THE FINAL REPORT OF THE COMMITTEE OF INQUIRY APPOINTED IN TERMS OF SECTION 06 OF THE REMOVAL OF OFFICERS (PROCEDURE) ACT, NO. 05 OF 2002 TO INVESTIGATE AND INQUIRE INTO THE ALLEGED GROUNDS ON WHICH THE REMOVAL OF MR. T. M. W. DESHABANDU TENNAKOON FROM THE OFFICE OF THE IGP HAS BEEN SOUGHT.

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2. A copy of the Order dated 19th May 2025, containing reasons for its decision to overrule the Preliminary Objections raised on behalf of the Respondent IGP has been annexed to this Report marked **A**. (The original signed copy of this order is in the proceedings on 19-05-2025 which is bound in Volume II)

THE FINAL REPORT OF THE COMMITTEE OF INQUIRY APPOINTED IN TERMS OF SECTION 06 OF THE REMOVAL OF OFFICERS (PROCEDURE) ACT, NO. 05 OF 2002 TO INVESTIGATE AND INQUIRE INTO THE ALLEGED GROUNDS ON WHICH THE REMOVAL OF MR. T. M. W. DESHABANDU TENNAKOON FROM THE OFFICE OF THE IGP HAS BEEN SOUGHT.

21st July 2025.

1. PRELIMINARIES:

The Hon. Speaker of Parliament of the Democratic Socialist Republic of Sri Lanka appointed this Committee of Inquiry, comprising Justice P. Padman Surasena as its Chairman, Justice (Retired) Neil Iddawela as a Member and Mr. Lalith Ekanayake (Chairman of the National Police Commission) as the ex officio Member, in terms of Section 6 of the Removal of Officers (Procedure) Act, No. 05 of 2002, to investigate and inquire into the alleged grounds on which the removal of Mr. T. M. W. Deshabandu Tennakoon (hereinafter sometimes referred to as the Respondent IGP or Mr. Deshabandu Tennakoon) from the office of the Inspector General of Police (hereinafter referred to as IGP) has been sought. Accordingly, this Committee of Inquiry is required to make findings in respect of the said alleged grounds, and communicate its findings to the Hon. Speaker of Parliament.

After the appointment of its members, the Committee of Inquiry convened itself for the first time on 23rd April 2025 in the Parliament and commenced its discussions as to how it should proceed with the investigation and inquiry into the alleged grounds on which the removal of Mr. T. M. W. Deshabandu Tennakoon from the office of the IGP has been sought. It was on that date that the Secretary General of Parliament, having nominated Mr. Hansa Abeyratne Assistant Secretary General of Parliament, Ms. Nipunika Tennakoon Deputy Principal Officer of Parliament and Ms. Hansanee Munasinghe Parliamentary Officer to assist the Committee of Inquiry in its work, made available all the necessary facilities including several Hansard/Committee reporters to enable the Committee of Inquiry to proceed with the investigation and inquiry it was required to conduct. The Committee of Inquiry on that date, having discussed the way forward, acting in terms of Section 13 of the Removal of Officers (Procedure) Act, No. 05 of 2002, decided to request the Hon. Attorney General to make available, a team of his officers to assist the Committee of Inquiry in the discharge of its functions. Accordingly, the Committee of Inquiry authorized the Assistant Secretary General of Parliament Mr. Hansa Abeyratne to communicate this request to the Hon. Attorney General.

Pursuant to the above request, the Hon. Attorney General nominated Additional Solicitor General Dileepa Peeris PC and Deputy Solicitor General Rajitha Perera to assist the Committee of Inquiry in the investigation and inquiry it was required to conduct.

Similarly, the Committee of Inquiry, acting in terms of Section 13 of the Removal of Officers (Procedure) Act, No. 05 of 2002, requested the Acting IGP to make available, a team of investigators to assist the Committee of Inquiry in the discharge of its functions. Accordingly, the Acting IGP nominated Assistant Superintendent of Police Rohan Wijekoon, Chief Inspector of Police Karunathillake, Sub Inspector of Police Dulitha Madhuranga and Police Constable 78185 Shalinda, all from the Criminal Investigations Department (CID) to assist the Committee of Inquiry in carrying out its planned investigation and inquiry.

With the arrival of the team of his officers from the Attorney General's Department and the team of investigators from the CID, the Committee of Inquiry having discussed and considered the resolution passed by Parliament on 08-04-2025, caused the necessary investigations to be conducted with regard to the alleged grounds (as per the afore-said resolution) on which the removal of Mr. Deshabandu Tennakoon from the office of the IGP has been sought. The Committee of Inquiry met as often as necessary which enabled it to review and guide the progress of the said investigation in the right direction.

Thereafter, the Committee of Inquiry having considered the material made available before it after the said investigations, decided to inform the Inspector General of Police, Mr. Deshabandu Tennakoon to be present before the Committee of Inquiry on 19-05-2025 so that the Committee can commence the inquiry with the presence of Mr. Deshabandu Tennakoon in the manner which the Committee of Inquiry planned to decide in consultation with Mr. Deshabandu Tennakoon and his Counsel. Accordingly, the Committee of Inquiry took necessary steps to have the notice served on Mr. Deshabandu Tennakoon .

2. CHARGES:

On 19th May 2025, the Respondent IGP having received the notice served on him, appeared before the Committee of Inquiry. Mr. Rasika Sanjeewa Weerawickrama Attorney-at-Law with Kithmini Kaveesha Ruwanpura Attorney-at-Law appeared for the Respondent IGP before the Committee of Inquiry. As nominated by the Hon. Attorney General, Additional Solicitor General Dileepa Peeris (PC) appeared with Deputy Solicitor General Rajitha Perera to assist the

Committee of Inquiry. Mr. Hansa Abeyratne, Assistant Secretary Geneal of Parliament was also present to assist the Committee of Inquiry as its secretary.

On that day i.e., on 19th May 2025, the Committee of Inquiry served the Charge Sheet consisting of twenty-three (23) charges prepared as per the Resolution passed by the Parliament on 08-04-2025 along with a copy of the said Resolution on the Respondent IGP who was before the Committeé of Inquiry.

Mr. Rasika Sanjeewa Weerawickrama, the learned Counsel appearing for the Respondent IGP, at the outset, sought permission from the Committee of Inquiry to raise some Preliminary Objections. The Committee of Inquiry permitted the learned Counsel for the Respondent IGP to address the Committee of Inquiry in regard to the Preliminary Objections he had intended to raise.

The Committee of Inquiry having afforded the learned Counsel for the Respondent IGP, the requested opportunity, proceeded to hear the submissions made by Mr. Sanjeewa Weerawickrama Attorney-at-Law appearing for the Respondent IGP. The Committee of Inquiry then proceeded to hear the submissions made by the learned Additional Solicitor General. The Committee thereafter afforded another opportunity for Mr. Sanjeewa Weerawickrama Attorney-at-Law to respond to the submissions made by the leaned Additional Solicitor General. The Committee of Inquiry thereafter adjourned further proceedings to enable it to deliberate on the points raised in the course of the afore-said hearing. It was thereafter that the Committee of Inquiry having considered the points raised by the learned Counsel for both parties in their respective submissions, for the reasons set out in its Order dated 19th May 2025,[1] decided to overrule all three Preliminary Objections raised on behalf of the Respondent IGP. Similarly, the Committee of Inquiry also decided that it was unable to entertain the two applications made by the learned Counsel for the Respondent IGP. It was thereafter that the Committee of Inquiry took steps to proceed with the rest of the inquiry.

The Charge Sheet served on the Respondent IGP (prepared as per the Resolution passed by the Parliament on 08-04-2025), read as follows:

> *Whereas, the Parliament on 08-04-2025 has passed a resolution to appoint a Committee of Inquiry in terms of Section 5 of the Removal of Officers (Procedure) Act, No. 05 of 2002, to remove you (Mr. T. M.W. Deshabandu Tennakoon), from the office of*

[1] The Order dated 19th May 2025, containing reasons for its decision to overrule the Preliminary Objections raised on behalf of the Respondent IGP has been annexed to this Report marked **A**.

the Inspector-General of Police for misconduct and gross abuse of power of your office in terms of Sections 3(d) and 3(e) read with Section 5 of the said Act;

And whereas, a Committee of Inquiry in terms of Section 6 of the Removal of Officers (Procedure) Act, No. 05 of 2002 has been appointed to investigate and inquire into, the alleged grounds on which your removal from the office of the IGP has been sought. Accordingly this Committee of Inquiry is required to make findings in respect of the alleged grounds of your removal from the said office and communicate such finding to the Hon. Speaker of Parliament;

And whereas, the said Committee of Inquiry by the Notice dated 07th May 2025, has given you notice of the inquiry it would conduct in that regard.

And therefore, you the Inspector-General of Police, Mr. T.M.W. Deshabandu Tennakoon is hereby directed to show cause before the said Committee as to why the said Committee of Inquiry should not make findings against you in respect of the alleged charges the particulars of which are more fully set out below:-

1. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused an armed team of Police officers belonging to the Colombo Crime Division consisting of eight members namely Chief Inspector Anslem de Silva, Inspector Mahesh Ruwan Dunusinghe, Inspector Jagath Nishantha, Sub Inspector Roshan Madhuranga, Police Sergeant 69480 Prasantha Kumara, Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara, Police Constable 2204 Supun Priyashan, Police Constable Driver 89728 Dulip Gihan Piyatissa to be sent to Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

2. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused an armed team of Police officers belonging to the Colombo Crime Division consisting of eight members namely Chief Inspector Anslem de Silva, Inspector Mahesh Ruwan Dunusinghe, Inspector Jagath Nishantha, Sub Inspector Roshan Madhuranga, Police Sergeant 69480 Prasantha Kumara, Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara, Police Constable 2204 Supun Priyashan, Police Constable Driver 89728 Dulip Gihan Piyatissa to be sent*

to Pelena, Weligama in a surreptitious manner and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

3. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to use the Vehicle No: WP PK 7225 belonging to the Police, to go to Pelena, Weligama in a surreptitious manner to facilitate their engagement in an illegal activity or crime, namely to open fire at W15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

4. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to use the Vehicle No: WP PK 7225 belonging to the Police, to go to Pelena, Weligama in a surreptitious manner to facilitate their engagement in an illegal activity or crime, namely, to open fire at W15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

5. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to engage in an illegal activity or crime, namely, to open fire at W15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

6. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to engage in an illegal activity or crime, namely, to open fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner*

and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

7. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members had engaged in an illegal activity or crime, namely, opening fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner has failed to take any action in that regard and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

8. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members had engaged in an illegal activity or crime, namely, opening fire at W15 Hotel at Pelena, Weligama in a surreptitious manner has failed to take any action in that regard and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

9. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two of the said armed team of Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has failed to take any action in that regard and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

10. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga, had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena,*

Weligama, has failed to take any action in that regard and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

11. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has instructed the other members of the said armed team of Police officers to surreptitiously return to Colombo without the injured being taken to the nearest hospital and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

12. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and as the Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has instructed the other members of the said armed team of Police officers to surreptitiously return to Colombo without the injured being taken to the nearest hospital and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

13. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely, to open fire at W15 Hotel at Pelena, Weligama by aiding and abetting them and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

14. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police*

conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely to open fire at W15 Hotel at Pelena, Weligama by aiding and abetting them and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

15. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely, by aiding and abetting them to go to Pelena, Weligama and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

16. *On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime namely, by aiding and abetting them to go to Pelena, Weligama and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

17. *During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants in that case, and thereby committed an act unbecoming and unsuitable to the office of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

18. *During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants in that case, and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

19. *During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police evaded arrest and failed to corporate with the Orders made by the Hon. Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants made from time to time by the Hon. Magistrate of Matara in that Case, and remained in hiding undermining the due process of law; tarnished the image and the reputation of the Police Department, which is the very institution entrusted with the task of upholding the rule of law, justice and law enforcement; caused the erosion of the public confidence in the Police Department and the administration of judicial system as a whole and thereby committed an act unbecoming and unsuitable to the office of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

20. *On 09-05-2022 you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province had failed or omitted to act to prevent the commission of offences punishable under Sections 314, 316, 343, and 300 of the Penal Code by certain other persons namely: Liyanarachchige Nishantha Mendis, Suduwadewage Subash Jayashantha Fernando, Sinhara Amal Pushpakumara de Silva, Vithana Pathiranage Milan Sajith Jayathilaka, Kurugamage Sanath Nishantha Perera, Liyanage Abeyratne Suresh Priyasath alias Dan Priyasath, Wannakuwaduge Samanlal Fernando, Gamlath Jayantha Rohana, Liyanage Geethaka Perera, Jayamanna Kankanamlage Bandula Wijekumara, Pushpalal Kumarasiri, Amithananda Abeywickrema, Kompannage Mini Prashanthi Fonseka alias Welle Ramani, Asanka Nayaka Wijesinghe alias Satha Nalaka alias Arabi Wasantha, Kespalage Don Aruna Priyashantha, Ajantha Liyanage, Goniyamalige Supemsiri Aponso, Samarakkodi Jayalath Wasantha Sarojini Jayalath alias Handapangoda, Thelge Ariyadasa Peeris, Keerigama Pamunuwage Narendra Dulip Fernando, Kahandagamage Mahindaratne, Nishantha Chamin Upatissa Jayasinghe, Jhonston Fernando, Kuruppuarachchige Don Sajith Saranga, Ranabahu Mudiyanselage Thusitha Sampath Nanayakkara, Horanage Pradeep Shriyantha Fernando, Liyanage Shanaka Antony Fernando, Mahawattage Priyanath Mackenzy Fernando, Babina Hannadige Gayan Pushpakumara Peeris, Kapuwattagedera Prageeth Sujeewa Bandara, Kuruppu Mudiyanselage Lalith Udesh Madhubhanu, all being suspects in MC Fort Case No. B 22046/2022 and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

21. *On 09-05-2022 you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province had failed or omitted to act to prevent the commission of offences punishable under Sections 314, 316, 343, and 300 of the Penal Code by certain other persons namely: Liyanarachchige Nishantha Mendis, Suduwadewage Subash Jayashantha Fernando, Sinhara Amal Pushpakumara de Silva, Vithana Pathiranage Milan Sajith Jayathilaka, Kurugamage Sanath Nishantha Perera, Liyanage Abeyratne Suresh Priyasath alias Dan Priyasath, Wannakuwaduge Samanlal Fernando, Gamlath Jayantha Rohana, Liyanage Geethaka Perera, Jayamanna Kankanamlage Bandula Wijekumara, Pushpalal Kumarasiri, Amithananda Abeywickrema, Kompannage Mini Prashanthi Fonseka alias Welle Ramani, Asanka Nayaka Wijesinghe alias Satha Nalaka alias Arabi Wasantha, Kespalage Don Aruna Priyashantha, Ajantha Liyanage, Goniyamalige Supemsiri Aponso, Samarakkodi Jayalath Wasantha Sarojini Jayalath alias Handapangoda, Thelge Ariyadasa Peeris, Keerigama Pamunuwage Narendra Dulip Fernando, Kahandagamage Mahindaratne, Nishantha Chamin Upatissa Jayasinghe, Jhonston Fernando, Kuruppuarachchige Don Sajith Saranga, Ranabahu Mudiyanselage Thusitha Sampath Nanayakkara, Horanage Pradeep Shriyantha Fernando, Liyanage Shanaka Antony Fernando, Mahawattage Priyanath Mackenzy Fernando, Babina Hannadige Gayan Pushpakumara Peeris, Kapuwattagedera Prageeth Sujeewa Bandara, Kuruppu Mudiyanselage Lalith Udesh Madhubhanu, all being suspects in MC Fort Case No. B 22046/2022 and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;*

22. *You, while holding the office as the Inspector-General of Police of the country, which is entrusted with the duty of maintaining law and order of the whole country, have, by committing one or more of the aforesaid acts of misconduct and/or acts of gross abuse of power brought the office of the Inspector-General of Police of the country and the Police Department to disrepute and thereby committed an act unbecoming of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002; and*

23. *You while holding the office as the Inspector-General of Police of the country being charged with extensive powers of varied nature, by committing one or more of the aforesaid acts of misconduct and/or acts of gross abuse of power did fall short of the high standard expected of a person who holds office as the Inspector-General of Police of the country and therefore have become unsuitable to hold office as the*

Inspector-General of Police of the country which has amounted to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002,

You are hereby directed to tender your show cause in respect of the above charges by way of an affidavit to the said Committee of Inquiry before the date and time that would be specified by the Committee of Inquiry. You are also hereby given notice that further inquiry will be held on day to day basis until its conclusion.

3. PROCEDURE ADOPTED:

As has been already stated above, the Committee of Inquiry at the time of deciding to serve notice on the Respondent IGP, also decided to adopt a suitable procedure to conduct this inquiry in consultation with the Respondent IGP or his Counsel. Giving effect to that decision, the Committee of Inquiry discussed at length, with the learned Counsel for the Respondent IGP and the learned Additional Solicitor General with a view to agree and decide the most appropriate procedure that the Committee of Inquiry should adopt to conduct this inquiry. The Committee of Inquiry during this discussion made it clear to both the learned Counsel for the Respondent IGP and the learned Additional Solicitor General that it is committed to ensure at all times, the compliance with the Rules of Natural Justice throughout these proceedings.

Pursuant to the above discussion, the learned Counsel for the Respondent IGP and the learned Additional Solicitor General agreed that the Committee of Inquiry should adopt the following procedure:

1. The learned Counsel for the Respondent IGP agreed to submit his show cause in respect of the twenty-three charges, in writing, as per the direction in the Charge Sheet served on the Respondent IGP.

2. The Committee of Inquiry decided to permit the application made by the learned Counsel for the Respondent IGP requesting for more time to prepare and submit his show cause by way of an affidavit to which any written documents could also be attached.

3. The leaned Counsel for the Respondent IGP agreed to consider, in consultation with his client, (the Respondent IGP) and in consultation with the learned Additional

Solicitor General, the possibility of recording any admission pertaining to any relevant fact with a view to save time and efforts of both parties and facilitate the smooth flow of the inquiry to be continued by the Committee of Inquiry.

4. Depending on the positions to be taken up by the Respondent IGP in the written show cause to be filed and also depending on the prospective admissions to be recorded, the learned Additional Solicitor General agreed to take steps to hand over before the Committee of Inquiry, copies of all the statements that have been recorded from the witnesses before he commences leading oral evidence of those witnesses in support of the charges set out in the Charge Sheet.

5. The learned Counsel for the Respondent IGP agreed to tender a further show cause (second show cause) thereafter, on the material, the learned Additional Solicitor General would hand over to him before the Committee of Inquiry. The Respondent IGP would tender the second show cause to the Committee of Inquiry, by way of an affidavit.

6. The learned Additional Solicitor General agreed to place the evidence he would rely on, before the Committee of Inquiry after recording any possible admission and after the learned Counsel for the Respondent IGP tenders, the second show cause on the material that the learned Additional Solicitor General would hand over to him.

7. The Committee of Inquiry will afford an opportunity for both the learned Counsel for the Respondent IGP and the learned Additional Solicitor General to tender written submissions at the end of recording of evidence of witnesses in the inquiry.

Thereafter, both the learned Counsel for the Respondent IGP and the learned Additional Solicitor General adhered to the above-mentioned procedure which they agreed to adopt before the Committee of Inquiry. As agreed, after the charge sheet was served, the Respondent IGP through his Counsel, submitted to this Committee, his first Show Cause by way of an affidavit setting out the position he takes up in respect of the twenty-three (23) charges set out in the charge sheet. Thereafter, the Committee of Inquiry with the concurrence of both the learned Counsel for the Respondent IGP and the learned Additional Solicitor General proceeded to record certain admissions of facts relevant to this inquiry. Thereafter, the learned Additional Solicitor General took steps to hand over to the learned Counsel for the Respondent IGP, copies of the statements of all the witnesses whose evidence he would intend to place before the Committee of Inquiry. The learned Counsel for the Respondent IGP

thereafter, having confirmed the receipt of the copies of all the statements of the prospective witnesses whose evidence would be placed before the Committee of Inquiry, tendered to the Committee of Inquiry, his second Show Cause setting out the position he takes up in regard to the said proposed evidence. The Respondent IGP tendered this Show Cause also by way of an affidavit. With the receipt of the second Show Cause tendered by the Respondent IGP, the Committee of Inquiry again proceeded to record few more admissions with the concurrence of the Respondent IGP. It was thereafter that the learned Additional Solicitor General commenced leading oral evidence of the witnesses before the Committee of Inquiry. This was done particularly because the Respondent IGP in his second Show Cause affidavit has insisted that he would require the opportunity of cross-examining the witnesses who would give evidence before the Committee of Inquiry. Accordingly, the learned Additional Solicitor General led the oral evidence of the following witnesses before the Committee of Inquiry:

(1) Chief Inspector of Police William Brits Asanka Thusitha Kumara,
(2) Chief Inspector of Police (under interdiction) Rammuni Uvanne Anslem de Silva,
(3) Police Sergeant (PS 16089) Imaduwa Manage Ajith Sisira Kumara,
(4) Police Constable Driver (PCD 89728) Amarasingha Kalu Arachchige Dulip Gihan Piyatissa,
(5) Deputy Inspector General of Police Gunandawadu Nishantha de Soysa,
(6) Sergeant of Sri Lanka Army (3rd Gemunu Watch, Matara) Gammadda Thandakkaralage Chandimal Ruchiranga,
(7) Sub Inspector of Police Mavanane Hewa Gamini Jayasekera,
(8) Sub Inspector of Police Sudath Dharma Shri Pulleperuma,
(9) Acting IGP, Senior Deputy Inspector General of Police Weerasooriya Liyana Arachchige Saman Priyantha,
(10) Woman Police Sergeant Kalahepadi Kanakanamge Nalika Dilma Tilakaratne,
(11) Assistant Superintendent of Police Dilan Chamara Dodangoda,
(12) Police Constable Driver (PCD 80188) Hewa Kolombage Prasad,
(13) Police Constable (PC 19484) Kandappa Hettige Mahesh Udara,
(14) Waguruwela Gamaralalage Chanaka Jeewantha Pallewatta (Jailor),
(15) Police Sergeant (PS 1822) Samarakoon Wijewickrama Vidhane Muhamdiramge Upul Wasantha Alwis Wijewickrama,
(16) Police Constable Driver (PCD 105570) Wijekone Herath Mudiyanselage Ishan Nirosh Bandara,

(17) Assistant Superintendent of Police Arumapperuma Arachchige Chandima Niroshani Arumapperuma,

(18) Senior Superintendent of Police Kosgahamulagedara Prageeth Buddhika Samarapala,

(19) Secretary to the National Police Commission, Thanuja Nayomi Fernando,

(20) Woman Police Constable 6754 Makumbure Gedara Herath Mudiyanselage Inoka Chandani Herath,

(21) Police Sergeant Sunanda Ovaperuma,

(22) Woman Sub Inspector Yatiyanthota Dias Damayanthi Swarnalatha Samarasinghe,

(23) Kannangara Koralalage Dona Nelka Shyamali Jayatilleke

(24) Inspector of Police Wijethunga Mudiyanselage Shriya Bandara Wijethunga,

(25) Chief Inspector of Police Balasooriya Mohotti Appuhamilage Sampath Kumara Senaratne,

(26) Sub Inspector of Police Rajapaksha Arachchilage Mahinda Rajapaksha,

(27) Chief Inspector of Police Henadeerage Lalitha Suminda Goonesekera

(28) Assistant Superintendent of Police Batugedara Appuhamilage Vikum Kumara Weerasekera,

(29) Chief Inspector of Police Pasgama Vidanalage Asoka Shelton Karunathilaka,

(30) Assistant Superintendent of Police Abeysekera Gamlathge Yasas Swarna Keerthisinghe and,

(31) SSP Kumara Buddhika Manatunga.

