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12 Court Matter

ಇಲಾಖೆ / ವಿಷಯ : DEPARTMENT / SUBJECT: [Name]

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: The Hindu ದಿನಾಂಕ : DATE 29/8/2020

Ganapathy case: Special Court rejects closure report

It takes cognisance of offence against three accused

SPECIAL CORRESPONDENT
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The Special Court to exclusively deal with criminal cases related to elected MPs/MLAs in Karnataka on Friday rejected the closure report filed by the Central Bureau of Investigation (CBI) on the case registered against former Minister K.J. George and senior IPS officers A.M. Prasad and Pronab Mohanty for allegedly abetting Dy.SP M.K. Ganapathy to commit suicide.

The Special Court also took cognisance of the offence against Mr. George, Mr. Prasad and Mr. Mohanty and ordered for issue of summons, while adjourning further proceedings.

T.N. Inavally, judge of the Special Court, said in his order that there is prima facie material against the accused persons to take cognisance of the offence punishable under Sec.306 of the Indian Penal Code and proceed against them.

Parents' plea
Ganapathy's parents M.K. Kushalappa and M. Ponnamma and others had opposed the CBI's closure report.

The Special Court rejected the opinion of the CBI investigation officer that all the instances, referred to by Ganapathy during his interview



M.K Ganapathy

to the media prior to ending his life, happened long ago and there is no immediate proximity between the suicide and the instances connected to the three accused presented in the interview.

The question as to whether the facts stated by the deceased to the media are true or false and whether the interview to media can be considered as a death note are to be considered on merits during trial, the Special Court said. Though Ganapathy was not directly working under the three accused persons at the time of ending his life, the Special Court said there are materials, though dated five to seven years ago, in the form of statements linking Ganapathy with the accused.

The statements recorded by the investigation officer shows that handling of an incident of attack on a church in Mangaluru in 2008, when Ganapathy was serving as jurisdictional police officer,

links to Mr. George when he became Home Minister in 2013, the Special Court said.

Also, the Special Court noted that statements show that Ganapathy had declined to do a favour to Mr. Prasad to help his father's son, who was pursuing engineering (during 2006-10) in Udupi district. The allegation that Mr. Mohanty had demanded money from Ganapathy was related to the period when both Mr. Mohanty and Ganapathy were serving in Bengaluru city, the Special Court noted, while holding that there is a need to find out whether there was continuous "harassment" by the accused persons though there was no immediate connection between Ganapathy and them.

Ganapathy died on July 7, 2016, and police registered only an unnatural death case. However, FIR was registered for abetting suicide based on a private complaint filed by Ganapathy's son. Later, investigation was transferred to CID, which in September 2016 filed closure report stating that no case had been made out against the accused. However, the Supreme Court on September 5, 2017, ordered probe by the CBI, which filed the closure report on October 30, 2019.

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