, illegal and unreasonable investigation based on a false and belated anonymous Petition marked as P-2 alleging that he was derelict in his duties during the investigations of NTJ and Saharan;
  - b. Have falsely implicated the Petitioner in the B report bearing No. B/1411/2022 which has been prepared for collateral purposes tainted with malice and abuse of process as set out above;
  - c. Have attempted to falsely implicate the Petitioner with the intention to get revenge from him as he has conducted many high-profile cases during the period from 2015 to 2019 which included the investigations as set out above against persons of high ranks in the present regime and in the police and armed forces;

- d. Are attempting to wrongfully arrest the Petitioner and to have him detained under the PTA or otherwise incarcerated in the absence of any reasonable suspicion or reasonable ground or reasonable material;
- e. Are seeking to unlawfully arrest him although there is no *prima facie* case or evidence or whatsoever against the Petitioner;
- f. Are seeking to have him arrested and detained under the PTA or remanded *mala fide* and for collateral purposes

85. The Petitioner states that the fabricated investigation against him, the filing of the B-report in the Magistrate's Court of Kuliyaipitiya and the bid to have him arrested and detained under false and untenable allegations without reasonable cause are an infringement and/or imminent infringement of the Petitioner's Fundamental Rights as guaranteed under

- a) Article 12(1) of the Constitution guaranteeing to him equality before the law and the equal protection of the law;
- b) Article 13(1) of the Constitution guaranteeing to him freedom from arbitrary arrest;
- c) Article 13(2) of the Constitution guaranteeing to him freedom from arbitrary detention.

86. The Petitioner states that grave and irreparable prejudice and injustice would be caused to the Petitioner if the following interim reliefs are not granted and the Petitioner states he respectfully seeks the following interim reliefs from Your Lordships Court: -

- a. *Issue an interim order restraining the 1st to 14<sup>th</sup> Respondents and/or their agents from arresting and/or otherwise detaining the Petitioner in respect of the allegations mentioned in the MC Kuliyaipitiya B Report 1411/2022 and in the anonymous Petition marked as P-2 until the final determination of this Petition;*
- b. *Issue an interim order restraining His Excellency the President Gotabaya Rajapakse from issuing a detention order in terms of section 9(1) of the PTA in his capacity as the Minister of Defence in respect of the allegations set out in the MC Kuliyaipitiya B-Report 1411/2022 and in the anonymous Petition marked as P-2.*

*c. In the event the Petitioner is arrested and detained or otherwise incarcerated prior to the support of this application, grant and issue an interim order directing that the Petitioner be released from detention forthwith and further direct that such order be effective until the final determination of this application.*

87. The Petitioner states that on a previous occasion a similar petition was sent to the National Police Commission by Rev. Agulugalle Sri Jinananda Thero alleging the CID has not conducted proper investigations with regard to NTJ when they had sufficient information about the NTJ. The Petitioner states that however, the said Petition was not entertained by the National Police Commission since the said allegations are baseless and made without any reasonable evidence.

*A copy of the letter addressed to Director CID by the ASP Wickramasekara marked as P-22(a) and letter dated 28.10.2020 marked as P-22(b) are annexed and pleaded as part and parcel of the Petition.*

88. The Petitioner states that according to the Sri Lanka Police Gazette bearing No. 654 dated 03.04.1991 Police Officers should not be penalized based on unsubstantiated allegations.

*A copy of the Gazette bearing No. 654 dated 03.04.1991 marked as P-23 is annexed and pleaded as part and parcel of the Petition.*

89. The Petitioner seeks compensation in the sum of one hundred million rupees or such as s Your Lordships' Court deems equitable in terms of Article 126(4) of the Constitution for the damage caused to his reputation and goodwill he has earned as a respectable police officer has been gravely tarnished by the unsubstantiated, malicious and preposterous accusations leveled against the Petitioner by entertaining the anonymous petition marked as P-2 by the Respondents and for the attempts to have him arrested and detained.

90. The Petitioner further respectfully states that the Petitioner reserves the right to submit further documents if any which are not available to him in this instance and to add any other party to this application if Your Lordships' Court so requires and/or is revealed by the Respondents.

91. The Petitioner has not previously invoked the jurisdiction of Your Lordships' court in respect of this matter.

**WHEREFORE THE PETITIONER PRAYS THAT YOUR LORDSHIPS' COURT BE PLEASED TO;**

- a. Grant leave to proceed in the first instance;
- b. Declare that one or more or all of the Respondents have infringed or are in imminent infringement of the Petitioner's Fundamental Rights as guaranteed by *Articles 12(1),13 (1) and 13(2) of the Constitution*;
- c. Issue an interim order restraining the 1st to 14th Respondents and/or their agents from arresting and/or otherwise detaining the Petitioner in respect of the allegations mentioned in the MC Kuliypitiya B Report 1411/2022 and in the anonymous Petition marked as P-2 until the final determination of this Petition;
- d. Issue an interim order restraining His Excellency the President Gotabaya Rajapakse from issuing a detention order in terms of section 9(1) of the PTA in his capacity as the Minister of Defence in respect of the allegations set out in the MC Kuliypitiya B-Report 1411/2022 and in the anonymous Petition marked as P-2.
- e. In the event the Petitioner is arrested and detained or otherwise incarcerated prior to the support of this application, grant and issue an interim order directing that the Petitioner be released from detention forthwith and further direct that such order be effective until the final determination of this application.
- f. Grant an order to quash the B report bearing No. B/ 1411/2022;
- g. Make an order quashing the Detention Order issued against the Petitioner in the event such an order is issued;
- h. In the event that the Petitioner is detained or otherwise incarcerated direct that the Petitioner be released from custody forthwith;
- i. Grant the Petitioner Rs.100 Million as Compensation or such amount that Your Lordships' Court deem fit;
- j. Make such other and further orders that are just and equitable in terms of Article 126(4) of the Constitution;
- k. Grant costs;
- l. Grant such other further relief that Your Lordships' Court shall seem to meet.

*Attorney-at-Law for the Petitioner*