After conclusion of recording of oral evidence of all the above witnesses, the learned Counsel for the Respondent IGP called the following witnesses to testify on behalf of the Respondent IGP before the Committee of Inquiry:

(1) The Respondent IGP Tennakoon Mudiyanselage Wanchalankara Deshabandu Tennakoon,

(2) Deputy Inspector General of Police Kapugamaralalage Jagath Chandrakumara,

(3) Retired Deputy Inspector General of Police Sumith Prasad Ranasinghe,

(4) Senior Superintendent of Police Paththini Wasam Mayura Prasanna Perera,

(5) Retired Assistant Superintendent of Police Hettiarachchige Neville Virginton de Silva,

(6) Thanesh Bernard Dias, and

(7) Sudanthithalapitiya Priyantha Jayathileke Perera.

Whenever a witness was called to give oral evidence before the Committee of Inquiry, his or her evidence-in-chief was led by the learned Counsel at whose instance such witness was called; thereafter, an unhindered opportunity was granted to the other Counsel for the purpose of cross-examining such witness; another opportunity was afforded to the Counsel at whose instance such witness was called, to re-examine that witness.

Thus, the learned Additional Solicitor General led before the Committee of Inquiry, the oral evidence of 31 witnesses in support of the charges in the Charge Sheet. The learned Counsel for the Respondent IGP having filed a list containing the names of 15 witnesses, thereafter led before the Committee of Inquiry the oral evidence of 07 witnesses on behalf of the Respondent IGP.

4. SUMMARY AND EVALUATION OF EVIDENCE RELATING TO CHARGES 01-16:

(1) The evidence of Chief Inspector of Police (CI) Rammuni Uvanne Anslem de Silva:

This witness giving evidence in chief, has stated before the Committee that he having joined to serve in the Colombo Crimes Division (hereinafter sometimes referred to in this Report as CCD) since October 2019, was holding the post of the Officer-in-Charge (OIC) of the CCD as at 30-12-2023. In the course of his evidence, he has revealed many important facts amongst which the following would be highlighted by the Committee in this Report.

It was Assistant Superintendent of Police (ASP) Neville de Silva[2] who was the Acting Director of the CCD at that time. It was Deputy Inspector General of Police (DIG) Jagath Chandra Kumara who was the DIG in charge of Colombo District at that time and the Senior Deputy Inspector General of Police (SDIG) in charge of Western Province was the Respondent IGP Mr. Deshabandu Tennakoon who was also the Acting Inspector General of Police (Acting IGP) at that time.

In the CCD, it was Inspector of Police (IP) Jayatilleke who was the Officer-in-Charge of the Organised Crimes Unit at that time. A team led by IP Jayatilleke was detailed to go to Matara area to conduct an investigation in relation to the persons whose names were found in the list

[2] Although this witness gave evidence before the Committee as a retired ASP, in this Report, he will be referred to as ASP Neville de Silva.

attached to the document marked **R-2** which was given to them by the Acting Director CCD. The team led by IP Jayatilleke went to Matara on 29-12-2023.

The Acting Director of CCD ASP Neville de Silva told this witness to go to Weligama along with Inspector of Police (IP) Dunusinghe, Inspector of Police (IP) Nishantha and Sub Inspector of Police (SI) Maduranga with specific instructions to open fire at W15 hotel in Weligama in order to frighten persons who were involved in parties with narcotic substances. While IP Nishantha functioned as the Officer-in-Charge of Unit 01, IP Dunusinghe functioned as the Officer-in-Charge of Anti-Vice Unit of the CCD. Acting Director ASP Neville de Silva had also told them that steps had been taken to keep the Police authorities in Matara area informed about this operation.

It was Police Constable Driver (PCD) 89728 Dulip Gihan Piyatissa who drove the white colour KDH van bearing the registration number WP PK 7225 belonging to CCD. Before the team led by CI Anslem de Silva left the office of the CCD at 8.30 pm on 30-12-2023, the external appearance of the van was changed to appear differently from outside. This was done by PCD 89728 Dulip by pasting a sticker on the body of the van. This witness was aware that PCD Dulip pasted the sticker on the van at the instance of IP Nishantha. SI Maduranga was seated next to the rear side door on the left-hand side, carrying a T56 weapon. The Police Sergeant (PS) 57421 Upul who was killed in this incident also carried a T56 weapon. CI Anslem de Silva who was the leader of the team carried a pistol and IP Nishantha also carried a pistol. This witness identified the seating arrangement in the van at the time of the incident as appearing in the sketch marked **P-1(A)** which is part of the Order dated 27-02-2025 pronounced by the learned Magistrate of Matara at the conclusion of the inquest into the death of Police Sergeant (PS) 57421 Upul.

Having left the CCD office, this witness went with the team in the said van to his residence in Mount Lavinia to give a packet of dinner to his old father who was at home. It was during that time that PCD 89728 Dulip had taken steps to change the number plates of the van into false number plates. The false number plates were fixed both in the front and rear sides. All of the team members wore civil clothes. There were two helmets in the van. On the way, they took dinner at a restaurant called *Pilawoos* at Ratmalana. CI Anslem de Silva entered his out entry in the Information Book of Unit 01 of the CCD to reflect that he was leaving with the team to Matara area for an investigation. This witness had done so while knowing very well that he was going to open fire at Weligama W15 hotel which is an unlawful act. Some members of the team had worn jackets over their civil clothes. Having travelled on the Southern High way

and exited from Kokmaduwa exit, they had come to Weligama area where W15 hotel was situated and travelled along Galle Road until they located W15 hotel. As they were directed to do an illegal act, and as there were few vehicles traveling on the road at that time, they went to a nearby place by the side of the beach, parked the van and waited till late expecting the vehicle flow on the road to reduce. Although they had reached Weligama area around 11.00 pm on 30-12-2023 they had gone and stopped the van right in front of W15 hotel to execute the unlawful mission at around 2.20 am on 31-12-2023.

According to this witness, when the Acting Director of CCD ASP Neville de Silva told him, two Inspectors and the Sub Inspector to go to Weligama, SI Maduranga had volunteered to undertake the firing at W15 hotel. As undertaken, SI Maduranga having opened the sliding door of the left side of the van, aimed at W15 hotel and opened fire from the T56 gun he carried. According to this witness, SI Maduranga had fired about 8-10 rounds with his T56 weapon towards W15 hotel. As there was an unbearable noise emanating from the firing of gunshots from inside the van, CI Anslem de Silva had closed his ears tight with his hands and ducked his head down under the front seat back rest. CI Anslem de Silva has made it very clear that there was nobody in the vicinity who had fired at them before SI Maduranga opened fire at W15 hotel. This witness has clearly and specifically stated that it was to undertake the illegal mission of opening fire at W15 hotel that the team went from Colombo to Weligama and waited till 2.20 am on 31-12-2023. Thus, it is CI Anslem de Silva's clear position that SI Maduranga opened fire at W15 hotel at this moment deliberately without any justification.

Suddenly, at this moment, the CCD van came under fire and this witness learnt from the others in the van that the night mobile patrol jeep of Weligama Police had arrived and opened fire at the CCD Van. This witness has clearly and specifically stated that firing by the night mobile patrol of Weligama police station happened after SI Maduranga stopped firing at W15 hotel. With the night mobile patrol jeep of Weligama Police station opening fire at the CCD Van, PS 57421 Upul and SI Maduranga received gunshot injuries. SI Maduranga could not even close the side door of the van though he was seated right next to it. It was then that he and the others in the team realized that the Acting Director CCD ASP Neville de Silva had told a lie to them to mislead them that the area police authorities have been kept informed of this operation.

According to this witness, it was when the CCD van started speeding away from where it was parked to open fire at W15 hotel, that the Police Officers in the night mobile patrol jeep of Weligama Police had opened fire at the CCD van. With this unexpected incident of having to

come under fire, all in the CCD van had got confused, frightened and shocked. Having travelled some distance, the CCD van had turned in to a by-road. At a certain point in the by-road, the CCD van stopped. By that time the rear glass and some other glasses of the van were found smashed as a result of firing by Weligama Police officers. This witness has stated that pieces of broken glasses fell from time to time even when the van was traveling after the shooting incident. When they were speeding away there had been a STF bus with some STF officers by the side of the road. At one point he spoke to the Acting Director ASP Neville de Silva through IP Nishantha's mobile phone. However, ASP Neville de Silva did not give any specific instruction as to what they should do at that time.

Thereafter, IP Nishantha and IP Dunusinghe with the help of their mobile phones searched for a road to get access to the Highway entrance while PCD Dulip along with another officer in the team got off the van and removed the false number plates and re-fixed the correct number plates on the van. Thereafter, they came to Imaduwa Highway entrance of the Southern Highway at which point the officers at Imaduwa Highway entrance had stopped them. Police officers at Imaduwa Highway entrance did not allow them to enter the Highway towards Colombo. After some time, Weligama Head Quarters Inspector (HQI) came to Imaduwa entrance of the Highway and took steps to dispatch the two injured officers of the CCD to the hospital by an ambulance. The others were taken to Weligama police station by HQI Weligama.

This witness has specifically stated in his evidence that at no time did the Respondent IGP Deshabandu Tennakoon ever speak to him to ascertain what happened after the incident of shooting. He has also stated that at no time did DIG Jagath Chandra Kumara also ever speak to him to ascertain as to what happened at Weligama on this date. The Acting Director ASP Neville de Silva had come to Weligama Police station between 5.30 am to 6.00 am on 31-12-2023. The Acting Director ASP Neville de Silva having discussed with the CCD team members who faced the incident of shooting, had instructed them to give statements to Weligama police, fabricating the story that they retaliated fire when they were fired upon by an unknown 3rd party, in front of W15 hotel in Weligama. Thereafter, the team members had taken steps to give statements to Weligama Police fabricating the story that they retaliated fire when they were fired upon by an unknown 3rd party, in front of W15 hotel. Even before the Hon. Magistrate of Matara in the course of their evidence recorded in the inquest (conducted by the Magistrate relevant to case No. BR 6314/2023), the CCD team members have narrated the same fabricated version of the events. Thereafter, in his first statement to the CID also CI Anslem de Silva had narrated the same fabricated story. However, thereafter, having

discussed with the other members, CI Anslem de Silva and the other members of his team which went to Weligama, had volunteered to divulge the true story to the CID in March 2025.

CI Anslem de Silva having identified the reward voucher prepared in respect of the reward awarded to PS 57421 Upul who was killed in the shooting incident, has stated that it was prepared in that way on the direction of the Acting Director CCD ASP Neville de Silva. It is the position of CI Anslem de Silva that the basis mentioned in the reward voucher **P-2** that PS 57241 Upul was killed by firing attributed to unidentified gunman who was suspected of being engaged in heroin business with W. Chinthaka alias *Harak Kata* is clearly a fabricated and false claim. According to this witness, this false claim has been deliberately inserted in the reward voucher **P-2** and all members in his team knew that the action of firing at W15 hotel by SI Maduranga was carried out as an illegal act.

This witness has further stated that even in the affidavit signed by him on behalf of the other team members filed before the Court of Appeal seeking a writ of certiorari to quash the decision to arrest them, had contained the false facts i.e., the same fabricated story in regard to the way this incident had happened.

This witness identified **P-13**, **P-14**, **P-15** and **P-16** as the documents prepared after this incident of shooting and after the death of PS 57241 Upul to falsely show that permission by the superior officers had been granted to the CCD team led by him to travel to Weligama on 30-12-2023. According to this witness, the Acting Director ASP Neville de Silva had asked this team to undertake the firing at W15 hotel only on 30-12-2023. However, according to **P-13**, **P-14**, **P-15** and **P-16** it was on 29-12-2023 that all the superior officers i.e. ASP, DIG and SDIG (Respondent IGP) had granted permission for this team to travel to Weligama on 30-12-2023. Moreover, this witness has admitted that at the time of leaving the CCD premises at 8.30 pm on 30-12-2023 they did not have written permission from any superior officer to undertake such travel. This indicates that the filled and approved Police Form 439 and the covering letters by ASP, DIG and SDIG (Respondent IGP) which are the documents marked as **P-13** to **P-16** were non-existent documents as at 29-12-2023.

Answering the questions asked by the learned Counsel who appeared for the Respondent IGP, some of the relevant facts this witness has stated include the following: being 58 years of age, he is close to the retirement age at the moment; CCD was involved in investigation into Nadun Chinthaka alias *Harak Kata's* narcotics dealer network; this investigation was primarily conducted by IP Nishantha's unit; it was because of that he entered his out-entry in the

Information Book maintained in Unit 01 of which IP Nishantha is the OIC; the Acting Director ASP Neville de Silva gave the afore-said illegal instructions in his office before the afore-mentioned officers; he was aware that it was the Respondent IGP who had instructed the Acting Director of the CCD to undertake investigations with regard to the persons mentioned in the list attached to **R-2**.

During the cross-examination, CI Anslem de Silva has re-iterated that in the previous set of statements, what he told was a fabricated version relating to the sequence of events of the incident of shooting that happened in front of W15 hotel at Weligama. It is the fabricated version of the events which he had narrated firstly, in the statement to Weligama police station on 31-12-2023, secondly, in the evidence recorded on 29-02-2024 before the Matara Magistrate's Court in the inquest proceedings and thirdly, in the statement made to the CID on 03-02-2025. However, it is the position of this witness that he has stated the truthful and correct version of events in his statement which he has voluntarily made on 08-03-2025 to the CID and thereafter in his next statement to the CID made on 22-03-2025.

The learned Counsel for the Respondent IGP has produced before the Committee of Inquiry, the Petition filed in CA Writ 817/2024 as **R-9**; the affidavit attached thereto as **R-10**; the proxy filed in that case by the six Petitioners as **R-11**; the Memorandum of Understanding filed in that case as **R-12**; the proxy signed by the Acting Director Neville de Silva as **R-13**; and the journal entries of the case as **R-14**. Acting Director Hettiarachchige Neville Virginton de Silva has signed this affidavit in Kuruwita prison.

Responding further to the questions asked during the cross-examination by the learned Counsel for the Respondent IGP, it was the evidence of this witness that sometimes the CCD officers do not inform the outstation police stations when they go on certain duties out of their station.

The learned Counsel for the Respondent IGP had asked as to why this witness did not complain against this illegal order to a senior officer. This witness has then answered stating that if he did that, it was not possible for him to continue to survive in the police service. This witness has also stated that it was not possible for him to enter a note to that effect since all the members before the Acting Director CCD undertook to carry out this illegal order.

The learned Counsel for the Respondent IGP had suggested to this witness that he made this statement after he was interdicted on 06-03-2025. However, this witness has stated that they

were expecting the interdiction and that was the reason why they volunteered to divulge the truth to the CID on 08-03-2025.

Even during the cross-examination this witness has specifically admitted that the team that went to Weligama under his leadership has committed an illegal act, namely, opening fire at W15 hotel at Weligama. In addition to the above, this witness has repeatedly narrated the sequence of events which he has asserted during the evidence in chief as the correct version of events. This witness has not deviated from the said sequence of events during the cross-examination. He also has re-iterated that the initial set of statements, the evidence given at the inquest before the Magistrate of Matara and the affidavit filed before the Court of Appeal contain a fabricated version of events with regard to the sequence of events leading to opening of fire at W15 hotel. He has repeatedly asserted that he did not see the arrival of night mobile patrol jeep of Weligama Police but learnt that from the others in the van. The learned Counsel for the Respondent IGP had suggested to this witness that he was negligent and delayed hospitalizing the injured persons as soon as possible and the said negligence has caused the death of Police Sergeant Upul. Answering further to the questions asked during cross-examination, this witness has told that his team decided against going towards the town again fearing that Weligama police officers would fire at them again. The learned Counsel for the Respondent IGP has suggested to this witness that his assertion that he received an illegal order to open fire at W15 hotel at Weligama is false. However, this witness has rejected the suggestion.

Army Sergeant Ruchiranga also has given evidence before this Committee of Inquiry. The Committee of Inquiry for the reasons it has stated in pages ahead in this report, has concluded that the evidence of Police Sergeant Sisira Kumara who was in charge of night mobile patrol of Weligama police and the evidence of Army Sergeant Ruchiranga who had used a T56 weapon to fire at CCD van to be truthful. The evidence given by CI Anslem de Silva is consistent with the evidence of each of the afore-mentioned witnesses and hence they mutually corroborate each other. The Committee in the pages ahead in this Report, has decided to reject the position taken up by the Respondent IGP that the original version in the statements given by the members of the CCD team to Weligama Police on 31-12-2023 that they only retaliated when they came under fire by an unknown organized crime group member in front of W15 hotel, must be taken as the correct version of the incident of shooting at Weligama. The Committee for the reasons set out in the pages ahead in this Report, has also decided to reject the positions taken up in this regard by DIG Jagath Chandra Kumara and ASP Neville de Silva who were called to give evidence on behalf of the Respondent IGP. Thus,

the Committee of Inquiry has no basis to reject the evidence of this witness but has every reason to accept and act upon CI Anslem de Silva's evidence.

(2) The evidence of Police Sergeant (PS 16089) Imaduwa Manage Ajith Sisira Kumara.

This witness is the Police Sergeant who was in-charge of the combined Police and Army night mobile patrol in Weligama area. This patrolling team travelled in the jeep bearing registration No. GC 0320 belonging to Weligama police station. According to this witness, this team of night mobile patrol of Weligama police station was coming towards Galle on the Galle Road, at the time of the incident. He was seated in the front left seat of the jeep in the driver's row. This jeep is a jeep printed with 'Police' and could be easily identifiable as a police jeep. It is a blue colour police jeep which is the standard nature of jeeps used by police in this country. There were two army officers in the rear seats of the jeep and another Police Constable. One soldier and one Police Constable each carried T56 rifles with 120 rounds of ammunition. Sergeant Sisira Kumara carried a small firearm. When they were approaching, they saw a white colour KDH van parked by the side of the Galle Road right in front of W15 hotel. They then heard sounds similar to bursting crackers (රතිඤ්ඤා පුපුරනවා වගේ සද්දයක් ඇහුනා). Upon hearing that sound they slowly travelled forward towards the KDH van carefully examining as to what was happening there. They slowly overtook the parked KDH van from its right side at which time they saw that a person was firing at W15 hotel through the opened left side rear door of the van. The time was around 2.20 to 2.25 am on 31-12-2023. This witness has also stated before the Committee that even the driver of the police jeep had observed the firing from the parked van at this time. He had ordered the driver to stop the van after passing the parked KDH van and the driver accordingly stopped the jeep approximately about 5-7 meters ahead of the parked KDH van on the same side of the road. Both vehicles were facing the same direction (Galle direction) and were parked on the same side of the road.

After Weligama police jeep stopped ahead of the parked KDH van, Police Sergeant Sisira Kumara got off the jeep and started walking towards the KDH van which was parked in front of W15 hotel. As he started walking towards the KDH van, the van started speeding off overtaking the Weligama police jeep which was stopped in front of the KDH van. It was at that time, Police Sergeant Sisira Kumara had ordered the members of his team (Weligama police night mobile patrol team) to open fire at the KDH van and the firing indeed took place. He later got to know that it was Army Sergeant Ruchiranga who had opened fire at the KDH

van with a T56 rifle. As the KDH van sped off, Police Sergeant Sisira Kumara got back into the police jeep and started chasing behind the speeding KDH van. During this time, he had alerted Weligama HQI through his mobile phone regarding the incident. However, due to the old condition of the Weligama police jeep they could not effectively chase behind the KDH van and as a result the KDH Van sped off and disappeared from their vicinity. All members of Weligama night mobile patrol were wearing their respective uniforms. It is a marked police jeep which is capable of being identified as a police jeep without any doubt. As Police Sergeant Sisira Kumara had got off the jeep and as he was in police uniform and as there was ample light around the scene, there had been no difficulty to those in the KDH van, particularly for those who were seated in front seats of the van, to have observed and understood that it was a police jeep which had arrived and parked in front of their KDH van at the scene.

After the incident of shooting, Police Sergeant Sisira Kumara had given a statement to Weligama police which was recorded by IP Nandasiri, OIC Crimes of Weligama police station. Perusal of that statement shows that IP Nandasiri had recorded the statement from this witness (Police Sergeant Ajith Sisira Kumara) at 6.00 am on 31-12-2023. During the cross-examination, answering the questions asked by the learned Counsel for the Respondent IGP, Police Sergeant Sisira Kumara has reiterated the same sequence of events confirming what he has already testified in his evidence-in-chief. This witness has described the police jeep in which they were traveling, to be a Land Cruiser jeep. There were five members in his team. The police jeep was marked 'Police Weligama' in Sinhala. This was printed on both sides of the jeep. The learned Counsel for the Respondent IGP was attempting to show that when one calculates the time, after taking into consideration, the time the Police jeep had left Mirissa and the speed at which the jeep was traveling, such calculation would make it impossible for this incident to have occurred at the time this witness has asserted. However, this witness has explained that the times he had given and the speed he had given were only approximate figures. Answering cross-examination, this witness has admitted that he has attached his statements marked **X1** and **X2** to his affidavit. Further answering cross examination, this witness has re-iterated that he clearly saw gun fire emanating from the parked KDH van towards W15 hotel with the illumination in the area from the lights. One of such portions from the testimony of this witness could be reproduced as follows:

ප්‍ර: හරි. සාක්ෂිකරු ඊට පස්සේ මොනවාද නිරීක්ෂණය කෙරුවේ?

උ: ඒ වෙලාවේදී නවතා තිබූ ඒ වාහනය අධික වේගයෙන් මා ඉදිරියට ආවා. මම අපේ ජීප් රථයෙන් එම වාහනය පසුකර යන විට මම පැහැදිලිව දුටුවා වෙඩි තියනවා. එම අවස්ථාවේ මම

ඇස් දෙකට දැකපු නිසා තමයි වෙඩි තියනවා කියලා දැන ගත්තේ. ඒ අනුව තමයි මම වෙඩි තියපු ඒ වාහනය ළඟට ජීප් රථයෙන් බැහැලා ගමන් කළේ.

ප්‍ර: තමුන් ඒ වාහනය ළඟට ගිහිල්ලා මොනවාද කිව්වේ?

උ: කියන්න වුණේ නැහැ ස්වාමීනි; අපේ ජීප් රථය පිටුපසටවත් යන්න වුණේ නැහැ. ඒ වාහනය අධික වේගයෙන් මා නවතා තිබූ ජීප් රථය දෙසට පැමිණියා.

ප්‍ර: ඊට පසුව මොකක්ද වුණේ?

උ: ඔවුන් අපේ ජීප් රථයට දකුණු පසින් ඉදිරියට ගමන් කළා.

