

# URGENT ACTION

## DETAINED FOR PROTESTING ARRESTS OF 'MAOISTS'

**Two young men were arrested on 13 June in Tamil Nadu, India, after protesting the arrest of five people for offences including allegedly belonging to a banned Maoist armed group. They are now being held under the same charge, which carries a possible sentence of life imprisonment. They were denied bail on 26 June and continue to be held in judicial custody.**

23-year-old **Masanamuthu** and 20-year-old **Nagamanickam** were arrested by the Coimbatore police on 13 June. The Commissioner of Police has claimed that the men entered a police station on 6 May following the arrest of five people for offences including allegedly being members of a banned Maoist armed group. He said the two men protested inside the police station, shouted "pro-Maoist" slogans and challenged the police's decision to carry out the arrests. They were arrested for allegedly uttering obscenities in public, criminal intimidation and using assault or criminal force to deter public servants from discharging their duty.

Masanamuthu and Nagamanickam are also being held under India's principal anti-terror legislation, the Unlawful Activities (Prevention) Act (UAPA), for allegedly being members of an unlawful organization, which the two men deny. According to the Commissioner of Police, the only evidence for this was the fact that they had shouted "pro-Maoist" slogans inside the police station. If convicted, they could face a maximum sentence of life imprisonment.

Human rights activists in Tamil Nadu have said that the state police are increasingly using the UAPA as a tool to harass and intimidate people who express dissenting views. Parts of the UAPA do not meet international human rights standards. The law allows detention without charge for up to 180 days, which is far beyond international standards. It also contains no provisions for adequate pre-trial safeguards against torture and other ill-treatment.

### **Please write immediately in English or your own language calling on authorities in Tamil Nadu:**

- To immediately drop the charge against Masanamuthu and Nagamanickam of being members of an unlawful organization;
- To ensure that the two men have regular access to their lawyers and family, and are protected from torture and other ill-treatment;
- To ensure that they are brought to trial within a reasonable time for any other charges they face, or are released pending trial, in accordance with international fair trial standards.

### **PLEASE SEND APPEALS BEFORE 14 AUGUST 2015 TO:**

Commissioner of Police, Coimbatore City

AK Viswanathan

Hosur Road, Coimbatore Central,

Near Collectorate Office

Coimbatore – 641018

Tamil Nadu, India

Phone: +91 42 22300250 (English or

Hindi only)

**Salutation: Dear Sir**

Chairman, National Human Rights

Commission

K.G. Balakrishnan

Manav Adhikar Bhawan

Block-C, GPO Complex, INA

New Delhi, India

Phone: +91 11 24651330 (English or

Hindi only)

Fax: +91 11 24651329

Email (via online form):

<http://nhrc.nic.in/complaints.htm>

**Salutation: Dear Chairman**

### **Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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### ADDITIONAL INFORMATION

The five alleged Maoists arrested—Roopesh, Shyna, Anup, Easwaran and Kannan — are being detained on suspicion of criminal conspiracy, sedition and being members of a terrorist gang or organization. They are accused of providing shelter to another alleged Maoist and his wife in 2007

Parts of the Unlawful Activities (Prevention) Act (UAPA) do not meet international human rights standards and are likely to lead to human rights violations. Amendments to the Act in 2008 extended the minimum period of detention of suspects from 15 to 30 days and the maximum period of such detention from 90 to 180 days. These amendments also avoided adequate pre-trial safeguards against torture and other cruel, inhuman or degrading treatment or punishment of detainees, reversed certain evidential burdens of grave crimes and required, in certain circumstances, accused persons to prove their innocence.

Name: Masanamuthu, Nagamanickam

Gender: Male

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