ප්‍ර: ඒ වාහනය ඔබේ වාහනය පසුකර යද්දී ඔබේ වාහනයට පුංචි හෝ සීරීමක් වුණා ද?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: ඔයගොල්ලන් පසු කරගෙන ඒ වාහනය ගිහිල්ලා තිබෙනවා නේද?

උ: එසේය, ස්වාමීනි.

ප්‍ර: ඊට පස්සේ ඒ වාහනයෙන් ඔබලාට වෙඩි තිබ්බේ නැහැ නේද?

උ: නැහැ.

ප්‍ර: ඒ වාහනයෙන් වෙන කාටවත් වෙඩි තිබ්බෙත් නැහැ නේද?

උ: නැහැ.

ප්‍ර: තමුන් වාහනයෙන් බැහැලා ඒ වැන් රථයේ ඉන්නා අයට මොකක් හෝ අණක් දුන්නා ද?

උ: එසේ අණක් දෙන්න අවස්ථාවක් හම්බ වුණේ නැහැ.

ප්‍ර: මුකුත්ම අවස්ථාවක් හම්බ වුණේ නැහැ?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: ඒ මුකුත්ම කරන්න ඉස්සෙල්ලා ඒ අය ගියා?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඒ වැන් රථය අධික වේගයෙන් ගියා ද?

උ: එසේය, ස්වාමීනි.

ප්‍ර: අධික වේගයෙන් ගිය ඒ වාහනයට තමුන්ගේ නිලධාරීන්ට දීපු අණ මොකක්ද?

උ: මට භය හිතුණා, ස්වාමීනි. මම පැහැදිලිවම දැක්කා වෙඩි තියනවා කියලා. මම දන්නේ නැහැ මේ ගොල්ලන් කවුද කියන්න. ඒ නිසා එම වාහනය නවතා ගැනීමට අවශ්‍ය නිසා මම අපේ නිලධාරීන්ට කිව්වා වෙඩි තියන්න කියලා.

ප්‍ර: හරියටම හරි. සාක්ෂිකරු කියා තිබෙන්නේ ඒක නේ. වාහනය නවත්වා ගන්න ඕනෑ නිසා වෙඩි තියන්න කියලා කිව්වා?

උ: ඔව්.

ප්‍ර: සාක්ෂිකරුගේ වචනයෙන්ම කිව්වොත්, සාක්ෂිකරු ජීප් රථය ඇතුළේ හිටපු නිලධාරීන්ට කියා තිබෙනවා, "වෙඩි තියාපාන්" කියලා?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඒ වෙලාවේ සාක්ෂිකරුගේ ජීප් රථය ඇතුළේ කී දෙනෙක් හිටියාද?

උ: යුද හමුදා නිලධාරින් දෙදෙනායි; රියැදුරුයි; පොලිස් කොස්තාපල්වරයෙකුයි.

ප්‍ර: යුද හමුදා නිලධාරීන් දෙදෙනාගෙන් එක් අයෙකුගේ අතේ T56 ගිනි අවියක් තිබුණා?

උ: පිටවීමේදී එක අවියයි ගෙනිච්චේ.

ප්‍ර: පොලිස් නිලධාරියා අතේ තවත් ගිනි අවියක් තිබුණා ද?

උ: තිබුණා.

ප්‍ර: ඒකත් එක්කත් මැගසින් 4ක් තිබුණා නේද? ඒ කියන්නේ, එම ගිනි අවි දෙකේ උණ්ඩ 120 බැගින්, උණ්ඩ 240ක් තිබුණා නේද?

උ: ඔව්.

ප්‍ර: අර පොලිස් නිලධාරින් දෙදෙනා වෙඩි තිබ්බා ද?

උ: එක පොලිස් නිලධාරියෙකුගේ අතේ විතරයි ගිනි අවියක් තිබුණේ.

ප්‍ර: එක පොලිස් නිලධාරියකුගේ අතේ ගිනි අවියක් තිබුණා. යුද හමුදා නිලධාරින් දෙදෙනාගෙන් එක් අයෙකු අතේ තවත් ගිනි අවියක් තිබුණා. ඒක නිවැරදියි නේද?

උ: ඔව්, නිවැරදියි.

ප්‍ර: මම අහන්නේ, ඒ ජීප් රථයේ හිටපු පොලිස් නිලධාරින් දෙදෙනාගෙන් එක් අයෙක් වෙඩි තිබ්බාද?

උ: ඒ අවස්ථාවේ මම දැක්කේ නැහැ. මොකද, මම බිමට බැහැලා නේ හිටියේ.

When the learned Counsel for the Respondent IGP had attempted to confront this witness by suggesting that he did not give prior warnings before he ordered the mobile patrol team to open fire, this witness has clarified that it was on the spur of the moment that everything happened and there was no alternative but to open fire at the KDH van as it was escaping from the scene. Police Sergeant Sisira Kumara also stated that he gave the order to shoot at the van as it was a van with the people who had fired at W15 hotel without any justification. Answering further to a question in cross-examination Police Sergeant Sisira Kumara has stated that those in the KDH van should have come forward to surrender or to identify themselves upon seeing the Weligama police jeep and himself in Police uniform at that time. His evidence in this regard is as follows.

ප්‍ර: හරියට හරි. එතකොට, වැදගත්ම දේ මේකයි. ඔබතුමා යුනිෆෝම් ඇඳගෙනනේ බැස්සේ. උතුම් වූ විනිශ්චයකාරතුමාත් ඒ ප්‍රශ්නය ඇහුවා. මේ ගරු සභාවෙනුත් ඇහුවා. ඒ වෙලාවේ එතැන පැවැති එළිය අනුව බැහැලා ඉන්නේ පොලිස් නිලධාරියෙක් කියලා වාහනයේ හිටපු අයට දැක ගන්න පුළුවන්ද?

උ: දර්ශනය වෙනවා, ස්වාමීනි.

ප්‍ර: සාමාන්‍ය මනුස්සයෙකුට පේන්නම ඕනෑ නේද?

උ: පේනවා, ස්වාමීනි.

ප්‍ර: ඔබතුමා දන්නා නීතිය අනුව, ඔබතුමා යුනිෆෝම් එක ඇඳලා ඉස්සරහට ගියාට පස්සේ ඒ ගොල්ලෝ නීතිය අනුව ඔබට යටත් විය යුතුද, නැද්ද?

උ: නීති ගරුක අය පැමිණියා නම් යටත් වෙන්න ඕනෑ.

ප්‍ර: ඔව්, අනිවාර්යයෙන්ම යටත් වෙන්න ඕනෑ. ඔවුන් තමන්ට යටත් වුණාද, නැද්ද?

උ: නැත, ස්වාමීනි.

ප්‍ර: නැහැ, ඔවුන් පළා ගියා?

උ: ඔව්, ඔවුන් පළා ගියා.

With regard to the evidence given by Police Sergeant Sisira Kumara, the Committee observes that the learned Counsel for the Respondent IGP did not even attempt to suggest that he was giving false evidence. The position taken up by the learned Counsel for the Respondent IGP

was that the opening fire from night mobile patrol jeep of Weligama Police took place due to a hasty order given by this witness to his team. The learned Counsel for the Respondent IGP sought to attribute that as a lapse on the part of this witness. Indeed, the Respondent IGP also in the course of his evidence, did not attempt to attack the credibility of this witness. Instead, the Respondent IGP admitted in the course of his evidence that the officers of Weligama night mobile patrol merely carried out their duties and there was no lapse on their part. As has been stated before, it was at 6.00 am in the morning on 31-12-2023 that OIC of the Crimes Branch of Weligama police station had recorded a statement from this witness at the crime scene itself. Army Sergeant Ruchiranga also has given evidence before this Committee of Inquiry. The Committee of Inquiry has given reasons at the time of evaluating Army Sergeant Ruchiranga's evidence, as to why it has decided to accept Ruchiranga's evidence as truthful. Army Sergeant Ruchiranga's evidence is in perfect harmony with the evidence of Police Sergeant Sisira Kumara. Therefore, the Committee finds that the evidence given by each of those witnesses mutually corroborate each other. Thus, the Committee of Inquiry has no doubt that these two witnesses have explained in their evidence, the exact way this incident of shooting had indeed happened. Interestingly, CI Anslem de Silva who was in-charge of the CCD team has also narrated in his evidence, the same, as the truthful sequence of events which actually took place during 2.20 am to 2.25 am on 31-12-2023. Police Sergeant Ajith Sisira Kumara's evidence and Army Sergeant Ruchiranga's evidence which the Respondent IGP too does not controvert, do not definitely support the former version (of events) narrated by CI Anslem de Silva (fabricated version of events narrated to the statement made to Weligama Police on 31-12-2023). Therefore, however much an argument was sought to be advanced on behalf of the Respondent IGP that the original version narrated by the members of the CCD team to Weligama Police on 31-12-2023 stating that they only retaliated when they came under fire by an unknown organised crime group member in front of W15 hotel, cannot stand and has to necessarily collapse for good.

(3) <u>The evidence of PCD 89728 Amarasingha Kalu Arachchige Dulip Gihan Piyatissa</u>.

This witness as a Police Constable Driver drove the KDH van bearing registration number WP PK 7225 belonging to the CCD which transported the eight-member team led by CI Anslem de Silva to go to Pelena Weligama on 30-12-2023. It is his evidence that he, with the assistance of two other Police Constable Drivers attached to CCD, namely, PCD Amila and PCD Bandara pasted a sticker on the body of the van before they set off from CCD office on 30-12-2023 to

Weligama. It is also his evidence that he with the assistance of another Police Constable, namely, Udayanga attached to CCD, went and bought these stickers from a shop in Darley Road, Colombo, using a motorcycle. The pasting of stickers on the KDH Van was done during the second half of the day on 30-12-2023. According to him, the sticker he pasted on the van in this manner, remained on the body of the van even when the van was brought to Weligama police station after the incident of shooting. PCD Dulip Gihan Piyatissa in his evidence has also confirmed that upon instructions of IP Nishantha, he along with the others had removed the correct number plates of the CCD's KDH van and fixed false number plates on it, at CI Anslem de Silva's residence at Mount Lavinia. This was done with the assistance of Police Sergeant Upul who was killed in the shooting incident. PCD Dulip Gihan Piyatissa is a resident in Thambuththegama area. He therefore, stated that he is not familiar with Matara area. Until the time of exiting from the Highway he did not know about the mission to be undertaken by the team. It was soon after exiting the Highway from Kokmaduwa exit that IP Nishantha had told the others in the van that they were going for an illegal activity. Having come to Weligama area, they had identified the location where W15 hotel is situated. At one point of time, as a security guard approached, they had again moved away from that location. Having driven the van passing W15 hotel, once they had waited at a point away from W15 hotel for some time. Having waited at that place to allow the traffic flow on the road to reduce, PCD Dulip Gihan Piyatissa had driven the van again and stopped it right in front of W15 hotel. This was during the early hours of the morning of 31-12-2023. According to PCD Dulip Gihan Piyatissa, SI Maduranga who was seated next to the rear left side sliding door of the CCD's KDH van, opened it and started firing at W15 hotel.

After SI Maduranga finished firing at W15 hotel, PCD Dulip Gihan Piyatissa has heard somebody in the van alerting others about the arrival of police officers. This witness has stated that the police jeep arrived either when SI Maduranga was still firing at W15 hotel or once he had stopped firing. What he heard from inside the van are the words 'පොලිසියන්, පොලිසියන්'. Having known previously after exiting from Kokmaduwa exit of the Southern Highway that the team was going to undertake an illegal act, he had got alarmed upon the hearing of the words 'පොලිසියන්, පොලිසියන්'. It was at that moment that he heard other team members shouting 'යමන් යමන්'. Upon hearing these words, he had seen and identified a Land Cruiser police jeep with a GC number. PCD Dulip Gihan Piyatissa had no doubt as he clearly identified that vehicle to be a police jeep. Upon being instructed to do so, PCD Dulip Gihan Piyatissa immediately drove the van overtaking the police jeep in the direction of Galle. As he was speeding up overtaking Weligama Police night mobile patrol jeep, he had heard the sounds of gun fire and

realized that the CCD van came under fire. As a big wind suddenly came inside the van while the van was still moving after it sped away from the location of W15 hotel, PCD Dulip Gihan Piyatissa had realized that the glasses of the CCD van had got shattered by the gun fire. This was because this van was a fully air-conditioned van and therefore all doors and windows of the van remained shut at all times. At that time, OIC Anslem de Silva had told the others that Police Sergeant Upul had got shot.

On the way, he had turned the van into a by-road and parked it at a spacious place for some time; it was there that PCD Dulip Gihan Piyatissa got off the van and re-fixed the correct number plates of the van. Thereafter, they found their way and reached Imaduwa entrance of the Southern Highway. However, police officers on duty at Imaduwa Highway entrance stopped the van and did not allow them to proceed. The CCD members were asked to stay inside the van until HQI Weligama came to that place. At that time, PCD Dulip Gihan Piyatissa had realized that Police Sergent Upul and SI Maduranga had received gunshot injuries. Although OIC Anslem de Silva had showed his Identity Card to the officers on duty at Imaduwa entrance of the Southern Highway, the CCD team in the van was not permitted to leave the place. It was only after HQI Weligama came to Imaduwa entrance of the Highway that 1990 *Suwaseriya* ambulance came there and took away the two injured persons to Karapitiya hospital. Giving further evidence, this witness has admitted that he told a fabricated story initially to Weligama police station to portray a picture that the CCD team retaliated fire to an incident of shooting by an unknown gunman in front of W15 hotel. He also admitted that he told the same fabricated story in his evidence in the inquest proceedings before the Hon. Magistrate of Matara. He confirmed in his evidence that he thereafter went to the CID accompanied by an Attorney-at-Law and voluntarily gave a statement to the CID revealing the true sequence of events relating to the incident of shooting in front of W15 hotel at Weligama. Thus, he has confirmed in his evidence that he narrated a fabricated version pertaining to the incident of shooting in front of W15 hotel in the statement he had earlier made to Weligama police station on 31-12-2023,

Answering the questions asked by the learned counsel for the Respondent IGP during the cross-examination, PCD Dulip Gihan Piyatissa has denied that he was given any google location or a GPS grid to locate W15 hotel during the journey. Answering further during cross-examination, this witness has very positively confirmed the fact that he clearly identified that it was the Weligama night mobile patrol jeep that came and stopped in front of CCD van at the scene during the incident of shooting by SI Maduranga at W15 hotel. PCD Dulip Gihan Piyatissa also has positively confirmed the fact that it was the Police Officers in the Weligama

Police Land Cruiser jeep who fired at the CCD van when he was driving the CCD van away with high speed. PCD Dulip Gihan Piyatissa also has admitted that the right thing which should have been done at that time, was for the CCD officers to have identified themselves to Weligama police night mobile patrol officers without escaping from the scene upon the arrival of the Weligama police jeep. Although he knew that it was the right thing to do, he had no option but to speed away from the scene in the CCD van as that is what he was instructed to do at that time by the senior officers in the van. Under further cross-examination he has categorically admitted that the changing of number plates of the CCD van was an illegal act and the mission undertaken by the CCD team to fire at W15 hotel was also an illegal act.

During the intense and piercing cross-examination by the learned Counsel for the Respondent IGP, this witness became emotional. This is reflected in the following passage:

ප්‍ර: මහත්තයෝ ඔබතුමාට පුළුවන්කමක් තිබුණා නේ පොලිස්පතිතුමාට හරි සීනියර් ඩීඅයිජී මහත්මයාට හරි, ඩිවිෂන්ට හරි, නි.පො.ප කොළඹට හරි පොලිස්පති සහන මන්දිරයට හරි ලියලා කියන්න තිබුණා නේ කිව්වාද, නැද්ද?

උ: තේරුණේ නැහැ මට ස්වාමීනි. මේ කියන්නේ මොනවාද කියලා.

ප්‍ර: මම කියන්නේ දැන් තමුන් නීති විරෝධී වැඩක් කෙරුවා? ඔව් නේ?

උ: මම නම් කළේ නැහැ ස්වාමීනි. මට උසස් නිලධාරියෙක් කරපු වැඩේ තමයි ස්වාමීනි. මම මුල ඉඳන්ම කියන්නේ ඒකයි ස්වාමීනි. ඇත්තම. මම දැන් බොහොම අමාරුවෙන් ජීවත් වෙන්නේ ස්වාමීනි. මට දරුවෝ තුන්දෙනෙකුත් ඉන්නවා, ස්වාමීනි. මම දන්නවා නම් පොලීසියට එන්නෙත් නැහැ ස්වාමීනි. මම බැඳලා - විවාහ වෙලා - ආවේ ස්වාමීනි. ගොවිතැනක් කරන් ඉන්නවා ඔය බවක් දන්නවා නම්. මට එපා වෙලා තිබෙන්නේ ස්වාමීනි දැන්. මට ඉමේ ජොබ් එකත් එපා ස්වාමීනි. නිදහස් වෙන්නයි ඕනෑ මෙව්වායින්. නිදහසේ ජීවත් වෙන්න. වැඩක් කර ගන්න විධියකුත් නැහැ ස්වාමීනි, එපා වෙලා ඉන්නේ මට ස්වාමීනි.

(සාක්ෂිකරු අඬයි)

Further, this witness in answering further questions has stated that he merely carried out the orders of his superiors during this incident. Although the questions asked from this witness by the learned Counsel for the Respondent IGP looks on the face of it, as if he had attempted to discredit the evidence of this witness, at no time had the learned Counsel for the Respondent IGP suggested to this witness that he was giving false evidence. On the other hand, PCD Dulip Gihan Piyatissa's evidence is well corroborated by all the other witnesses who gave evidence about the shooting incident that occurred in front of W15 hotel at Weligama on 31-12-2023

as eye witnesses. As would be mentioned in the pages ahead in this report, the Respondent IGP has not sought to contradict the evidence of the witnesses involved in the incident of the CCD van being stopped after it reached Imaduwa Southern Highway entrance.

As has already been stated before, the Committee of Inquiry has concluded that the evidence of Police Sergeant Sisira Kumara who was in charge of night mobile patrol of Weligama police and the evidence of Army Sergeant Ruchiranga who had used a T56 weapon to fire at CCD van as truthful evidence. The Committee has also observed that the evidence given by CI Anslem de Silva is consistent with the evidence of each of the afore-mentioned witnesses and hence mutually corroborate each other. As has been mentioned before, the Committee has also decided to reject the position taken up by the Respondent IGP that the original version given by the members of the CCD team to Weligama Police on 31-12-2023 stating that they only retaliated when they came under fire by an unknown organized crime group member in front of W15 hotel must be taken as the correct version of the incident of shooting at Weligama. The Committee of Inquiry also has observed that the evidence of PCD Dulip Gihan Piyatissa is well corroborated by the set of witnesses of the Highway Division who gave evidence before this Committee. The Committee of Inquiry therefore decides to accept and act upon the evidence of PCD Dulip Gihan Piyatissa.

(4) <u>The evidence of DIG Gunandawadu Nishantha de Zoysa.</u>

DIG Nishantha de Zoysa was the Director of Police Special Branch which is the main intelligence arm of Sri Lanka Police. This Branch is directly supervised by the IGP. They do not conduct open inquiries but only covert operations to gather information about suspicious things and feed the IGP and the other relevant officers on a daily basis. The Respondent IGP had summoned him on 29-12-2023 to his office. At that time, the Director Terrorist Investigations Division (TID) SSP Prasanna Alwis, CCD Acting Director Neville de Silva and several others were there in that office. The Respondent IGP had instructed the Acting Director CCD to conduct further investigations on the name list attached to the letter **R-2**. DIG Nishantha de Zoysa has identified the minute *'FNA'* as having been made by the Respondent IGP on **R-2**. Accordingly, DIG Nishantha de Zoysa had instructed the ASP of his Branch stationed in the Southern Province to provide this information to the officers coming from the CCD to the area.

DIG Nishantha de Zoysa was aware that a team led by IP Jayatilleke went to Matara for this purpose as IP Jayatilleke also had contacted him on this matter. However, DIG Nishantha de Zoysa was not informed about the CCD team led by Anslem de Silva going to Weligama on 30-12-2023. Nobody in that team had contacted DIG Nishantha de Zoysa either to gather any information of any suspect mentioned in the document **R-2** or for any other matter during the relevant time.

It is the evidence of DIG Nishantha de Zoysa that on a date between 29-12-2023 to 31-12-2023, the Respondent IGP had contacted him directly and instructed him to send to him, the details of places where Facebook parties were to be held, presumably at the eve of new year in 2023. Accordingly, he has got that information from the OIC of Special Division attached to Matara, CI Rajakaruna and transmitted the details about nine such places to the Respondent IGP. W15 hotel Pelena Weligama is one place amongst them.

Having received the above information, the Respondent IGP Mr. Deshabandu Tennakoon had then instructed DIG Nishantha de Zoysa to forward to him, further details about W15 hotel including its photographs. Accordingly, he had collected this information from SI Priyankara attached to the Anti-Vice Unit of Matara Police and transmitted the same to the Respondent IGP Mr. Deshabandu Tennakoon.

Giving further evidence, DIG Nishantha de Zoysa has stated that he received a call around 2.45 am on 31-12-2023 from the Acting Director CCD ASP Neville de Silva. ASP Neville de Silva had told him over the phone at that time that the CCD team which went to Weligama, had come under fire by an unknown gunman of an organized crime group (firing from underworld). ASP Neville de Silva had also told him that he could not contact the Respondent IGP and therefore requested him to contact the Respondent IGP and inform him about this incident.

Upon hearing this information from Acting Director CCD ASP Neville de Silva, DIG Nishantha de Zoysa had wanted to verify more details of the incident and therefore called ASP Weligama, SSP Matara and later DIG Matara. He had then got to know that the CCD team had gone to Weligama without informing the relevant authorities in the area. During that time, as the IGP had answered his phone at one time, DIG Nishantha de Zoysa had passed the messages which the Acting Director CCD had wanted him to pass to the IGP. It was at that time that the Respondent IGP had told him over the phone 'ගියපු එවුන් පිස්සුවක් කෙලලා ද? මුන් බීල ද හිටියේ?' The Respondent IGP had also told him that he would call ASP Neville de Silva. DIG Nishantha de Zoysa's evidence in this regard is as follows:

ප්‍ර: කලින් සාක්ෂි දීමෙදී තමුන්ට හැඟිච්ච දෙයක් ගැන සඳහන් කරමින් ආවේ?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: පැහැදිලි කරන්න, මොකක්ද ඒක?

උ: ස්වාමීනි, මේ සිද්ධියෙන් පසු පාන්දර මගේ මතකයේ හැටියට 2.45ට වාගේ -

පරීක්ෂණ කමිටුවෙන්:-

ප්‍ර: මොන සිද්ධියෙන් පසුවද?

උ: වැලිගම. අද සාක්ෂි ලබා දෙනු ලබන සිද්ධිය ගැන.

ප්‍ර: වෙඩි තැබීමේ සිද්ධිය?

උ: වෙඩි තැබීමේ සිද්ධිය. සාමාන්‍යයෙන් ඕනෑම වෙඩි තැබීමේ සිද්ධියක් සිදු වූ වහාම ක්ෂණිකව පොලිස්පතිට දැනුම් දීම මගේ වගකීමක්, පොලිස්පතිතුමාට විතරක් නොවෙයි. මම කලින් සාක්ෂි ලබා දෙමින් දැනුම් දුන් හයරාකි එකේ සියලුම අයට දැනුම් දීමක් සිද්ධ කරනවා. පාන්දර 2.45ට විතර මම තද නින්දේ පසු වුණේ. එසේ පසුවන අවස්ථාවේදී මගේ දුරකථනය නාද වුණා.

ප්‍ර: ඒ කියන්නේ ඔය 31 වැනිදාද?

උ: එහෙමයි. ස්වාමීනි. දුරකථනය නාද වුණා. ඒ නාද වෙන අවස්ථාවේදී මම හිතන්නේ තද නින්ද නිසා මම ඒ දුරකථනය දෙපාරක්, තුන්පාරක් විතර විසන්ධි කිරීමක් සිද්ධ කළා. සයිලන්ට් කිරීමක්. නමුත් අවසානයේදී ඇහැරිලා මම ආන්සර් කළා. නිදිමතේම මම ආන්සර් කළා. එතකොට අනෙක් පැත්තෙන් කථා කළ කෙනා 'සර්, මම නෙවිල් සිල්වා කථා කරන්නේ කියලා' දැනුම් දුන්නා. පොලිස්පතිතුමා කන්ට්‍රක්ට් කරගන්න බැහැ. හදිසියේම පොලිස්පතිතුමාව කන්ට්‍රක්ට් කරගන්න ඕන සර්. සිද්ධියක් තිබෙනවා කියලා කිව්වා. එකකොට මම ඇහුවා. මොකක්ද කියලා. ඒ අවස්ථාවේදී කිව්වා, CCD ටීම් එකකට වැලිගමදී වෙඩි වැදිලා තිබෙනවා සර් කියලා. ඒක අන්ඩර් වර්ල්ඩ් එකෙන් තියලා තිබෙන කථාවක් තමයි ස්වාමීනි, මුලින්ම දැනුම් දුන්නේ. ඉන් අනතුරුව මම ඒක වෙරිෆයි කරගන්න ඕනෑ නිසා විශේෂ කාර්යාංශ මූලස්ථානයට දුරකථන ඇමතුමක් අරගෙන දැනුම් දුන්නා, මෙවැනි සිද්ධියක් වාර්තා වෙලා තිබෙනවාද කියන එක. ඒ අවස්ථාවේ ඒ වන විට වාර්තා වෙලා තිබුණේ නැහැ. මම කිව්වා, මාතර ප්‍රධාන ඒකකයේ ස්ථානාධිපතිට වහාම මට දුරකථන ඇමතුමක් ගන්න කියලා. ඒ අතර මම පොලිස්පතිතුමාටත් දුරකථනයෙන් උත්සාහ කරමින් හිටියා.

ඒ වාගේම මම මේ සිද්ධිය පිළිබඳව - මොකද, බුද්ධි අංශ අධ්‍යක්ෂවරයා හැටියට හරි තොරතුරු පොලිස්පතිතුමාට දෙන්න ඕනෑ නිසා මම සහකාර පොලිස් අධිකාරි - වැලිගම හට කථා කළා මතකයි, කිහිප අවස්ථාවක. ඒ වාගේම කොටියාස භාර නිලධාරිටත් කථා කළා.

පසුව නියෝජ්‍ය පොලිස්පතිටත් කථා කළා. මම අර සාක්ෂි ලබා දෙමින් කිව්වේ, දැනුම් දීමකින් තොරව ගමන් කර තිබුණේ කියන එක දැන ගත්තේ එසේ කථා කරන අවස්ථාවලදී.

ඊට පසුව පොලිස්පතිතුමා දුරකථනයට ආන්සර් කළා. මට තේරුණා, එතුමා නින්දේ පසු වෙන්නේ කියලා. එතුමාට මම කිව්වා, මෙහෙම නෙවිල්ට සර්ව කන්ටැක්ට් කරගන්න අවශ්‍යයි කියලා කියනවා, සීසීඩී එකෙන් ගියපු ටීම් එකකට ඉවඩ වැදිලා කියලා නෙවිල් දැනුම් දෙනවා කියලා. එතකොට පොලිස්පතිතුමා මට දැනුම් දුන්නා, - ගියපු එවුන් පිස්සුවක් කෙළලා, උන් පිස්සුවක් කෙළලාද කියලා මට කිව්වා. කියලා, නෙවිල්ට කථා කරනම් කියලා දැනුම් දුන්නා, ස්වාමීනි.

As DIG Nishantha de Zoysa continued to verify more details about the incident, he had realized that the way described by Acting Director CCD ASP Neville de Silva as the way this incident had happened was not the same described by the police authorities in Matara area. He had then raised suspicion about the version of events narrated by the CCD Director ASP Neville de Silva. This was because Matara Police officers did not confirm the fact that there had been firing from underworld elements at the CCD team at that moment. Moreover, DIG Nishantha de Zoysa has also learnt from Matara Police officers that it was the officers in the night mobile patrol of Weligama police station who had opened fire at the CCD van in front of W15 hotel at the relevant time.

DIG Nishantha de Zoysa then took steps to appraise the Respondent IGP of this finding. The Respondent IGP's response to that would be material and hence is reproduced below.

ප්‍ර: ඒ තහවුරු කර ගත්ත එක නේ. ඒක පසුව අවස්ථාවක තබමු. සාක්ෂිකරු කිව්වා නේ පොලිස්පතිතුමාට දැනුම් දුන්නා කියලා මේක තමයි තත්ත්වය කියලා?

උ: එහෙමයි ස්වාමීනි, ඉන් පසු පොලිස්පතිතුමාට එවලේ අප දැනුම් දුන්නා මේගොල්ලන් අවසර අරගෙන නැතිව ගිය බව.

ප්‍ර: ඒ කොයි වෙලාවේද?

උ: 31 වන දින උදේ. ඊට පසුව මුළු ලංකාවේම සිදුවීම් පිළිබඳව පොලිස්පතිතුමා නැවත උදේ 5.30ත් 6.00ත් අතර වාගේ දැනුවත් කරනවා. ඒ අවස්ථාවේදී සොයා ගත් සියලු කරුණු එක්ක දැනුවත් කළා. ඊට අමතරව මගේ මතකයේ හැටියට එදින කාර්යාලයේදී හමු වුණා. පොලිස්පතිතුමා ඒ වන විට කිව්වා, මේක under world teams, බුද්ධි අංශ කට්ටිය දාලා, කවුද මේ වෙඩි තියලා තිබෙන්නේ කියන එක සම්බන්ධයෙන් සොයන්න උපදෙස් දුන්නා. ඒවාගේම මම කිව්වා, මේ අය අවසර අරගෙනත් නෙමෙයි ගිහිල්ලා තියෙන්නේ කියන එක. මට මතකයි

පොලිස්පතිතුමා මුල්ම අවස්ථාවේදී කිව්වා, මම දැනුම් දුන්න වෙලාවේදී කිව්වා, "නිලධාරින් පිස්සු කෙළලාද, බීලා පිස්සු කෙළලාද" කියන එක තමයි මට දැනුම් දුන්නේ. ඒ වාගේම කිව්වා, "මේ කණ්ඩායම බීලාද හිටියේ කියලාත් සොයලා දැනුම් දෙන්න කියලා" කිව්වා ස්වාමීනි.

DIG Nishantha de Zoysa has categorically stated in his evidence that CCD Acting Director ASP Neville de Silva had at no time told him that CCD officers had opened fire. He was informed by ASP Weligama that W15 hotel premises had been damaged by the firing. Thereafter also, DIG Nishantha de Zoysa had kept the Respondent IGP informed about this position again. His evidence in this regard is reproduced below.

උ: සහකාර පොලිස් අධිකාරිට කථා කළාට පස්සේ සහකාර පොලිස් අධිකාරි මට දැනුම් දුන්නා, මොබයිල් එකෙන් වෙඩි තියලා තියෙනවා. මේ අය නොනවත්වා ගිහිල්ලා තිබෙනවා කියලා.

ප්‍ර: ඒ 31 වැනි දා උදේ 6.00 විතර වෙන කොට?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඒ සොයා ගැනීම නෙවිල් සිල්වා කියපු එකට වඩා වෙනස් නේ?

උ: එහෙමයි.

ප්‍ර: ඒ තොරතුර වැඩ බලන පොලිස්පතිතුමාටත් දැනුම් දුන්නාද?

උ: දැනුම් දුන්නා.

ප්‍ර: ඒ කීයට විතරද?

උ: මම හිතන්නේ භයත්, හයහමාරත් අතර.

ප්‍ර: 31 වැනි දා?

උ: එහෙමයි.

ප්‍ර: කොහොමද දැනුම් දුන්නේ?

උ: ඒ ඒ වෙලාවට ලංකාවේම තිබෙන බුද්ධි තොරතුරු දැනුම් දෙනවා. ඒ අතරේ මේක විශේෂ නිසා මුලින්ම මේක ගැන දැනුම් දීලා කිව්වා, "සර්, සිද්ධියේදී කමාන්ඩෝස් මොබයිල් එකෙන් වෙඩි තියලා තියනවා, සී.සී.ඩී. එකේ වැන් එකට. නමුත් නෙවිල්ලා කියනවා, අර පැත්තෙන් වෙඩි තිබ්බා කියලා. නමුත් ඒ.එස්.පී. කියනවා, මේ ගොල්ලන්ගේ මොබයිල් එකෙනුත් වෙඩි තිබ්බා කියලා කියනවා" කියලා.

DIG Nishantha de Zoysa at that time functioned as the Director of the Special Branch which is the main intelligence arm of Sri Lanka Police. It was on that basis that DIG Nishantha de Zoysa giving further evidence, stated that to his knowledge, there has been no evidence found so far to give any indication that it was an underworld figure who had opened fire at the CCD officers in the early morning of 31-12-2023 in front of W15 hotel at Weligama. Furthermore, DIG Nishantha de Zoysa in his evidence also confirmed this fact in his current capacity as the DIG in charge of Matara and Hambantota area. It must be noted here that Weligama comes under Matara Police Division. This means not only at that time but also at present, there is no evidence to indicate that it was from a gun fire directed by a member of an organized crime gang that the CCD officers got injured/killed in front of W15 hotel at Weligama on that day.

It is on all those factual positions that DIG Nishantha de Zoysa has stated before this Committee of Inquiry that the CCD officers had engaged in this illegal act at the instance or with the blessings of CCD Acting Director ASP Neville de Silva and the Respondent IGP. DIG Nishantha de Zoysa has also contacted the Director Highways Division to get the confirmation of the fact that the CCD van came to Imaduwa entrance of Southern Highway only to be stopped by police officers on duty there. This fact also had assisted him in coming to the conclusion that the CCD team had engaged in some illegal act. DIG Nishantha de Zoysa has testified that having regard to the circumstances of the death of Police Sergeant Upul of the CCD, deciding to make a reward to him was also illegal. Furthermore, DIG Nishantha de Zoysa has categorically stated that Colombo DIG Jagath Chandra Kumara had at no time, contacted him with regard to this incident.

DIG Nishantha de Zoysa in his evidence has stated that soon after the Hon. Magistrate of Matara pronounced the Order on 27-02-2025 directing the CID to arrest and produce the Respondent IGP, he received a call from Mr. Deshabandu Tennakoon who had asked about the details about the Magistrate, the Court date, etc. From this evidence, the knowledge, the Respondent IGP had about the Order dated 27-02-2025 pronounced by the Hon. Magistrate of Matara, could be gathered. Finally, answering a question posed to him, DIG Nishantha de Zoysa had the following to say:

> ප්‍ර: අවසාන වශයෙන් මේ ගරු කමිටුව හමුවේ කියන්න, ඔබගේම හිටපු ආයතන ප්‍රධානී, දේශබන්ධු තෙන්නකෝන් මහත්මයාට විරුද්ධව යම් ආකාරයක ද්වේෂ සහගත, අසත්‍ය සාක්ෂියක් මේ කමිටුව ඉදිරියේ දීමට අවශ්‍යතාවක් තිබෙනවාද?

උ: කිසිසේත්ම නැත ස්වාමීනී. එතුමා යටතේ මගේ මතකයේ හැටියට මා අවස්ථා තුනක රාජකාරී කර තිබෙනවා. නුගේගොඩ කොට්යාශ භාර නිලධාරියා ලෙස කටයුතු කරද්දී මම සහකාර පොලිස් අධිකාරිවරයෙක්. ඊට අමතරව එතුමා බස්නාහිර පළාත භාර ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පති හැටියට කටයුතු කරන කොට මම ජ්‍යෙෂ්ඨ පොලිස් අධිකාරී මධ්‍යම පළාත හැටියට රාජකාරී කළා ස්වාමීනී. ඊට අමතරව එතුමා වැඩබලන පොලිස්පති හැටියට කටයුතු කරද්දී මම විශේෂ කාර්යාංශයේ අධ්‍යක්ෂවරයා හැටියට ඉතාම ළඟින් රාජකාරී කළා. එතුමාට විරුද්ධව අසත්‍යයක් ප්‍රකාශ කිරීමට කිසිසේත්ම මට අයිතියක් නැහැ සහ මම එහෙම කරන්නේ නැහැ. මොකද, වසර 34ක මගේ සේවා කාලය. එතුමාට ඇති වෙලා තිබෙන මේ තත්ත්වය පිළිබඳව මට තිබෙන්නේ කනගාටුවක්. ඇත්ත වශයෙන්ම පොලිස් දෙපාර්තමේන්තුවේ ඉදුරාම සහකාර පොලිස් අධිකාරීවරයෙක් හැටියට බඳවා ගන්නා නිලධාරීන් හැටියට අපි ස්වාමීනි උප පොලිස් පරීක්ෂකවරුන් හැටියට බැඳෙන්නේ. මෙතුමා දක්ෂ නිලධාරියෙක්. ඒ වාගේම පොලිස් දෙපාර්තමේන්තුවට සැහෙන සේවයක් කරපු නිලධාරියෙක්. මේ ඇති වෙලා තිබෙන තත්ත්වය පිළිබඳව මා අවංකවම කනගාටු වෙනවා. නමුත්, වෙච්ච ප්‍රායෝගික තත්ත්වය මා විසින් අධිකරණයට මෙන්ම මේ කමිටුවටත් ප්‍රකාශ කළ යුතු වෙනවා. ඒ අනුව මම ප්‍රකාශ කරන්නේ, සත්‍යයක්.

The learned Counsel for the Respondent IGP intensely cross-examined DIG Nishantha de Zoysa. However, facing even such cross examination, he has firmly stood his ground maintaining absolute consistency in what he had stated in his evidence in chief. Answering the questions asked in cross-examination, this witness has stated that his role in respect of the name list of 149 persons was that of only co-ordination with CCD teams and that was merely to provide necessary intelligence information possessed by Police Special Branch. He also stated that the Police Special Branch is directly under the IGP and the officers attached to that Branch are placed in all parts of the island. It is therefore the position of DIG Nishantha de Zoysa that the Respondent IGP could have easily taken immediate steps to ascertain what actually had happened in front of W15 hotel at Weligama on that day.

The learned Counsel for the Respondent IGP has suggested to DIG Nishantha de Zoysa that he stated these facts in the statement to CID as he feared of being arrested in respect of this incident. Rejecting this suggestion this witness has stated that he has committed no offence which would have warranted such arrest. Learned Counsel for the Respondent IGP has also suggested to this witness that the assertion that the Respondent IGP had requested information about W15 hotel is a false assertion. However, this witness has rejected the said suggestion also. The learned Counsel for the Respondent IGP has also suggested that SI

Priyankara has not gone near W15 hotel at the relevant time. The witness has not accepted this position. The learned counsel for the Respondent IGP has also questioned about his contacting SSP Mayura Perera of the Highways Division to verify the fact that the CCD van was stopped at Imaduwa entrance of Southern High Way. However, the learned Counsel for the Respondent IGP has not asked any question from SSP Mayura Perera with a view to discredit his evidence on the incidents that occurred at Imaduwa Highway entrance. Answering further questions DIG Nishantha de Zoysa has re-iterated all the factual positions he had already narrated in his evidence-in-chief.

Further answering the questions during the cross-examinations, this witness has stated that there was a high crime wave present in the Western Province with increased number of murders which posed a challenge for the police. When the learned counsel for the Respondent IGP questioned this witness about his observation that the CCD officers had engaged in this illegal act at the instance or with the blessings of the Respondent IGP, DIG Nishantha de Zoysa stated as follows:

ප්‍ර: එතකොට විශාල ජංගම මුර සේවා ප්‍රමාණයක් පාතාල මර්දනයට සහ මත්ද්‍රව්‍ය ජාලය මර්දනයට ඒ කාලය වෙන කොට යොදවලා තිබුණා?

උ: බස්නාහිර පළාතෙත්, දකුණු පළාතෙත් අපරාධ රැල්ල ඉහළ ගිහින් තිබුණා. මිනී මැරීම් වැඩි වෙලා තිබුණා. ඒක පොලීසියට ලොකු අභියෝගයක් වෙලා තිබුණා. ඒක මැඩපැවැත්වීම සඳහා යොදවලා තිබුණා.

ප්‍ර: ඔබතුමා බුද්ධිමත් නිලධාරියෙක් හැටියට හිතනවාද, පොලිස්පතිවරයා ඒ වාගේ වෙලාවක ගිහිල්ලා හෝටලයකට පහර දෙන්න උත්සාහයක් දරයි කියලා. මම යෝජනාවක් කරන්නේ?

උ: පොලිස්පතිතුමා උත්සාහයක් දැරුවාද, නැද්ද කියන එක ගරු විනිශ්චය මණ්ඩලය තීරණය කරයි. මම කියන්නේ මට දැන ගන්න ලැබුණු කාරණා.

ප්‍ර: මම අහන්නේ, දේශබන්දු මහත්මයා විසින්ම හමුදාවත් කැඳවලා, දේශබන්දු මහත්මයා විසින්ම ත්‍රස්ත මර්දන කණ්ඩායම් 30කුත් පාරට දාලා, දේශබන්දු මහත්මයා විසින්ම යතුරුපැදි බලඝණයකුත් දාලා, දේශබන්දු මහත්මයා විසින්ම ජංගම සංචාරත් දාලා එතැනට අනීතික ක්‍රියාවක් කරන්න කියලා තමන්ගේ නිලධාරින් කණ්ඩායමක් යවයිද?

උ: අපිටත් තිබෙන ප්‍රශ්නය ඒක තමයි. අපිත් මුල් අවධියේදී කල්පනා කළා. නමුත් පවතින තත්ත්වයන් අනුව එවැනි තත්ත්වයක් ඇති වී තිබෙන බව තමයි නිරීක්ෂණය වෙන්නේ.

ප්‍ර: ඔබ කියන්නේ දේශබන්දු මහත්මයා එතැනට කණ්ඩායමක් යැව්වා කියලාද?

උ: දේශබන්දු මැතිතුමාගේ උපදෙස් මත CCD එකේ කණ්ඩායමක් ගියා කියන එක තමයි මම අදහස් කරන්නේ.

ප්‍ර: ඒක තමන් හිතන දෙයක්ද, ඒකට මොනවා හරි තොරතුරක් තමන් ගාව තිබෙනවාද?

උ: එළඹෙන කාරණා මත මගේ නිරීක්ෂණය මම කිව්වේ.

Moreover, this witness in cross-examination has stated that under normal circumstances area police authorities should be informed of any impending visit undertaken by a team of police officers from any outside province. DIG Nishantha de Zoysa has stated that the CCD's failure to keep Weligama Police informed about their visit is one of the reasons for this unfortunate incident.

Giving further evidence under cross-examination, DIG Nishantha de Zoysa has confirmed the fact that the Respondent IGP called him after pronouncement of the inquest order by the Hon. Magistrate of Matara and sought information about the Magistrate, the Court dates, etc. Further, DIG Nishantha de Zoysa has testified before this committee during cross-examination stating that the Respondent IGP should have conducted an investigation in to this incident. The relevant question and the answer of this witness is as follows:

ප්‍ර: එහෙම කියලා නම්, ඒ කියන්නේ නීති විරෝධී ක්‍රියාවක් වෙලා කියලා, කියලා නැත්නම් ඔහු ආරම්භ කරන්න ඕනෑද?

උ: මා මුල් අවස්ථාවේදී මෙතැන යම් කිසි ගැටලු සහගත තත්ත්වයක් තිබෙන බව දැනුම් දුන්නා. එතුමා ඒ අවස්ථාවේදී ඇත්ත වශයෙන්ම නියෝගයක් කරලා විමර්ශනයක් ආරම්භ කළා නම් අද එතුමා පත් වෙලා ඉන්න තත්ත්වයට එතුමා පත් වෙන්නෙත් නැහැ.

Learned Counsel for the Respondent IGP has suggested to this witness that his evidence to indicate that the Respondent IGP was involved in the incident of shooting at W15 hotel by the CCD officers is false. However, this witness has rejected the said suggestion.

Further clarifying his position during the re-examination, DIG Nishantha de Zoysa has re-iterated that the incident of shooting at Weligama, if occurred in the way originally claimed by ASP Neville de Silva, (i.e., killing a Police Sergeant attached to a team of police officers went on duty to Weligama by an organized criminal group) would be a very serious matter. However, the Respondent IGP never initiated any investigation nor directed such investigation to find out anything more about this organized criminal group which killed Police Sergeant Upul of the CCD. Moreover, as has already been mentioned above, DIG Nishantha de Zoysa in his

capacity as the DIG in-charge of the Matara and Hambantota Divisions also has positively stated before this Committee of Inquiry that to-date not an iota of evidence has surfaced to indicate that the firing at CCD team in front of W15 hotel was committed at the instance of an organized crime group. Furthermore, it is DIG Nishantha de Zoysa's position that it was wrong for the Weligama police to have conducted the criminal investigation into this incident as Police Sergeant Upul of CCD was killed by gunshots fired by the Weligama police night mobile patrol team. His evidence in this regard is as follows:

ප්‍ර: වැලිගම මූලස්ථාන පොලිස් පරීක්ෂකවරයා යටතේ තිබිච්ච ජංගම මුර සංචාරයෙන් කරපු වෙඩි තැබීමකින් තවත් පොලිස් නිලධාරියෙක් මැරුණාම එම මූලස්ථාන පොලිස් පරීක්ෂකවරයා යටතේම විමර්ශනයක් කරන එක හරිද?

උ: වැරදියි, ස්වාමීනි. සාමාන්‍යයෙන් අපි පාවිච්චි කරන ක්‍රමවේදය තමයි විනිවිදභාවය සඳහා වෙනත් පරීක්ෂකවරයකු පත් කරනවා, විනිවිද ව ඒ විමර්ශනය පැවැත්වීම සඳහා.

ප්‍ර: වෙනත් පරීක්ෂකවරයෙක් කියන එකෙන් සාක්ෂිකරු අදහස් කරන්නේ මොකක්ද?

උ: ඒ OIC ඉවත් කරලා, වෙනත් OIC කෙනෙක් පත් කරනවා. ගරු පරීක්ෂණ කමිටුවට මම ඒ සම්බන්ධයෙන් පැහැදිලි කර දෙන්නම්. යම් පොලිස් ස්ථානයක් ඇතුළත සිර මැදිරියක් තුළදී අත් අඩංගුවට ගත් යම් සැකකරුවකු මිය ගියා කියලා හිතන්න. ඒ OICටම ඒ සම්බන්ධයෙන් විමර්ශනය කරන්න අපි ඉඩ දෙන්නේ නැහැ. වෙනත් නිලධාරියෙකු ලව්වා තමයි මරණ පරීක්ෂණ සාක්ෂි හෝ ඒ විමර්ශන කටයුතු සියල්ලම සිදු කරන්නේ.

Acting Director CCD ASP Neville de Silva in his evidence has put forward a possible reason upon which he has claimed that DIG Nishantha de Zoysa has given false evidence to implicate him in this incident. However, this Committee of Inquiry for the reasons set out at the time it evaluates the evidence of ASP Neville de Silva, has decided to reject the evidence of ASP Neville de Silva. The Respondent IGP has not put forward any reason as to why DIG Nishantha de Zoysa should give false evidence to falsely implicate him in this incident.

Indeed, the evidence of DIG Nishantha de Zoysa is consonant with that of CI Anslem de Silva, Police Sergeant Sisira Kumara, Army Sergeant Ruchiranga. The Committee of Inquiry for the reasons it has stated in pages ahead in this report, has concluded that it must accept the evidence of the Police officers who stopped the CCD's KDH van from entering Southern High Way from Imaduwa entrance. Thus, the evidence of the afore-mentioned witnesses is also well supported by the evidence of the Police officers who stopped the CCD's KDH van from entering Southern High Way from Imaduwa entrance. The Committee in the pages ahead in this Report, has decided to reject the position taken up by the Respondent IGP that the original

version given by the members of the CCD team to Weligama Police on 31-12-2023 stating that they only retaliated when they came under fire by an unknown organized crime group member in front of W15 hotel must be taken as the correct version of the incident of shooting at Weligama. Thus, the Committee of Inquiry decides to accept the evidence of DIG Nishantha de Zoysa as truthful evidence.

(5) The evidence of Army Sergeant Gammadda Thandakkaralage Chandimal Ruchiranga.

This witness is an Army Sergeant from the 3rd Gamunu Watch Matara. He travelled in Weligama police night mobile patrol Land Cruiser jeep at the time of the incident. This night mobile patrol which comprised of two Army soldiers in addition to Policemen, was led by Police Sergeant Ajith Sisira Kumara of Weligama police station. They had started patrolling the area from 6.00 pm on 30-12-2023 and were hoping to continue till 4.00 am on 31-12-2023. Between 2.00 am and 2.30 am on 31-12-2023, they were patrolling on Galle Road and coming towards Galle from Matara side. On the way, the team had heard the sounds like bursting crackers when they were approaching W15 hotel at Pelena round about in Weligama. Police Sergeant Ajith Sisira Kumara was seated in the front seat of the jeep. A moment later, the night mobile patrol jeep had slowly overtaken the van which was parked and stopped in front of the parked van. Police Sergeant Ajith Sisira Kumara, advising the others not to get off the Police jeep, had got off the jeep and started walking towards the parked KDH van. Army Sergeant Ruchiranga was carefully looking at the direction where Police Sergeant Ajith Sisira Kumara was walking i.e., towards the parked KDH van. Then he had seen the parked van started speeding away at which time Police Sergeant Ajith Sisira Kumara of Weligama police had ordered to stop the van by opening fire at it by saying 'වැන් එකට යන්න දෙන්න එපා. වෙඩි තියපන් වෙඩි තියපන්' It was at that time that Army Sergeant Ruchiranga using a T56 rifle, aimed and shot at the escaping van. Army Sergeant Ruchiranga had started firing at the van when it was overtaking the Weligama police jeep, i.e. when the van was traveling parallel to the Weligama Police Land Cruiser jeep. When giving evidence, this witness demonstrated to the Committee of Inquiry with his hand movements how he leaned the upper part of his body when opening fire at KDH van using his T56 weapon. Explaining further, Army Sergeant Ruchiranga had stated that even after the van had passed the jeep, he continued firing at the van. He heard the sounds of shattering the glasses of the escaping van. However, the KDH van had sped away without stopping towards Galle and escaped. According to Ruchiranga he had fired about 7 shots. Thereafter, Police Sergeant Ajith Sisira Kumara got into the police

jeep and tried to chase behind the escaping van but that was not successful due to the poor mechanical condition of the police jeep. Army Sergeant Ruchiranga in his evidence has also told before the Committee that Police Sergeant Ajith Sisira Kumara reported this matter to Weligama HQI while he reported this matter to the commanding officer of his camp, Major Tillakaratne.

Army Sergeant Ruchiranga has specifically confirmed in his evidence that there was none other in the vicinity when the persons inside the parked KDH van were firing at W15 hotel at that time. His evidence in this regard is as follows:

ප්‍ර: මහත්මයාලා කිව්වා නේ ජීප් රථයෙන් W15 හෝටලය දෙසට එන විට ඒ හෝටලය ආසන්නයේ වෑන් රථයක් නවත්වලා වෙඩි තබමින් සිටියා කියලා?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: වෑන් රථය ආසන්නයේ භූමියේ කවුරුන් හෝ සිටියාද?

උ: භූමියේ කවුරුත් හිටියේ නැහැ.

ප්‍ර: එතකොට ඒ වෑන් රථයේ සිට වෙඩි පහරවල් කවර දෙසටද එල්ල වෙමින් තිබුණේ?

උ: හොටෙල් එකේ ගේට්ටුව පැත්තට තමයි එල්ල වෙමින් තිබුණේ.

ප්‍ර: ඒ අවට හෝ පාරේ මොන පැත්තක හරි යම් කිසි පුද්ගලයකු හෝ පුද්ගලයන් කණ්ඩායමක් එහෙම පේන්න සිටියාද?

උ: එහෙම කවුරුත් දැක්කේ නැහැ, ස්වාමීනි.

ප්‍ර: කිසිම මිනිස් පුළුටක් ඒ ප්‍රදේශයේ තිබුණේ නැහැ?

උ: තිබුණේ නැහැ, ස්වාමීනි.

ප්‍ර: ඒ ස්ථානයේ එළියේ මොනවාගේද තිබුණේ?

උ: එළිය තිබුණා, ස්වාමීනි, ලයිට් දාලා තිබුණා.

ප්‍ර: පාරේ ලයිට් එහෙම තිබුණාද?

උ: පාරේ ලයිට් දාලා තිබුණා.

ප්‍ර: ඒ කියන්නේ, හෝටලයේ ආලෝක තත්ත්වයක් තිබුණාද ඒ අවස්ථාවේදී?

උ: හෝටලයේ ආලෝක තත්ත්වයක් ඒ තරම් ලොකුවට තිබුණේ නැහැ.

ප්‍ර: මහා මාර්ගයේ විදුලි බුබුළු තිබුණාද?

උ: එළිය තිබුණා.

ප්‍ර: කෙනෙක්ව හඳුනා ගන්න පුළුවන් ආලෝක තත්ත්වයක් තිබුණා?

උ: එහෙමයි, ස්වාමීනි.

Answering further questions in evidence-in-chief, Army Sergeant Ruchiranga has told this Committee of Inquiry that he opened fire at the van because he had thought that it was an organized crime group which was firing at W15 hotel due to a non-payment of ransom demanded by that organized crime group. He also told that he would never have fired at the van if he had reasons to believe that it was Police officers who were inside that van. His evidence in this regard is as follows:

ප්‍ර: මේ වෙඩි වැදුනේ පොලිස් කණ්ඩායමට බව දැන ගත්තාම මහත්මයාට මොකක්ද හිතුණේ?

උ: මට ලොකු upset එකක් හිතුණා. එහෙම දෙයක් මම දැනගෙන කළේ නැහැ. මම ඒ ආපු CI සර්ට කිව්වා "සර්, සමාවෙන්න මම පොලීසියෙන් බව දන්නේ නැහැ" කියලා. ඒ පාර ඒ සර් කිව්වා, "සාජන්, ඔයාගේ job එක නේ ඔයා කළේ" කියලා.

Moreover, Army Sergeant Ruchiranga has stated in his evidence that when Police Sergeant Ajith Sisira Kumara started walking towards the van, the van was still parked in front of W15 hotel. Police Sergeant Ajith Sisira Kumara ordered to shoot at the van only because the group in the van started speeding away to escape from Police mobile patrol officers. Army Sergeant Ruchiranga even up-to-date does not know as to who was killed in the van due to his firing. He had identified the van which he opened fire at, when it was brought to Weligama police station in the morning of 31-12-2023. He had also observed at Weligama police station that the shots he had fired had damaged the van. Having regard to the locations where the gun shots had caused damage on the van, Army Sergeant Ruchiranga was satisfied that it was his firing that had caused that damage on the van.

Answering the questions asked by the learned Counsel for the Respondent IGP during cross-examination, Army Sergeant Ruchiranga has stated that he joined Sri Lanka Army in 2004 and he was involved in operational duties in the Northern areas of the country. He has stated that he first heard the sounds as if fire-crackers were bursting, at a point about 200-300 meters away from W15 hotel. He has also stated that there was ample light available around the area to enable anybody to identify and observe the arrival of the Police jeep. Army Sergeant

Ruchiranga also stated that the fact that Police Sergeant Ajith Sisira Kumara who was in Police uniform got off from a marked Police jeep and walked towards the van, was a definite indication that those who were inside the van identified the arrival of the Police jeep. Answering further, Army Sergeant Ruchiranga has confirmed this fact by stating that he had observed some people in the villages running away having being alarmed, upon seeing this Police jeep. This he had observed when he was in this jeep which also occasionally patrolled the village roads.

The learned Counsel for the Respondent IGP had attempted to show that this witness should have aimed at tires of the van when firing and prevented the death of Police Sergeant Upul. However, Army Sergeant Ruchiranga has explained that this was not possible as the van was speeding away to escape.

Answering further to the questions asked in cross-examination, Army Sergeant Ruchiranga has stated that if persons in the parked van were police officers, they should have got off and identified themselves as Police officers when Police Sergeant Ajith Sisira Kumara went towards the parked van.

Like in the case of evidence of Police Sergeant Ajith Sisira Kumara, the learned Counsel for the Respondent IGP has not attempted to suggest that Army Sergeant Ruchiranga has given false evidence before this Committee of Inquiry. Moreover, the Respondent IGP in the course of his evidence also specifically stated that the officers in the Weligama night mobile patrol jeep had only done their duty and could not be found fault with for any lapse. The Respondent IGP did not at any stage sought to controvert/discredit the evidence of Police Sergeant Ajith Sisira Kumara as well as that of Army Sergeant Ruchiranga.

The Committee of Inquiry re-iterates here also that it has accepted the evidence of CI Anslem de Silva, Police Sergeant Sisira Kumara, PCD Dulip Gihan Piyatissa and DIG Nishantha de Zoysa as truthful evidence. The Committee has assigned reasons for those conclusions elsewhere in this Report. The Committee has also taken the view that this evidence is supported by the evidence of the Police officers who stopped the CCD's KDH van from entering Southern High Way from Imaduwa entrance. The Committee in the pages ahead in this Report, has also decided to reject the position taken up by the Respondent IGP that the original version given by the members of the CCD team to Weligama Police on 31-12-2023 stating that they only retaliated when they came under fire by an unknown organized crime group member in front of W15 hotel must be taken as the correct version of the incident of shooting at Weligama.

Thus, the Committee of Inquiry decides to accept the evidence of Army Sergeant Ruchiranga as truthful evidence.

Having regard to the nature and the factual positions taken up by Army Sergeant Ruchiranga it is clear that his evidence serves to corroborate the way in which the shooting at W15 hotel had happened. The way Army Sergeant Ruchiranga has fired at the van; the location where SI Maduranga was seated in the CCD van; the fact that SI Madhuranga could not even close the rear side door of the van; the fact that it was SI Madhuranga's leg below the knee which was shot; are all indicative that this incident had happened in the way described by CI Anslem de Silva and PCD Dulip Gihan Piyatissa. Therefore, Army Sergeant Ruchiranga's evidence serves as yet another piece of evidence which confirms that the incident of shooting at Weligama has happened in the way described by CI Anslem de Silva and PCD Dulip Gihan Piyatissa.

(6) The evidence of SI Mavanane Hewa Gamini Jayasekera

SI Gamini Jayasekera functioned as the night Duty officer at Imaduwa entrance/exit of Southern Highway as at the dawn of 31-12-2023. According to his evidence, the Police officer at the reserve in Imaduwa Highway entrance/exit Police station, had received the message produced before this committee marked **P-21** at 2.43 am on 31-12-2023. Imaduwa Highway entrance/exit Police station had received this message from Galle Police Operations Room. The message has stated that a KDH model van was escaping after a shooting incident at Weligama. SI Jayasekera who was at the exit for the vehicles coming from Colombo direction, was informed by the receiving officer of this message through the Motorolla communication set.

Thereafter, the Police officer who was at the other gate, i.e. Imaduwa entrance to the Highway to travel in Colombo direction, has informed SI Gamini Jayasekera that the suspected van was stopped at the gate when it came to the entrance. Upon hearing that message, SI Gamini Jayasekera along with Police Sergeant Wijewickrama rushed immediately to the point where the suspected van was stopped. From a distance, SI Gamini Jayasekera had observed that the rear windscreen of the van was broken. When he came near the van, a person who identified himself as a Chief Inspector, gave him an identity card. He found that the photo in the said identity card was not clear. Those in the van in the meantime urged him to grant permission

for them to proceed to Colombo. They had not divulged that there were persons in the van with gunshot injuries.

SI Gamini Jayasekera thereafter contacted SSP Mayura Perea who functioned as the Director Police Highways Division who had instructed him not to release the suspected van and act according to the instructions that would be given by the SSP of Matara Division. SI Jayasekera had then contacted SSP Pandula Weerasinghe who was the SSP of Matara Division who had informed him that he would take steps to send the HQI of Weligama as soon as possible. Thereafter, a group of STF officers also had come to the Highway entrance. Weligama HQI CI Upul Kumara also had reached Imaduwa entrance. Through the front glass and the broken rear wind screen, SI Gamini Jayasekera had seen persons inside the van. They had got off the van after HQI Weligama came there. They had told him 'මචං අපි පොලිසියේ', 'ඩියුටි එකකට ආවේ මචං පොඩි මිස්ටෙක් එකක් වුණා', 'අපට ආයේ කොළඹ යන්න ඕනේ', 'මේ වෙච්ච සිද්දිය ගැන IGත් දන්නවා.' According to SI Gamini Jayasekera's evidence it was a person identified as IP Nishantha who had told this to him.

Thereafter, 1990 *Suwaseriya* ambulance had come there and the person who was lying on the floor board of the suspected van was lifted and carried to the ambulance at which time blood collected inside the injured person's jacket had poured out on to the ground. The other person who had gunshot injuries had walked limping from the van to the ambulance. That person had told him that his leg had gunshot injuries.

As **P-21** message from Galle Operations Room conveyed that it was a van escaping after a shooting incident SI Gamini Jayasekera had instructed Police Sergeant Wijewickrama to be armed with a T56 rifle.

According to the evidence of SI Gamini Jayasekera, he had refused to grant the request for permission made by the persons in the suspected van to travel to Colombo. The persons in the van had at no time, inquired about any location of any nearby hospital, nor had they brought to the notice of SI Gamini Jayasekera that there was a seriously wounded person lying on the floor board of the van. Later, he got to know that the seriously injured person had succumbed to his injuries.

It was SI Gamini Jayasekera's evidence that he informed SSP Mayura Perera about stopping the van at the Highway entrance at 3.10 am and Weligama HQI came to that place at 3.20 am.

The learned Counsel for the Respondent IGP during the cross-examination has made the following suggestions to SI Gamini Jayasekera and the answers given thereto, are reproduced below:

ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරනවා, නිශාන්ත කියන මහත්මයා කිව්වා කියලා සාක්ෂිකරු මෙහෙම ප්‍රකාශයක් කළා. "මේ සිද්ධිය IG දන්නවා." එහෙමද ඔහු කිව්වේ?

උ: මේ case එක IGත් දන්නා case එකක් කියලා තමයි කිව්වේ.

ප්‍ර: මෙහි 3 වැනි පිටුවේ 15 වැනි පේළියේ තිබෙනවා, සිද්ධියට අදාළව නොවෙයි, "මේක IGත් දන්නවා" කියලා තමයි තිබෙන්නේ?

උ: ඔව්.

ප්‍ර: සාක්ෂිකරු බොහොම වැදගත් ජ්‍යෙෂ්ඨ නිලධාරියෙක් නේ. මේ සිද්ධිය කියලාවත්, මේ case එක ගැන කියලාවත් නොවෙයි; "මේක IGත් දන්නවා" කියලා තමයි සාක්ෂිකරුගේ ප්‍රකාශයෙන් සාක්ෂිකරු කියා තිබෙන්නේ. ඒක හරි නේද?

උ: නිවැරදියි.

ප්‍ර: මම සාක්ෂිකරුට වැදගත් යෝජනාවක් කරනවා. මේ අවස්ථාව වෙන කොට IP නිශාන්ත සාක්ෂිකරුට මේ කථාව කිව්වේ වැලිගම පොලිස් ස්ථානයේ මූ.පො.ප. උපුල් කුමාර එතැනට එන්න ඉස්සෙල්ලා නේද?

උ: ඔව්.

ප්‍ර: වැලිගම පොලිස් ස්ථානයේ මූ.පො.ප. උපුල් කුමාර එතැනට ආවේ පාන්දර 3.20 ට?

උ: ඒ වාගේ වෙලාවක් වෙන්න ඇති.

ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරනවා, Acting IG දේශබන්දු තෙන්නකෝන් මහත්මයා මේ case එක දැන ගත්තේ පාන්දර 3.30ට කියලා? එහෙම නම් IP නිශාන්ත කියා තිබෙන්නේ බොරුවක් කියලා මම යෝජනා කරනවා. ඒ සම්බන්ධයෙන් ඔබතුමාට මොකක්ද කියන්න තිබෙන්නේ?

උ: ඒක ගැන කියන්න මම දන්නේ නැහැ. නිශාන්ත මහත්මා මට කිව්වේ මේ ගැන IG දන්නවා කියලයි. ඒ අයට කොළඹ යන්න දෙන්න කියලා තමයි කිව්වේ.

ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරනවා, මේ සම්බන්ධයෙන් IG මොනවත්ම දන්නේ නැති කථාවක් IP නිශාන්ත විසින් සාක්ෂිකරුට කියා තිබෙන්නේ කියලා?

උ: ස්වාමීනි, IP නිශාන්ත මහත්මයා මට කිව්වේ, මේක IGත් දන්නවා. ගැටලුවක් නැහැ. ඒ අයට කොළඹ යන්න දෙන්න කියලා තමයි මගෙන් ඉල්ලීමක් කළේ. මේ ආපු ගමන IG මහත්මයාත්

දන්නවා. ගැටලුවක් නැහැ. අපිට යන්න දෙන්න කියලා තමයි ඒ මහත්මයා ඉල්ලීමක් කළේ. ඒ මහත්මයා ඉල්ලීමක් කළේ කොළඹ යන්න දෙන්න කියලා.

The Respondent IGP did not at any stage attempt to suggest that SI Gamini Jayasekera has given false evidence before this Committee of Inquiry. Moreover, the Respondent IGP in the course of his evidence also has specifically stated that the officers at Imaduwa entrance/exit of Southern Highway as at the dawn of 31-12-2023, had only carried out their duties and could not be found fault with for any lapse on their part. Thus, the Respondent IGP did not at any stage sought to controvert/discredit the evidence of SI Gamini Jayasekera. This Committee of Inquiry therefore decides to accept the evidence of SI Gamini Jayasekera as truthful evidence placed before it.

(7) <u>The evidence of SI Sudath Dharma Shri Pulleperuma</u>.

This is the person who functioned as the personal assistant to the Acting Director CCD ASP Neville de Silva. His duty was to assist the Acting Director CCD by preparing and attending to the documents in Acting Director's office. It is the evidence of SI Pulleperuma that the registers are maintained in the office to enter the movements of documents such as Police Form 439. According to SI Pulleperuma, the entry pertaining to the Form 439 in which OIC CCD Anslem de Silva is said to have made a request for permission for the CCD team to travel to Weligama on 30-12-2023, had been interpolated in the register. The said interpolation had been done to show as if this Police Form 439 had been sent out of the CCD's Acting Director's office on 29-12-2023. It was to get rid of the said interpolation that SI Pulleperuma had instructed WPC 6754 Inoka to re-write all the entries on a new book. This was done to simulate that the Police Form 439 in which OIC CCD Anslem de Silva is said to have made a request for permission for the CCD team to travel to Weligama on 30-12-2023, had been duly entered in the register. It is for this purpose that SI Pulleperuma had taken the original register to the house of WPC 6754 Inoka and handed it over to her with instructions to re-write those entries on a new book. Indeed WPC 6754 Inoka at that time was staying at her home on maternity leave. This had happened much after this incident. This register is identified as the 'Outward Document Register'.

SI Pulleperuma has admitted before the Committee of Inquiry that this act of causing the 'Outward Document Register' to be re-written is illegal. It is his position that he was compelled to do it upon instructions of the Acting Director CCD ASP Neville de Silva after the death of

Police Sergeant Upul. It is the evidence of SI Pulleperuma that this was done with a view to conceal a serious incident that had happened. The relevant pages of the 'Outward Document Register' maintained at CCD Acting Director's office was marked as **P-23** before this Committee of Inquiry. SI Pulleperuma had collected the newly written register from WPC 6754 Inoka's house after she had completed re-writing the entries on the provided new book.

Answering the questions asked by the learned Counsel for the Respondent IGP in cross-examination, SI Pulleperuma has confirmed that the relevant entry pertaining to the sending out of that particular Police Form 439 had been made by interpolating it between two other entries already entered on 29-12-2023. SI Pulleperuma has also stated that the said act of alteration of the 'Outward Document Register' could have been done after the CID took over the investigations. The learned Counsel for the Respondent IGP has made the following suggestion to this witness:

ප්‍ර: මම යෝජනා කරනවා, දේශබන්දු තෙන්නකෝන් මහත්මයා වැඩබලන අධ්‍යක්ෂ නෙවිල් සිල්වා මහත්මයාට හරි ඔබතුමාට හරි මේ කාටවත් මෙහෙම පොතක් වෙනස් කරන්න කියලා උපදෙසක් දුන්නේ නැහැ කියලා?

උ: පිළිගන්නවා, ස්වාමීනි.

Other than making the above suggestions, the learned Counsel for the Respondent IGP appears to have not seriously challenged the veracity of the evidence given by SI Pulleperuma. The evidence of SI Pulleperuma is well corroborated by the evidence of WPC 6754 Inoka.

The Committee also notes that the evidence of IP Shriya Bandara Wijethunga who was called to give evidence before the Committee of Inquiry has formally established that WPC 6754 Inoka attached to the CCD was on maternity leave during the period 07-07-2024 to 31-01-2025. As has already been mentioned above, the learned Counsel for the Respondent IGP, has not sought to controvert either the evidence of WPC 6751 Inoka or the evidence of IP Shriya Bandara Wijethunga. For those reasons, the Committee of Inquiry decides to accept the evidence of SI Pulleperuma as truthful evidence placed before it.

(8) <u>The evidence of Acting IGP, SDIG Weerasooriya Liyana Arachchige Saman Priyantha</u>.

This witness is a Senior Deputy Inspector General of Police (SDIG) who presently functions as the Acting IGP. He has joined Sri Lanka Police on 20-05-1998 as a Police Constable. Having

been appointed a SDIG on 16-02-2023, he has held several key positions in Police: the post of SDIG in-charge of Crime and Traffic; the post of SDIG in-charge of Northern Province; the post of SDIG in-charge of support services; the post of SDIG in-charge of Central Province; the post of SDIG in-charge of Crimes and Traffic (again) and the post of SDIG in-charge of North Central Province, before he was appointed as the Acting IGP on 27-09-2024. This was after the new President was elected by the presidential election held on 21-02-2024.

According to the Acting IGP's evidence, even after the Supreme Court restrained the Respondent IGP from discharging the functions in the office of the IGP from 24-07-2024, the Respondent IGP Mr. Deshabandu Tennakoon continued to draw his salary as the IGP and the other allowances and privileges except the food allowance and two other allowances payable to a serving officer. This stopped only after the Hon. Magistrate of Matara pronounced the Order on 27-02-2025 directing the arrest of Mr. Deshabandu Tennakoon as a suspect in the case. The Acting IGP has taken these measures after seeking advice on this issue from the Hon. Attorney General, from the Auditor General and finally from the Secretary to the President.

The reward voucher **P-2** which has been approved by the Respondent IGP and the covering letters attached thereto marked **P-3**, **P-4**, **P-5** and **P-7** were shown to the Acting IGP. These are all documents related to the approval and payment of Rs. 1.5 million as a reward to PS 57241 Upul of the CCD who was killed by the gun fire of Weligama Police night mobile patrol. It was the evidence of the Acting IGP that the Respondent IGP Mr. Deshabandu Tennakoon should not have approved the payment of Rs. 1.5 million to Police Sergeant Upul of the CCD as the incident in which he was killed is suspicious; shows signs of an illegal act and also has not been verified by an investigation conducted by a 3rd Party. It is the evidence of the Acting IGP that the approval and payment of this reward as per **P-2** is contrary to the IGP's Circular No. 1972/ 2007 (**P-40**) and the Police Orders regarding the payment of rewards.

The Acting IGP giving evidence has further stated that he has directed an investigation to ascertain whether the officers of the CCD had engaged in an illegal act upon a petition received in his office on 14-10-2024. It is on that petition that he has instructed the CID to take over this investigation and proceed further.

The learned Additional Solicitor General drew the attention of the Acting IGP to the queries made by the National Police Commission. The letter sent by the National Police Commission to the Respondent IGP has been produced before this Committee marked as **P-45**. The

response sent to it by the Respondent IGP has been marked **P-46**. In that letter, the Respondent IGP has informed the National Police Commission in writing that the officers of the CCD had not committed any offence in the Weligama shooting incident. This letter is dated 22-02-2024 which is about two months after the incident of shooting at Weligama. However, the Acting IGP has clearly stated before this Committee of Inquiry that by looking at the factual positions that had been revealed before Weligama Police officers by that time, one could see a clear illegal activity on the part of the CCD officers at that time. The Acting IGP has stated in his evidence before this Committee that the Respondent IGP has provided to the National Police Commission, a false account of the incident. It was on 24-02-2025 that the Acting IGP has provided a detailed report to the National Police Commission, setting out the true facts. The said report has been produced before this Committee marked **P-50**. This was in response to the letter sent by the National Police Commission to the Acting IGP which was produced before this Committee marked **P-49**.

The Acting IGP in his evidence has clearly stated that his observation on this matter on the material available is that the Respondent IGP has deliberately refrained from causing an investigation to be conducted by a unit other than Weligama Police which is an indication that the Respondent IGP had wanted to conceal the actual facts as he was in some way involved in this shooting incident. The Acting IGP referring to the items of evidence which were even available at that time also namely: the fact that the CCD team did not deliberately come forward to identify themselves when Weligama Police night mobile patrol jeep came and stopped in front of the parked CCD van; the fact that the CCD van sped away and escaped after Weligama police night mobile patrol jeep came and stopped there; the fact that the CCD van was later found stopped by Police officers at Imaduwa entrance of Southern Highway with shattered glasses, stated before this Committee that they are all clear indications that the CCD team had engaged in an illegal act in front of W15 hotel on 31-12-2023. It was on that basis that the Acting IGP gave evidence under oath that there is no justification for the Respondent IGP's action of not ordering an independent investigation into this shooting incident by an independent investigating team. It is on that basis that the Acting IGP testified before this Committee that the only inference for this failure on the part of the Respondent IGP is his involvement in the shooting incident at Weligama and his wish to conceal the truth and prevent it from being revealed.

The National Police Commission has made the same query from the Acting IGP Mr. Priyantha Weerasuriya also. The Committee observes that it is the Acting IGP Mr. Priyantha Weerasuriya who has ordered the SIU to conduct an investigation to find out the lapses of the Police officers

involved in the incident. The Committee observes that it is the Acting IGP Mr. Priyantha Weerasuriya who has reported to the National Police Commission, the true account of the incident of shooting at Weligama by document produced before this Committee marked **P-50**. The Committee also observes that as opposed to **P-46** which is one and half page letter, **P-50** is a five and half-page lengthy report submitted to the National Police Commission by the Acting IGP Mr. Priyantha Weerasuriya.

The Acting IGP has also brought to the notice of this Committee of Inquiry that the CID is presently conducting an investigation into the payments made from the President's fund which also includes the payment of Rs. 2.5 million to Police Sergeant Upul from the President's fund. Answering further questions on this issue, it was the evidence of the Acting IGP that the move to release Rs. 2.5 million to Police Sergeant Upul from the President's fund should have been at the instance of then Hon. Minister in-charge of Sri Lanka Police and it should have been made possible by the Respondent IGP who should have informed about such need to the Hon. Minister. The Committee observes that the Respondent IGP in his evidence has admitted that he had a discussion with then President who agreed to release Rs. 2.5 million to be paid to Police Sergeant Upul from the President's fund.

The Acting IGP has produced the letter dated 09-05-2025 signed by SSP of Matara Division which is marked as **P-51**. According to the said letter it is revealed that the SSP of Matara Division has not initiated any disciplinary action either against a CCD officer or any officer of Weligama police station. It also reveals that the Respondent IGP has not directed any such action to be taken. It is the evidence of the Acting IGP that according to the available evidence, the officers who travelled in the Weligama night mobile patrol jeep should have been appreciated and rewarded.

The Acting IGP has also stated in his evidence that it is more important for Sri Lanka Police to have an investigation conducted to find out the persons responsible for the alleged shooting by an organized crimes group if such a thing had in fact happened, rather than an investigation into Nadun Chinthaka's (*Harak Kata*) narcotics dealer network. This is because such an incident if happened would have far reaching consequences as it has threatened the lives of Police officers operating against such organized criminal gangs. The Committee notes according to the evidence before it, that neither of the above investigations had taken place.

When the learned Counsel for the Respondent IGP suggested to the Acting IGP that nobody had complained that the Weligama Shooting was an illegal act undertaken by the CCD officers,

during the period starting from the date of incident (31-12-2023) and the date on which the Respondent IGP was restrained from discharging functions of the office of IGP by the Supreme Court (24-07-2024), the Acting IGP stated before the Committee of Inquiry that nobody would dare to come forward to divulge such information as long as the Respondent IGP was discharging the functions of the office of the IGP.

Perusal of the questions asked during the cross-examination by the learned Counsel for the Respondent IGP does not reveal that the Respondent IGP has seriously challenged the credibility of the evidence of the Acting IGP. On the other hand, the Acting IGP has testified before the Committee of Inquiry about the affairs in which he has got involved in his capacity as the Acting IGP after he has assumed that office on 27-09-2024. Indeed, when the incident at Pelena Weligama occurred on 31-12-2023 this witness was holding the post of SDIG in-charge of North Central Province. Therefore, this witness has had nothing to do with the Weligama shooting incident as at the time the said incident had occurred. As has been mentioned above, the Committee of Inquiry for the reasons set out elsewhere in this report, has decided to accept the way the shooting incident in which Police Sergeant Upul of the CCD was killed, had occurred, as the way narrated and explained by those who were present at the scene at the time of the said shooting namely: the then CCD OIC Anslem de Silva; PCD Dulip Gihan Piyatissa; Police Sergeant Ajith Sisira Kumara; and Army Sergeant Ruchiranga. The Committee of Inquiry for the reasons it has already set out, has concluded that the evidence of the afore-said witnesses is supported by the Police officers who got involved in the incidents after the CCD van came to Imaduwa entrance of Southern Highway.

For the above reasons, the Committee of Inquiry finds that the Acting IGP Mr. Priyantha Weerasuriya's evidence is well supported by the other evidence which this Committee has accepted as truthful. Committee of Inquiry does not see any reason or basis as to why the Acting IGP should have any necessity or motive to falsely implicate the Respondent IGP. Indeed, the Committee of Inquiry observed that whatever the Acting IGP has stated in his evidence implicating the Respondent IGP has been based on other evidence, the quality of which became unshakable in the course of the inquiry before this Committee. Therefore, it is the view of this Committee that it is perfectly safe for the Committee to accept this evidence as truthful and act upon it. Indeed, as has already been mentioned above, the Acting IGP's evidence given before this Committee of Inquiry was also not challenged seriously by the Respondent IGP.

(9) The evidence of WPS 275 Kalahepadi Kanakanamge Nalika Dilma Tilakaratne.

She was working in the office of the Senior Deputy Inspector General in-charge of Western Province from 2009 to 2024. Prior to being appointed as the IGP, the Respondent IGP was holding the office of the SIGIG in charge of Western Province as well. WPS Nalika Dilma was responsible for maintaining records pertaining to the permission granted by the SDIG for the police officers of the Western Province to travel outside the province for duty. Once the permission is granted in a document by the SDIG, the receipt of that letter and the dispatch of that letter after the approval are both entered in a register. The register in which these entries are made before such letters are dispatched to the respective offices is called the 'Outward Document Register' While this witness has identified Police Form 439 **P-16** and the Covering letters marked **P13**, **P14**, **P15**, it is her evidence that those documents were in fact dispatched from the SDIG's office on 02-01-2024.

WPS Nalika Dilma, giving evidence further, stated that she was forced to make false entries in the Outward Documents Register to simulate that these documents were dispatched on 29-12-2023. According to her, she did this upon being influenced to do so by IP Bandara who worked in the office of the Senior Deputy Inspector General in-charge of Western Province. IP Bandara was acting for the Respondent IGP's Personal Assistant. She identified the original of this register in which she identified her handwriting. Whilst under duress, WPS Nalika Dilma has entered the outward journey of these documents as if it were dispatched on 29-12-2023 under the number SDIG/ WP/ S6/ 23602/ 2023. She has admitted that it is the document dealing with leave obtained by ASP Nugegoda that has been assigned the number SDIG/ WP/ S6/ 23602/ 2023. She also admitted that this number appearing on **P-16**, Police Form 439 is not the genuine number assigned to the movement of that document. Indeed, it is her evidence that **P-16** never came for dispatch on 29-12-2023. She has identified the Outward Document Register which was produced before this Committee, marked **P-53** . Original of this document (**P-53**) was produced before this Committee and subsequently the Committee took charge of copies of the relevant pages for its use and released the original document to the CID officers as the CID is still proceeding with an investigation into this matter. In the list, this witness has identified the place where she had originally entered Police Form 439 relevant to this incident as entries under serial numbers 49 and 50. It is thereafter when she was forced to enter it under the date 29-12-2023 by IP Bandara that she had given a false number which had already been given to the document relating to leave obtained by ASP Nugegoda on 29-12-2023. She also observed that the original entries that she made in **P-16** ,i.e. entries under the serial numbers 49 and 50 are now found cut-off by somebody.

WPS Nalika Dilma while giving evidence admitted that she received **P-16** and she made the entries relevant to that document on 02-01-2024. She also stated that by that time she was aware that PS Upul of the CCD was killed in some shooting incident in Weligama. It is her recollection that CCD Acting Director ASP Neville de Silva also personally came to SDIG's office on that date. However, that document was sent to her by IP Bandara of the SDIG's office. This evidence indicates that Acting Director CCD ASP Neville de Silva on 02-01-2024 had come to the SDIG's office and got this form signed; ensured all entries are made to simulate that the SDIG had signed and given approval for the CCD team to travel to Weligama on 29-12-2023. This was to fabricate evidence in the SDIG's office, to cover up an otherwise illegal act of the CCD team which had travelled to Weligama to commit the illegal act they had undertaken. This fabrication of documents has been done after things went wrong resulting in the death of PS Upul of the CCD by gunfire by Weligama Police night mobile patrol.

WPS Nalika Dilma has also explained that she feared of a possible transfer out of the Colombo District in case she refused to obey the illegal orders given by the officers of the Western Province SDIG's office. The reason for the fear according to her, is the fact that she would have lost her quarters in Maradana Police Quarters in case of such a transfer. She has stated that she did not want to take such risk as she was a mother of two small children at that time.

At this stage it is appropriate to mention here that the position taken up by the Respondent IGP is that he signed Form 439 (**P-16**) and granted his approval and finished it on 29-12-2023 which is the date mentioned on **P-16**. However, WPS Nalika Dilma has categorically stated that it is her handwriting and it was she who inserted the date 29-12-2023 in the relevant place in **P-16**. Indeed, it is CI Anslem de Silva's evidence that it was only on 30-12-2023 morning that Acting Director CCD ASP Neville de Silva summoned four of them and assigned the task to shoot at W15 hotel at Weligama.

Questions asked by the learned Counsel for the Respondent IGP shows that he had unsuccessfully attempted to establish that IP Bandara was not the Personal Assistant to the Western Province SDIG at that time. However, the witness has stood her original ground and rejected this position. It was the position of this witness that whether IP Bandara was formally appointed as the Personal Assistant to the Western Province SDIG or not, it was in fact IP Bandara who had attended to all documentation to be dealt with by the SDIG Western Province at that time as the previous Personal Assistant had retired from service some time ago. When the learned Counsel for the Respondent IGP suggested to this witness that she was giving

false evidence, the witness had rejected this suggestion. Therefore, the suggestion still remains only as a suggestion.

The Committee in the pages ahead in this Report has decided to reject the position taken up by the Respondent IGP that the original version given by the members of the CCD team to Weligama Police on 31-12-2023 stating that they only retaliated when they came under fire by an unknown organized crime group member in front of W15 hotel must be taken as the correct version of the incident of shooting at Weligama. The Committee does not accept the evidence of the Respondent IGP, that he signed this **P-16** on 29-12-2023, as truthful evidence. Thus, the Committee of Inquiry decides to accept the evidence of WPS Nalika Dilma as truthful evidence.

(10) The evidence of ASP Dilan Chamara Dodangoda.

This witness functioned as ASP Administration in the CCD. He has identified the document, marked **P-14** which is the covering letter addressed to the Director CCD and signed by ASP Administration of CCD. When shown **P-14**, this witness has categorically denied that he has signed this document although it is his designation and the seal that has appeared at the bottom of this letter. He has stated that on this date, he was present in the CCD office but nobody had brought this letter for his signature. Instead, presumably ASP Dharmakeerthi had signed this document as ASP Administration. ASP Dharmakeerthi did not hold the post of ASP Administration of CCD. On the other hand, when this witness was present at the CCD office on that date, his seal had been affixed at the bottom of this letter beneath somebody else's signature. Thus, according to this witness, **P-14** is not a genuine letter.

When shown **P-2** which is the reward voucher, it is the evidence of this witness that he signed this as the ASP Administration of CCD as SI Pulleperuma who is the Personal Assistant to the Acting Director CCD had insisted that the Respondent IGP had wanted this reward voucher completed and signed as soon as possible. He stated that it was due to that pressure that he could not delay the reward voucher. According to this witness, it was the reason why he had signed **P-2**. However, it is his evidence that later on he realized that his recommendation in this reward voucher is wrong as he later learnt that PS Upul of the CCD was killed in the course of an illegal activity. By that time, he had already signed and sent the reward voucher **P-2**. This witness, being an ASP presently working in CIABOC, has admitted that this has amounted to corruption within the definition of the offence of corruption in the Anti-Corruption

Act. It is his evidence that as per subsequent revelations of the true incident, this reward should not have legally been paid to PS Upul of the CCD for his death. Perusal of **P-2** shows that the reward voucher has been completed on 31-12-2023 itself by all the relevant officers including the Respondent IGP who had given the final approval both as the Western Province SDIG and Acting IGP on 01-01-2024 itself.

Learned Counsel for the Respondent IGP has not asked many questions from this witness during cross-examination. Indeed, he seems to be accepting the evidence of this witness. That could be seen from the pattern of his questions to this witness. He has never suggested that this witness was giving false evidence. Although the Committee of Inquiry initially observed that this witness was somewhat reluctant, however, later on he admitted his lapses in recommending the payment of reward to PS Upul.

(11) The evidence of Waguruwela Gamaralalage Chanaka Jeewantha Pallewatta (Jailor).

This witness is a Jailor attached to Bogambara Prison before whom the CID officers had recorded the statement from the Respondent IGP. This was when he was in remand in Bogambara Prison. The recording of statement from the Respondent IGP had been permitted upon an order of the Magistrate's Court of Matara in case No. BR 6314/2023. This witness has identified this Court order dated 20-03-2025 which is marked as **P-56(A)**. This witness also has identified the entries he has made in the log book after successful completion of the recording of the statement from the Respondent IGP by the CID officers in prison. This entry was produced before this Committee marked **P-56(B)**. This witness has identified and confirmed the entries he has made as **P-56(B)(i)** and **P-56(B)(ii)**. It is his evidence that there was no complaint made by the Respondent IGP pertaining to anything during the recording of his statement. The recording of the statement by the CID officers has been completely carried out in the presence of this witness.

Answering the questions asked in cross-examination by the learned Counsel for the Respondent IGP, this witness has stated that the Respondent IGP was kept in a special section as he was the IGP. This was to afford him special protection. He also stated that the Respondent IGP slept on the floor.

The learned Counsel for the Respondent IGP has unsuccessfully attempted to show that the Respondent IGP was not in a good condition of mind at that time. However, it is the position

of this witness that no complaint was ever made by the Respondent IGP and he stayed as yet another person kept in the remand prison. It is the position of this witness that according to the prison rules, there was no bar for an inmate to meet relations or to obtain legal assistance or to consult a lawyer while remaining in the remand prison.

The learned Counsel for the Respondent IGP has not asked many questions from this witness except those referred to above during cross-examination. He has never suggested that this witness was giving false evidence. Having regard to the above circumstances the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to act upon this evidence for its final decision.

(12) <u>The evidence of Police Sergeant Samarakoon Wijewickrama Vidhane Muhamdiramge Upul Wasantha Alwis Wijewickrama</u>.

This witness is a Police Sergeant who was on duty at Imaduwa entrance of Southern Highway on 31-12-2023. He was at the exit for the vehicles coming from Colombo. The reserve officer of Imaduwa Highway Police Station had informed him over the Motorola Communication set at 2.43 am, about the message he has received from Galle operations room. He was informed that the message has requested to take steps to stop a white colour KDH van which had escaped after an involvement in a shooting incident. The instructions were to stop and take the said suspected van and its occupants in to custody if it comes to enter the Highway. This is a message which the Galle operations room had relayed to all the stations in the area.

At about 3.10 am, the Police officer who was on duty at the other gate (i.e. the gate through which the vehicles enter to travel in the direction of Colombo from Imaduwa) had informed him that the white colour KDH van as described in the message received from Galle Operations Room, has reached the gate and was stopped when it attempted to go to Colombo. Upon the receipt of that information this witness along with the other Police Constable immediately rushed to the gate at which the suspected van was stopped. The person who was sitting in the right side of the rear seat gave him an identity card and claimed that he was CI Silva. However, as the photograph in that identity card had faded, Police Sergeant Wijewickrama had refused to accept the said identity card. He thereafter informed over his mobile phone about this incident to the Officer-in-charge of Imaduwa Highway Police, IP Saman Kumara. IP Saman Kumara had instructed this witness to inform HQI Weligama, after which this witness had informed CI Upul Kumara who was the HQI of Weligama about this development. CI Upul

Kumara had told him that he would reach Imaduwa entrance in 20 minutes time and to keep the van and not to release the van or its occupants until his arrival. After sometime Police Sergeant Wijewickrama had seen one person lying on the floor board of the van in the rear. When asked why, the others had told that he was injured. Later on, upon their request he had called a 1990 *Suwaseriya* ambulance in order to send the injured person to hospital.

After CI Upul Kumara came close to the Van he had asked all the occupant to get off the van. The injured person lying on the floor board was placed on the trolley which the ambulance had brought and loaded in to the ambulance. The nurse who was in 1990 *Suwaseriya* ambulance had wanted to see the injury and the injured person was wearing a jacket which was completely zipped up to the neck. Police Sergeant Wijewickrama then opened it only to observe that the t-shirt the injured person was wearing had become wet with blood. Therefore, the T-shirt could not be removed. Then the nurse using a pair of scissors cut the t-shirt and opened it. Police Sergeant Wijewickrama had seen an injury with burn marks on the left side of the chest of that person. The nurse having kept a piece of cloth on the wound, then connected the patient to a heartbeat monitoring machine which indicated the reading of the heartbeat of the patient as 52. The nurse thereafter had told him that the patient was in very critical condition and should be taken to Karapitiya hospital. Police Sergeant Wijewickrama has stated that the other person who was injured in the CCD van walked limping to the ambulance. That person had a pistol in his hand. However, this witness had ordered him to hand over the pistol to somebody else before getting into the ambulance. The patients were taken to the hospital by 1990 *Suwaseriya* ambulance. The ambulance and HQI Weligama had arrived at Imaduwa entrance more or less at the same time. When the patient was lifted to be taken to the ambulance from inside the CCD van, Police Sergeant Wijewickrama had seen the blood collected inside the jacket pouring down.

Answering further questions, it is the position of this witness that at initial stages the persons in the CCD van had insisted and requested permission for them to continue to travel towards Colombo. Initially the persons in the CCD van had not divulged that there was a critically injured person inside the van. It was only after Police Sergeant Wijewickrama had seen through the broken glasses that there was a person lying on the floor board of the van, that the CCD team members inside the van had revealed that the lying person was injured. The person who was lying injured in the van, was Police Sergeant Upul.

This witness has explained the distances to the nearby hospitals located in the area. According to this witness, the closest hospital to W15 hotel is three minutes away from it (about 1 km

distance). That is Weligama Walana hospital which is a government hospital. Matara General Hospital is about four kilometres away from W15 hotel and there was a regional hospital in Ahangama as well. When one comes from W15 hotel, one needs to pass Ahangama Regional Hospital in order to reach Imaduwa Highway entrance. According to this witness, if one is to go to Karapitiya Hospital from W15 hotel, it would take at least forty minutes to get there. It is the evidence of this witness that the CCD officers were not at all interested at that time in finding or going to any hospital. Indeed, no one in the CCD team had even helped initially to carry the injured Police Sergeant Upul to 1990 *Suwaseriya* ambulance. Furthermore, OIC of the CCD who was seated in the rear seat had told and insisted that they want to travel to Colombo and had even told 'අපි යමු යන්න'. It was thereafter that this witness had instructed Police Constable 4094 Jayasinghe to remove the ignition key from the CCD van and proceeded to prepare the T56 rifle he brought aiming at the van and threatened to open fire in case they escape. It is his evidence that anybody who is conversant with guns would dare to escape after such action of preparing to shoot.

Answering the questions asked by the learned Counsel for the Respondent IGP, Police Sergeant Wijewickrama has maintained his positions with regard to the sequence of events that occurred at Imaduwa Highway entrance, consistently.

The Respondent IGP did not at any stage attempt to suggest that Police Sergeant Wijewickrama has given false evidence before this Committee of Inquiry. Indeed, this witness's evidence is perfectly corroborated by the evidence of SI Gamini Jayasekera. Moreover, the Respondent IGP in the course of his evidence also has specifically stated that the officers at Imaduwa entrance/exit of Southern Highway as at the dawn of 31-12-2023 had only carried out their duties and could not be found fault with for any lapse on their part. Thus, the Respondent IGP did not at any stage sought to controvert/discredit the evidence of these witnesses. For those reasons, the Committee of Inquiry decides to accept the evidence of Police Sergeant Wijewickrama as truthful evidence placed before it.

(13) <u>The evidence of Police Constable Driver Wijekone Herath Mudiyanselage Ishan Nirosh Bandara</u>.

This witness is a Police Constable Driver attached to the CCD who has helped PCD Dulip Gihan Piyatissa to paste the stickers on the body of the CCD's KDH Van bearing No. WP PK 7225. The said pasting happened in the premises of the CCD in the afternoon of 30-12-2023. PCD

Bandara in his evidence has stated that PCD Dulip Gihan Piyatissa did not divulge to him as to where he was getting ready to go in that van in that evening. It was PCD Dulip Gihan Piyatissa who brought the stickers. PCD Bandara had brought a pair of scissors from the CCD office in which he was working at that time, cut the stickers and pasted it on the van. The sticker was of ash-silver colour. The pasting was carried out by PCD Dulip Gihan Piyatissa himself with the assistance of PCD Amila. PCD Bandara is a PCD attached to SI Maduranga's unit, namely Western Province Anti-vice unit. When shown the photograph produced before this Committee marked **P-58(A)**, and **P-58(B)**, PCD Nirosh Bandara has identified on them, the remaining signs of the pasted sticker on the van. He confirmed that those were the locations at which he and the two others had pasted the sticker in the afternoon of 30-12-2023 in the CCD premises.

He had later learnt that PS Upul of the CCD was killed in a shooting incident on the following day morning and that it was PCD Dulip Gihan Piyatissa who drove that van with the pasted stickers on it.

Answering the questions asked by the learned Counsel for the Respondent IGP, PCD Nirosh Bandara had reiterated the same factual positions as he had already stated in his examination-in-chief. Answering further during cross-examination, this witness has stated that he did not intend to change the appearance of the vehicle at the time he pasted the stickers. However, in re-examination PCD Nirosh Bandara has stated that he did not know the purpose as to why the sticker was pasted on the van.

Other than the above matters, the learned Counsel for the Respondent IGP has not seriously challenged the veracity of the evidence given by PCD Nirosh Bandara. Indeed, PCD Nirosh Bandara has nothing to do with the shooting incident or its preparation. He did not know the purpose as to why a sticker was pasted on the van. He merely has assisted the pasting of the sticker as it was done in the CCD premises. PCD Nirosh Bandara's evidence is well corroborated by the evidence given by PCD Dulip Gihan Piyatissa. Having regard to the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of PCD Nirosh Bandara. Therefore, the Committee of Inquiry decides to act upon this evidence for its final decision.

(14) The evidence of ASP Arumapperuma Arachchige Chandima Niroshani Arumapperuma.

She is an ASP attached to the Computer Crimes Investigation Unit of the CID. She came before the Committee of Inquiry to produce a copy of the media discussion in which the Respondent IGP and the then Minister of Law and Order had participated on 18-01-2024. However, the learned Counsel for the Respondent IGP raised objection for displaying this recording on the basis that it is a recording downloaded from YouTube. Committee of Inquiry heard the submission of the learned Counsel for the Respondent IGP and the submissions made in that regard by the Additional Solicitor General on this objection. Thereafter, having considered the objection raised by the learned Counsel for the Respondent IGP and the circumstances under which it was downloaded from YouTube and caused it to be produced before this Committee of Inquiry, the Committee decided not to allow the display of this media discussion before the Committee. As a result, the Committee decided to stop the further recording of evidence of this witness and released this witness. Therefore, the Committee will not be taking into consideration, the evidence of this witness or the contents of this recording for its final conclusion.

(15) The evidence of SSP Kosgahamulagedara Prageeth Buddhika Samarapala.

SSP Buddhika Samarapala functioned as the Director of the Criminal Intelligence Analysis and Prevention Division (අපරාධ බුද්ධි විශ්ලේෂණ හා නිවාරණ කොට්ඨාශය). This division is responsible for streamlining the process of requests for payment of rewards out of the Police Reward fund. This division is under DIG Crimes. It is the responsibility of this Division to ensure that all relevant documents are annexed to the file before forwarding it to the IGP for approval, before the payment of the reward. The reward voucher **P-2** is a reward voucher in which the payment has been approved by the Respondent IGP and then sent to SSP Buddhika Samarapala's division for payment. He has received this file on 02-01-2024.

Although initially this witness has stated that it is possible for the IGP to have approved this reward voucher and then have it sent to his division later, in the face of further questioning, this witness has admitted that this C-5 file bearing No. PHQ/ CCB/ C5/ 2024 maintained pertaining to the payment of the reward to PS 57241 Upul of the CCD is not a complete file. It is the evidence of this witness that his Division is required to verify all the details and be satisfied that the claim for a reward is a legal one and a genuine one. This is so because these payments are made from the public funds collected by Courts through fines imposed on convicted persons.

This witness has admitted that the documents such as the inquest proceedings, the post-mortem report, the Government Analyst's report, the entries made by the relevant police officers when leaving the police station for the duty relevant to the reward, the entry made by those police officers after returning back from the relevant duty must have been there in the file. This witness has admitted that none of those documents was present in this C-5 file. There is no indication whatsoever that anybody had called for, or was interested in calling for those documents before the Respondent IGP approved the payment of Rs. Rs. 1.5 million from the Police Reward Fund to PS Upul of the CCD who was killed in this shooting incident.

Upon realizing later that PS Upul of the CCD and his team had engaged in an illegal act, SSP Buddhika Samarapala has admitted in his evidence that if this file came to his Division before the Respondent IGP approved the payment of the reward to PS Upul, he would not have recommended this payment as there was no acceptable basis for him to do so. It is therefore his evidence that this is an irregular payment that has been made with the Respondent IGP granting approval for payment of this reward without any of those documents by only making a minute at the bottom of **P-7** on 01-01-2024 itself.

Thus, it is clear that the Respondent IGP has taken initiative to ensure the payment of Rs. 1.5 million to PS 57241 Upul within two days from the incident, i.e. on 01-01-2024. It is to be noted that the initial request for the reward was originated and recommended respectively by the OIC CCD, ASP (Administration) CCD, Director CCD, DIG Colombo on 31-12-2023 itself. This is manifest from the documents marked **P-2**, **P-3**, **P-4**, **P-5** and **P-6**.

This witness has further admitted that the contents of the above letters by the respective senior officers do not differ from one another. This is an indication that each one has copied the original letter and left it at that. Answering the questions asked by the learned Counsel for the Respondent IGP during cross-examination, this witness has stated that it is his responsibility to call for necessary documents if they are not found in the file. Considering the Order made by the Magistrate of Matara subsequently, he has admitted that Rs. 1.5 million from the Police Reward Fund has been paid to a person engaged in an illegal act. Giving reasons for this, the witness has explained that he had to take steps for the payment of money as the Respondent IGP had already approved the payment by the time the file came to him.

The Committee cannot see that the learned Counsel for the Respondent IGP has challenged the veracity of the evidence given by SSP Buddhika Samarapala. Having regard to the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of this

witness. Therefore, the Committee of Inquiry decides to act upon this evidence for its final decision.

(16) The evidence of Secretary to the National Police Commission, Thanuja Nayomi Fernando.

This witness was summoned to give evidence before the Committee of Inquiry to formally produce the documents, marked **P-45**, **P-46**, **P-47**, **P-48**, **P-49**,and **P-50**. Indeed, this witness was not the Secretary to the National Police Commission (NPC) as at the dates of those documents. Thus, she merely gave evidence before this Committee of Inquiry formally producing these documents. **P-45** is a letter sent by the NPC to the IGP on 30-01-2024 calling for a detailed report about the events described in an article published in Sunday Times on 07-01-2024 under the heading *'Weligama Fatal Shooting Raises Questions Over Communication Lapses Over Police Ops'*. The reply to **P-45** sent by the Respondent IGP dated 22-02-2024 is marked **P-46**. The Respondent IGP in that letter (**P-46**) has categorically informed the NPC that neither the officers of Weligama police station nor officers of the CCD could be found responsible for any lapse on their part. In other words, the view the Respondent IGP has expressed in **P-46** is that when the shooting incident took place in Weligama in front of W15 hotel on 31-12-2023, the officers of the CCD involved in that incident had perfectly acted within the scope of their official duties. It is pertinent to note that the Respondent IGP has communicated this view to the NPC on 22-02-2024.

This Committee of Inquiry would deal with the contents of these documents elsewhere in this report later on as this witness was only summoned before the Committee to formally produce these letters. Therefore, the learned counsel for the Respondent IGP also did not seek to challenge the evidence of this witness. Indeed, some of the documents she produced before the Committee are documents signed by the Respondent IGP. The Respondent IGP in his evidence has admitted the documents marked **P-45** and **P-46**. The letters marked **P-47** and **P-48** are similar letters. **P-50** is a report sent by the Acting IGP in response to NPC's query **P-49**.

(17) The evidence of WPC 6754 Makumbure Gedara Herath Mudiyanselage Inoka Chandani Herath.

This witness is a person who had worked in CCD at two different occasions. As at the time relevant to the incident she was responsible for maintaining the Outward Documents Register in the office of the Director CCD. At that time, it was ASP Neville de Silva who functioned as the Acting Director CCD and CI Anslem de Silva who functioned as the OIC of the CCD.

She has stated that she was on maternity leave from 07-07-2024 to 31-01-2025. When she was on maternity leave SI Pulleperuma, who was attached to the CCD's Director's office, contacted her and instructed her to re-write the entries that had already been entered in the Outward Documents Register. SI Pulleperuma had later on brought the said Register and also an empty book and handed it over to her with the same instruction. As she had commenced her maternity leave on 07-07-2024, it is clear that this had taken place after that day. It is her evidence from her memory that this would have happened somewhere in October 2024. She has clearly stated before the Committee that by that time, she knew that PS Upul of the CCD was killed in an incident of shooting at Weligama.

She has clearly stated in her evidence that she re-wrote the entries in her own handwriting in the new register. Although she knew this action was improper and illegal, she did it as she was forced to do so by SI Pulleperuma. This was despite her knowledge about the seriousness of the act she was engaged in. She has identified this register which was produced before this Committee marked **P-23**. It is her evidence that she handed over both the old and new resisters to SI Pulleperuma who after some time came again to her residence to collect it while she was still on maternity leave. She admits that this was to simulate that the Police Form 439 relevant to the CCD team led by CI Anslem de Silva traveling to Weligama on 30-12-2023 was sent from the CCD Director's office on 29-12-2023. She knew that it was not so.

The Committee of Inquiry observes that even the Police Form 439 relevant to the traveling undertaken by the CCD Team led by IP Jayatilleke on 30-12-2023 had been dispatched according to the Outward Documents Register, only on 30-12-2023. It is the evidence of CI Anslem de Silva that they were instructed to proceed to Weligama in the night by Acting Director Neville de Silva, only in the morning of the 30-12-2023. That was at the time when IP Jayatilleke had already left for Matara with a different team.

The learned Counsel for the Respondent IGP has not seriously challenged the credibility of the evidence given by WPC 6754 Inoka. For the reasons set out before, the Committee has already decided to accept the evidence of SI Pulleperuma as truthful evidence.

The evidence of IP Shriya Bandara Wijethunga has established before the Committee of Inquiry that WPC 6754 Inoka attached to the CCD was on maternity leave during the period 07-07-2024 to 31-01-2025. Having regard to all the circumstances of the case, the Committee has no reason or basis to doubt the credibility of WPC 6754 Inoka's evidence. Thus, the Committee decides to accept her evidence.

(18) The evidence of PS Sunanda Ovaperuma.

PS Sunanda Ovaperuma was responsible for maintaining the Documents Outward Register kept in the office of CCD's ASP (Administration). At the relevant time, it was ASP Chamara Godage who functioned as ASP (Administration) of CCD. It is his evidence that he was summoned to the CCD Director's office in the presence of SI Pulleperuma. At that time, PS Sunanda Ovaperuma was instructed to re-write the entries on a new register to simulate that the Police Form 439 relevant to the CCD team traveling to Weligama on 30-12-2023 was sent from the CCD Directors office on 29-12-2023. The newly written register has been produced, marked **P-62**. PS Ovaperuma knew that PS Upul of the CCD was killed in the shooting incident on 31-12-2023 and by that time the CID had commenced an investigation into the said incident. It is his evidence that in the same way, four other officers also contributed to write these entries in the new register as that part was in their handwriting in the old register. PS Ovaperuma has admitted that this was done illegally, to falsely show that the Police Form 439 relevant to Weligama incident had been sent from the CCD Director's office on 29-12-2023.

Having regard to all the circumstances in this case, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to act upon the evidence of PS Sunanda Ovaperuma for its final decision.

(19) The evidence of WSI Yatiyanthota Dias Damayanthi Swarnalatha Samarasinghe.

WSI Samarasinghe was attached to the CCD during the period 2019-2022. Even presently she works in the CCD. She also had contributed to maintaining the Documents Outward Register maintained in the office of CCD's ASP (Administration). This witness has admitted that she also wrote the part in her handwriting in a new book which she identifies as **P-62**. She has admitted that the entry pertaining to the traveling undertaken by the officers of the CCD in vehicle bearing No. WP PK 7225 was entered by her in her handwriting to simulate that the

said document was dispatched from the office of ASP (Administration) on 29-12-2023. It is to be noted here that the Police Form 439 relevant to IP Jayatilleke's team leaving for Weligama on 29-12-2023, has been entered in the same register as it was sent out of ASP (administration) CCD on 30-12-2023. This witness has admitted that the said re-writing on a new book was done approximately about 6-7 months after this incident. She also confirms that by that time the CID had commenced an investigation into the said incident.

Although this witness had stated that she made the alteration of the official register maintained at the CCD ASP (Administration) thinking that it would facilitate the payments to the killed PS Upul of the CCD, the Committee of Inquiry notes that by that time all payments had been approved and paid. That was over even by 01-01-2024. Therefore, there was no necessity for alteration of this document on that basis. When this fact was brought to her attention by the learned ASG, this witness changing her position, stated that she made that alteration believing that the pension due to PS Upul would be affected. WSI Samarasinghe admits that it was an illegal act undertaken by her. She then stated before this Committee that she did so under duress to avoid being transferred out of the station in case of refusal to comply with those illegal instructions.

Just like in cases of other witnesses who gave evidence before this Committee stating that they altered the Documents Outward Registers kept in their respective offices, having regard to all the circumstances in this case, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to accept this evidence for its final decision.

(20) The evidence of Kannangara Koralalage Dona Nelka Shyamali Jayatilleke.

This witness was in-charge of the Police Reward payment section in the Chief Accountant's office at the Police Headquarters. There were eight officers who had worked under her. She has explained the process through which police rewards are paid. Identifying **P-7**, she has stated that the Respondent IGP has approved the payment of Rs. 1.5 million on 01-01-2024 as a reward to PS 57421 Upul on the basis that he was killed by gunfire from an unidentified gunman. It is her evidence that the Respondent IGP had informed her senior officers that steps must be taken to conclude the payment on 01-01-2024 itself. Accordingly, upon instructions to do so by the Chief Accountant, she caused a cheque for Rs. 1.5 million written in the name of M. L. K. L. Kumuduni, the wife of PS Upul.

Answering the questions of the learned Counsel for the Respondent IGP in cross-examination, she has reiterated that it is the IGP who has the final authority to approve the payment of rewards.

The learned counsel for the Respondent IGP did not seek to attack the credibility this witness. She merely stated in her evidence the part she had to do with regard to the payment of the reward in her official capacity. Having regard to the above circumstances the Committee of Inquiry has no reason to disbelieve the evidence of this witness.

(21) The evidence of IP Wijethunga Mudiyanselage Shriya Bandara Wijethunga.

IP Shriya Bandara Wijethunga has joined the CCD on 25-02-2025 which is a date in this year. He was summoned before the Committee of Inquiry to formally establish that WPC 6754 Inoka attached to the CCD was on maternity leave during the period 07-07-2024 to 31-01-2025. The learned Counsel for the Respondent IGP has not asked any question from this witness in cross-examination. Similarly, the learned Counsel for the Respondent IGP, (as has already been mentioned above), has not sought to controvert the evidence of WPC 6751 Inoka. Therefore, the Committee of Inquiry decides to accept and act upon the evidence given by IP Shriya Bandara Wijethunga.

(22) Evidence of CI William Brits Asanka Thusitha Kumara.

This witness is the Officer-in-Charge of Investigation Unit No. 7 of the Special Investigation Unit. According to this witness, this is a unit which is directly under the IGP. This witness has confirmed the fact that the Respondent IGP Mr. T. M. W. Deshabandu Tennakoon, had not made any direction at any time to conduct an investigation into the incident of shooting at Weligama on 31-12-2023 in which two police officers attached to the Colombo Crimes Division (CCD) received gunshot injuries.

The only investigation, the Special Investigation Unit has conducted is an investigation under reference No. Staff DIG/ IG/ Out/ 05/ 4033/ 2024 which the present Acting IGP Mr. Priyantha Weerasooriya has ordered on 01-10-2024.

Answering the questions asked by the learned Counsel for the Respondent IGP during the cross examination, this witness has stated that Ranmuni Uvanne Anslem de Silva has not turned up to give a statement to the Special Investigation Unit although he was summoned to be present there on one occasion.

This witness has also confirmed in cross-examination, the following facts: the fact that the main objective of the Special Investigation Unit is to deal with the matters relating to the discipline of the police officers by conducting investigations whenever necessary; the fact that the Special Investigation Unit is not part of the Criminal Investigation Unit (CID); the fact that the Special Investigation Unit is under the direct supervision of the IGP. Answering further during the cross-examination, this witness has confirmed that the Acting IGP has ordered this investigation on 01-10-2024 upon the receipt of a complaint by an identified person. This witness has stated that the said petition contained five incidents, of which the shooting at W15 hotel is one.

Other than the above questions which form part of very short cross-examination by the learned Counsel of the Respondent IGP, there is nothing that has been elicited by the learned counsel for the Respondent IGP in favour of his client. Indeed, no suggestion on behalf of the Respondent IGP has been made to this witness suggesting that this witness is uttering falsehood. In the course of this inquiry the Respondent IGP did not even attempt to adduce any evidence that he ordered any investigation into the incident of shooting which took place at Palena, Weligama which resulted in the death of Police Sergeant 57241 Upul and injury to SI Maduranga. Indeed, the Respondent IGP in the course of his evidence sought very strenuously to justify his non-direction of an investigation by another unit. He also sought to justify the investigation conducted by Weligama Police station under the supervision of SSP Matara, ASP Weligama and the HQI Weligama. On the other hand, this witness upon being summoned by the Committee of Inquiry came to give evidence before this committee about an event which has taken place in the Special Investigation Unit. Furthermore, the evidence given by this witness has been given purely as evidence provided by him in his official capacity. In the above circumstances, the Committee of Inquiry has no reason whatsoever to refrain from accepting the evidence given by this witness as truthful evidence. Therefore, the Committee of Inquiry decides to accept and act upon the evidence given by this witness.

The Committee of Inquiry thinks that this would be an appropriate juncture at which it should refer to the evidence given by the Respondent IGP and to the evidence given by the other witnesses called on behalf of the Respondent IGP before this Committee. Although there are

some more witnesses whose evidence was placed before the Committee having been called to give evidence by the learned Additional Solicitor General, the Committee will deal with the evidence of those witnesses when it deals with the other charges (i.e., Charge Nos. 17-19 and 22-23 of the Charge Sheet).

(23) Evidence of the Respondent IGP, Tennakoon Mudiyanselage Wanshalankara Deshabandu Tennakoon.

The Respondent IGP giving evidence-in-chief has first adverted to the various posts he has held in his career in Sri Lanka Police. These include the date on which he had joined Sri Lanka Police as a probationary ASP, i.e. on 23-02-1998. Then he goes on to describe the various posts he has held up to the time the Supreme Court has restrained him from discharging the functions of the office of the IGP by its Order dated 24-06-2024. Indeed, the Committee of Inquiry at the outset (on the first date itself, i.e. on 19-05-2025) has recorded these facts as admissions.

The Respondent IGP has then explained his qualifications. Accordingly, he had passed out as a Bachelor of Arts graduate from the University of Colombo with a Second-Class Upper Division and also had earned a Master's Degree in Social Sciences from the University of Kelaniya. In addition, he has received higher education with regard to the scope of his duties in the Police, in countries such as Russia, China, South Korea, India and Thailand. He is also a Police officer who has received training regarding the crime investigation in Scotland Yard in Great Britain.

Immediately after he was promoted as a SDIG, he was appointed as the SDIG in-charge of Western Province with effect from 29-11-2019. Thereafter, he was appointed as the Acting IGP on 29-11-2023. In his evidence he has explained in detail, various measures he has taken, initiated, implemented to curb rising crime waves in the country. In the course of his career, he has functioned as an ASP in Galle; SSP in-charge of Matara Division; SSP in-charge of Galle Division; and also, as the DIG in-charge of Police Criminal Intelligence Analysis and Prevention Division (අපරාධ බුද්ධි විශ්ලේෂණ හා නිවාරණ කොට්ඨාශය). In the evidence-in-chief he has taken time to describe the steps he had taken and the projects he had implemented to act against narcotics distribution networks prevailing in the country. He has also explained in detail, how Nadun Chinthaka Wickramaratne (alias *Harak Kata*) was brought to Sri Lanka from Madagascar; the attempts made by *Harak Kata* to escape whilst being kept in the detention

in the CID.; the investigations conducted to bring part of his narcotics distribution network to light and related facts.

The Respondent IGP in his evidence has admitted having a discussion with SSP Prasanna Alwis of the TID, DIG Nishantha de Zoysa of the Police Special Branch along with Acting Director CCD ASP Neville Silva and few other senior officers in the morning of 29-12-2023. He has also admitted that he made the entry '*FNA*', signed, dated and placed his seal on **R-2** before giving it to the Acting Director CCD ASP Neville de Silva at this discussion. He stated that he instructed ASP Neville de Silva at this discussion to undertake investigations to find out further details of the 149 persons in the list annexed to the letter **R-2**. The Respondent IGP has stated that he decided to hand over this part of the investigation to ASP Neville de Silva, because he had raised suspicion about the conduct of the CID officers with regard to conducting investigations against *Harak Kata*. Thus, according to him, that was the reason as to why he had thought it fit to have this investigation assigned to CCD instead of the CID. It is a fact that it was the CID which was the Police arm which conducted the investigation into the narcotics distribution network of *Harak Kata*. Even according to the Respondent IGP it is a team of CID officers who had gone to bring *Harak Kata* from the relevant foreign country. It is also his evidence that it was the CID which was conducting the investigation against *Harak Kata* having detained *Harak Kata* in the premises of the CID for over one and a half years. It was after he was appointed the Acting IGP on 30-11-2023 that he stepped into find out the progress of the investigation conducted by the CID against *Harak Kata*. It was then that DIG CID Prasad Ranasinghe had informed him that due to the CID officers' busy schedules, the CID could not do much with regard to this investigation. He also had got to know from the same source that the Director TID SSP Prasanna Alwis having analysed the relevant phone details, has prepared a list of persons whom he had suspected to be the persons having links to *Harak Kata*. This is the list of 149 persons attached to the letter **R-2**. Thus, it is the position of the Respondent IGP that he has taken out the part pertaining to the persons in **R-2** from the ongoing investigation being conducted by the CID and assigned it to the CCD on 29-12-2023. It is his position that he gave oral instructions as to what CCD should exactly do on **R-2**. Thus, other than mere writing the three letters 'FNA', the instructions that the Respondent IGP claims to have given are oral instructions.

However, the Respondent IGP has categorically admitted that the CID is under the direct supervision of the IGP. It is the position of the Respondent IGP that the CCD does not come under the direct supervision of the IGP as it is directly under the SDIG in-charge of the Western Province. According to him there was no SDIG appointed to oversee the affairs of the CID at

that time. This could be gathered by his own evidence. He has explained this supervisory structure in Sri Lanka Police, in detail. The Respondent IGP has also admitted, that while the strength of the CCD is less than two hundred officers, the strength of the CID is definitely over thousand officers. It is his evidence that the CCD has jurisdiction only within the Western Province. That is consonant with the fact that the CCD comes under the SDIG of the Western Province. However, the CID has no such geographical limitation with regard to its jurisdiction. Hence CID has island-wide jurisdiction and therefore, it can conduct investigations in any part of the country.

At the discussion held on 29-12-2023, it is the evidence of the Respondent IGP that he assigned SSP Nishantha de Zoysa who was the Director of Police Special Branch to provide intelligence information with regard to 149 people in the list attached to **R-2** and facilitate the investigation the Respondent IGP had assigned to acting Director CCD ASP Neville de Silva.

While admitting that it is the SDIG who has the power to permit a team of Police officers from his province to travel to another province, it is his position that IGP's circular 2694 marked as **R-3** has provided the guidelines for the same. He has identified this circular (**R-3**) before the Committee. The Respondent IGP has stated that in an emergency situation, it is open for relevant police teams to travel outside their jurisdiction with the oral approval of the designated officer who is capable of giving approval as per the circular **R-3**. The Respondent IGP has taken up a position that Acting Director CCD ASP Neville de Silva gets authority to send teams to Matara area as he, as the Acting IGP has instructed ASP Neville de Silva to conduct these investigations by **R-2**. However, all what the Respondent IGP has written on **R-2** is *'FNA'* on 29-12-2023.

In the course of his evidence, the Respondent IGP has also attempted to state before the Committee that at the relevant time, he was merely a SDIG in-charge of Western Province as he was only Acting IGP while being in his substantive position as the SDIG in-charge of Western Province. This appears to contradict his own assertion that he had authority as Acting IGP to take a small part of the investigation (**R-2**) being conducted by the CID against *Harak Kata* and assign only that task on 29-12-2023 to the Acting Director CCD ASP Neville de silva.

In an attempt to justify the failure of the relevant CCD team to keep the Police authority in Southern Province informed about the impending visit to be undertaken by the team led by CI Anslem de Silva, the Respondent IGP has taken up a position that it is justifiable due to the possibility of officers in that area having links with *Harak Kata* and his narcotics network.

It is his position that such advance notice may have jeopardized the investigation to be undertaken by the CCD team on 30-12-2023. He has explained this aspect in his evidence in detail. At the same time, he has stated that the explanation as to why the traveling to Matara by IP Jayatilleke's team on 29-12-2023 was informed to Matara police authorities when the movement to Weligama by CI Anslem de Silva's team on 30-12-2023 was not informed to police authorities in Matara, must be tendered by Acting Director CCD Neville de Silva.

On being inquired by the Committee, the Respondent IGP has admitted that under normal circumstances CCD officers have to wear uniforms. He has also admitted that although in covert operations the police teams are allowed to operate in civil clothes, the police circulars have insisted that at least one officer must be in uniform even at such occasions. It is his position that it is up to the Acting Director CCD to plan and implement the orders he had given with regard to **R-2**. The Respondent IGP in his evidence has denied that he had given any illegal order to Acting Director CCD on 29-12-2023 in his office.

The Respondent IGP has described CI Anslem de Silva as a sick, elderly officer who is also a heart patient and as a person who has undergone bypass surgery and having a walking difficulty with a problem in his legs. According to the Respondent IGP, CI Anslem de Silva is not a physically fit person to have undertaken an operation in a distant area like the one in Weligama. It is the position of the Respondent IGP that he did not know as to the composition of the team of CCD officers which left for Weligama on 30-12-2023 and he did not know the identity of the vehicle which the said team used to travel to Weligama (this is contrary to **P-16**, i.e. Police Form 439).

With regard to the lapse of at least one officer not wearing uniform in CI Anslem de Silva's team which went to Weligama on 30-12-2023, the following question and answer would show the Respondent IGP's position.

ප්‍ර: පැහැදිලියි. චෝදනා පත්‍රයේ තිබෙන නිසා මේ ප්‍රශ්නය අහන්නේ. ඔබතුමා කොයි වෙලාවක හරි 30 වැනි දා යන කණ්ඩායමට " නිල ඇඳුම් වලින් යන්න එපා. සිවිල් ඇඳුම් වලින් යන්න " කියලා කියා තිබෙනවාද?

උ: වගකිව යුතු නිලධාරියෙක් හැටියට කිසිසේත්ම නැහැ. අපේ උගත් විනිසුරුතුමා මතක් කළා. ඇත්ත වශයෙන්ම පොලිස්පති චක්‍රලේඛයක් තිබෙනවා, එවැනි team එකක් යන කොට අඩු තරමින් එක නිලධාරියෙක් හෝ uniform එකෙන් යන්න ඕනෑ කියලා. ඒවා අනුගමනය කරන්න එපා කියලා මම කිසි වෙලාවක ඒ කණ්ඩායම් වලට කියලා නැහැ. ඒ සියලු වගකීම ඒ කණ්ඩායම් භාරව ගිය ප්‍රධාන නිලධාරියා විසින් භාරගතයුතුයි, එහෙම යා යුතුව තිබුණා නම්

ඇයි එහෙම ගියේ නැත්තේ කියලා. මම කියලා නැහැ, යන්න එපා හෝ යන්න කියලා හෝ. එහෙම කියලා නැහැ.-

The Respondent IGP in his evidence, has admitted signing Police Form 439 (**P-16)** granting approval and it is his specific stated position that he signed **P-16** as SDIG in-charge of Western province on 29-12-2023. The Committee has asked this question several times from the Respondent IGP. In responding to those questions, the Respondent IGP has repeatedly confirmed that he signed Police Form 439 (**P-16**) on 29-12-2023. On the other hand, he himself first admitted that the entry made by CI Anslem de Silva when leaving CCD office at 8.30 pm to travel to Weligama on 30-12-2023, had only stated that CI Anslem de Silva was traveling to Weligama only with the covering approval (පූර්ව අනුමැතියට යටත් ව).

It is the position of the Respondent IGP that SSP Nishantha de Zoysa who was the Director of the Police Special Branch, informed him over a phone call at 3.30 am on 31-12-2023 that Acting Director CCD ASP Neville de Silva was trying to contact him as two officers of the CCD team that went to Weligama to arrest *Harak Kata's* followers were shot. SSP Nishantha de Zoysa has also informed that the condition of one of the injured officers was serious. It would be pertinent to reproduce the question asked by his Counsel and the answer provided by him which is as follows.

ප්‍ර: මහත්මයා, ඒ වෙලාවේ ඔබතුමා ජ්‍යෙෂ්ඨ පොලිස් අධිකාරී නිශාන්ත සොයිසා මහත්මයාට ඒ නිලධාරීන් පිළිබඳව මොනවා හරි හොයා බලන්න කියලා කිව්වාද?

උ: ඔව්, W15 හෝටලය ළඟ සිද්ධිය වෙලා තිබෙන බව එයා කියද්දී මම විශ්වාස කළා. හෝටලයක් ළඟ මේ වාගේ සිද්ධියක් වෙලා නම් ස්ථිර වශයෙන්ම ඒ වාගේ දෙයක් වීමට එම නිලධාරීන් ගිහිල්ලා එම හෝටලයේ මත් පැන් බොන්න ඇති කියලා, මත් පැන් බීලා කවුරු හරි එතැන හිටපු මිනිස්සුන් එක්ක කලහයක් ඇති කර ගන්න ඇති. ඒකේ ප්‍රතිඵලයක් වශයෙන් වෙඩි තැබීමත් කරලා ඇති, මුන් අපට කොළේ වහලා මේ කථාවක් කියනවාදෝ කියලා මට නිකම් හිතුණා, ඒ නිසා එකෙනෙහිම, ඔටෝමැටිකලි මට කියවිච්ච දේ තමයි මුන් බීලාද සිටියේ කියලා බලන්න, වහාම කට්ටිය දම්මලා හොයන්න මුන් බීලාද කියලා කියන එක. මුන් බීලා ගිහිල්ලා ඔතැන පිස්සු කෙළින්න ගිහිල්ලා ඕක වෙලාද කියලා මට ඉක්මනට බලලා කියන්න කියලා මම කථා කරලා කිව්වා.

He however has admitted that SSP Nishantha de Zoysa did not confirm such a position even later on.

Thereafter, the Respondent IGP has instructed the Acting Director ASP Neville de Silva over the telephone to immediately proceed to Weligama and to find out as to what really had

happened and to convey his findings back to him. It is his position that Acting Director ASP Neville de Silva left CCD having entered a note at 5.30 am that he was proceeding to Weligama upon Acting IGP's instructions. During the time ASP Neville de Silva was traveling to Weligama, he has given several calls to the Respondent IGP and updated the position and confirmed that he had checked the out-entry made by CI Anslem de Silva and confirmed the fact that this team had gone to Weligama to engage in official duty. The relevant questions and answers are reproduced below.

ප්‍ර: 30 වැනි දා පිටව ගිය කණ්ඩායම - ඒ ඔබතුමා හිටපු දෙපාර්තමේන්තුව නේ. 30 වැනි දා එම කණ්ඩායම පිටව යාම පිළිබඳව නිල outing එකක් පැහැදිලිව ලියලා තිබෙනවාද කියලා කියන්න තොරතුරු සටහන් පොතේ? ඒක පැහැදිලි කරලා කියන්න?

උ: ඔව්, ස්වාමීනි. 30 වැනි දා ගිය කණ්ඩායමට 31 වන දා අලුයම වුණු සිද්ධියෙන් පසුව මට ඒක දැනුම් දුන්නාට පස්සේ ම්ම වැඩ බලන අධ්‍යක්ෂවරයාට කිව්වා, " වහාම වැලිගම ප්‍රදේශයට ගිහිල්ලා වෙලා තිබෙන සිද්ධිය පිළිබඳව සොයා බලලා ඇත්තට මොකක්ද වෙලා තිබෙන්නේ කියලා මට කියන්න " කියලා. ඒ අනුව නෙවිල් සිල්වා මහත්මයා වැලිගම බලා යන්න කලින් ස්වාමීනි, කොළඹ අපරාධ කොට්ඨාසයට ගිහිල්ලා එතැන උසස් නිලධාරීන්ගේ ගමන් සටහන් පොතේ පාන්දර 5.30ට විතර ඔහු බස්නාහිර පළාතෙන් පිටව යාමට කලින් මගේ උපදෙස් පරිදි යන්නේ කියලා ලිඛිත සටහනක් යොදලා තමයි ගිහින් තිබ්බේ. ඒ වෙලා ඔහු එසේ සටහනක් යොදලා ඉවර වෙලා වැලිගම බලා යන අතරතුර අධිවේගී මාර්ගයේ ගමන් කරන අවස්ථාවේදී අවස්ථා ගණනවකදී මට මේ සිද්ධිය පිළිබඳව යථාවත් කරන්න, update කරන්න කථා කළා. ස්වාමීනි.

ඒ වෙලාවේදී ඔහු පැවසූ එක් කරුණක් තමයි, මම ගිහින් පාන්දර 5.30ට නිලධාරියෙක් ලවා ඒ ගොල්ලෝ යොදවලා ගිය out එක සම්බන්ධව මම පරීක්ෂා කෙරුවා කියලා. පරීක්ෂා කිරීමේදී ඒකේ කිසිම අඩුපාඩුවක් නැති වන ආකාරයට පො.ප. ඇන්සලම් ද සිල්වා විසින් out එකක් දාලා ගිහින් තිබෙන්නේ. ඒ නිසා official රාජකාරියකට ගිය බව තහවුරු වනවා කියලා මට ඒ කාරණාව ස. පො. නෙවිල් සිල්වා එදිනම පැවසුවා. මම ඒ නිසා ඒ සම්බන්ධව දැනුවත් වුණා, ස්වාමීනි.

It is the position of the Respondent IGP that ASP Neville de Silva having discussed with the JMO who performed the post-mortem examination in Karapitiya hospital, had confirmed to him later that the team members had not been under the influence of liquor.

It is the position of the Respondent IGP that all relevant officers, i.e. SSP Nishantha de Zoysa, ASP Neville de Silva, SSP Matara Pandula Weerasinghe informed him that the CCD team had come under fire by an unknown person whom the CCD officers had attempted to check in front of W15 hotel. The relevant portion of his evidence is as follows.

ප්‍ර: එතකොට ඔබතුමා දන්නවා, ඔබතුමාගේ පොලිස් දෙපාර්තමේන්තුවේ නිලධාරීන් දෙදෙනෙකුට වෙඩි වැදිලා තිබෙනවා?

උ: ස්වාමීනි. මම හිතන්නේ මගේ අතින් කොටසක් අතපසු වුණා. මේ විස්තරය මට කිව්වේ කොහොමද කියන කාරණාව සම්බන්ධයෙන් මට සඳහන් කරන්න බැරුව ගියා. ඔබතුමාගේ අවසරය ඉල්ලනවා ස්වාමීනි, ඒක නැවත වතාවක් කියන්න. මොකද, නිශාන්ත සොයිසා මහත්මයා ඉස්සර වෙලාම ඒක කියන කොට මේක කොහොම වුණා කියලාද මට කිව්වේ කියන කාරණාව සම්බන්ධයෙන්, ස්වාමීනි.

නිශාන්ත සොයිසා මහත්මයා මුලින්ම කිව්වේ කථා කරලා, CCD එකේ කට්ටිය මෙතැනින් යනකොට නාඳුනන පුද්ගලයෙක් ඔය " W15 " එක අසල ඉඳලා ඔහු පරීක්ෂා කරන්න උත්සාහ කරලා තිබෙනවා ඒ අය. ඒ වෙලාවේදී ඒ නාඳුනන පුද්ගලයා විසින් CCD එකේ නිලධාරීන්ට වෙඩි තැබීමක් කරලා තිබෙනවා. සීසීඩී එකේ නිලධාරීන් ඔහුට ප්‍රතිප්‍රහාරයක් එල්ල කරලා තිබෙනවා. ඒ අවස්ථාවේදී එතැනට පැමිණි මොබයිල් එක. වැලිගම පොලිසියේ, ඔවුන් විසින් CCD එකේ නිලධාරීන්ට වෙඩි තැබීමක් කරලා තිබෙනවා. ඒකෙන් තමයි මේ අය තුවාල වෙලා තිබෙන්නේ. තවම investigation එක යනවා. ඉතින් මේක හරියට කාගෙන් වුණාද කියලා තවම හොයනවා කියන කාරණාව පිළිබඳව දළ අදහසක් තමයි දුන්නේ. ඊට පසු අවස්ථාවක මට වැඩ බලන අධ්‍යක්ෂ නෙවිල් සිල්වා කථා කරලා ඒකම තව ටිකක් විස්තරාත්මකව පැහැදිලි කළා, ඒක වුණේ එහෙමයි කියලා. ඊට පසුව අවස්ථාවක මට කථා කළා ජ්‍යෙෂ්ඨ පොලිස් අධිකාරී, මාතර, පණ්ඩුල වීරසිංහ මහත්මයා. ඔහු විසිනුත් කිව්වේ කථා කරලා, මේ කථාව මෙහෙමයි කියන එක. ඊට පස්සේ උදෑසන වුණාට පස්සේ, එළිය වැටුණාට පස්සේ Senior DIG, දකුණු පළාත කථා කළා. ඔහුත් කිව්වේ මේ විධි යයි කියලා. මට සෑම කෙනෙකුම කිව්වේ, මේ සිද්ධියට සම්බන්ධ වෙච්ච නිලධාරීන්, පළමුවරට මේ සම්බන්ධයෙන් හිටපු ස්ථාවරයේදී ප්‍රකාශ කළ ආකාරයට මේ සිද්ධිය වුණා කියන කාරණාව තමයි ස්වාමීනි. මට දැනුම දීම කළේ.

Upon being inquired from the Committee, the Respondent IGP has stated that by the morning of 31-12-2023, the authorities in Weligama had informed him that the two CCD officers were injured when the officers in the Weligama night mobile patrol jeep had opened fire at them at the time the CCD officers were firing at the unknown gunman in retaliation to the said unknown gunman's fire. It is manifest by the following excerpt taken from the Respondent IGP's evidence-in-chief.

<u>පරීක්ෂණ කමිටුවෙන්</u>

ප්‍ර: ඒ කියන්නේ ඒ අවස්ථාව වන විට?

උ: ඒ අවස්ථාව වන විට, එදා, ස්වාමීනි. පළමු දිනයේදී.

ප්‍ර: 31 වැනිදා උදේ?

උ: 31 වැනිදා උදේ වෙන කොට.

ප්‍ර: 31 වැනිදා උදේ ඔය CCD එකේ දෙදෙනාට තුවාල වුණේ කාගේ වෙඩි පහරකින්ද කියන එක ගැන අවබෝධයක් තිබුණාද?

උ: මොබයිල් එකෙන් වෙඩි තියලා තමයි මේ ගොල්ලන්ට ඒ වෙලාවේ. අර ගොල්ලෝ ඉස්සර වෙලා වෙඩි තිබ්බා. මේ ගොල්ලොත් ඒ ගොල්ලන්ට වෙඩි තිබ්බා. ඒ වෙලාවේ මේ ගොල්ලන්ව හඳුනා ගන්න බැරුව වැලිගම පොලිසියේ ජීප් එකෙන් වෙඩි තිබ්බා. ඒකෙන් තමයි මැරිලා තිබෙන්නේ කියන එක තමයි කිව්වේ, ස්වාමිනි. මැරිලා හෝ අර දෙදෙනාට වෙඩි වැදුණේ.

ප්‍ර: ඒක ගැන අවබෝධයක් තිබුණා?

උ: ඔව්. තිබුණා.

ප්‍ර: එතකොට ඔබතුමා දන්නවා, වැලිගම පොලිස් කොට්ඨාශය අයිති වෙන්නේ මාතර කොට්ඨාශයට?

උ: ඔව්. එහෙමයි.

ප්‍ර: මාතර කොට්ඨාශය භාරව හිටියේ කවුද, ඒ වෙලාවේ?

උ: එවකට ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි පණ්ඩුල වීරසිංහ මහත්මයා තමයි එතැන කොට්ඨාශය භාර නිලධාරියා වශයෙන් කටයුතු කළේ.

ප්‍ර: එතකොට ඔබතුමා ජ්‍යෙෂ්ඨ නිලධාරියෙක් හැටියට පණ්ඩුල වීරසිංහ මහත්මයාගෙන් ඇහුවාද, මොකක්ද එතැන වෙලා තිබෙන්නේ කියලා?

උ: මම විමසීමක් කළා.

ප්‍ර: එතකොට නෙවිල් සිල්වා මහත්මයා සහ නිශාන්ත සොයිසා මහත්මයා කියපු දේද, ඊට පරස්පර දෙයක්ද පණ්ඩුල කිව්වේ?

උ: පණ්ඩුල වීරසිංහ මහත්මයා තමයි මම දන්නා විධියට මේ අපරාධ ස්ථානය හෝ සිද්ධිය වෙච්ච ස්ථානයට පළමු වරටම ගිය ජ්‍යෙෂ්ඨම නිලධාරියා, ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයෙක් වශයෙන්. ඔහු සිද්දිය වෙච්ච ස්ථානය උදේ 6.00 වෙද්දී නරඹලා තිබෙනවා. 6.30 විතර වෙද්දී ඔහු ගිහින් තිබෙනවා, වැලිගම පොලීසියට. මට ඔහු ඒ අවස්ථාවේදී කෝල් එකක් දීලා කථා කරලා කිව්වා, ම ඇහුවා, ඇත්තටම කියන්න පණ්ඩුල, මේකේ වෙලා තිබෙන කථාව මොකක්ද කියලා මට ඇත්තටම කියන්න කියලා. එහිදී ඔහු මට සඳහන් කළේ. ඔහු ඒ අවස්ථාව වන විට කොළඹ අපරාධ කොට්ඨාසයේ සිද්ධියට සම්බන්ධ වෙච්ච නිලධාරීන් එක්ක වැලිගම පොලීසියේදී කථා කරලා තිබුණා. කථා කරලා ඔවුන්ගෙන් විමසීමක් කරලා තිබුණා. එතකොට ඔවුන් කියලා තිබුණා. පාර අයිනේ අපරාධකාරයෙක් හිටියා, එයාට අපි වෙඩි තිබ්බා, එතකොට

ඇවිල්ලා මිනිහා අපට වෙඩි තිබ්බා, එතකොට අපි ඒ මිනිහාට වෙඩි තිබ්බා, එතකොට ඇවිල්ලා මොබයිල් එක වෙඩි තිබ්බා කියන කථාව. මොබයිල් එකේ ගිය නිලධාරීන් එක්කත් එයා කථා කරලා තිබුණා. ඒ ගොල්ලන් කියලා තිබුණා, කණ්ඩායමක් ඇවිල්ලා අර පැත්තට වෙඩි තිය තියා හිටියා. ඊට පස්සේ ඇවිල්ලා අපි වෙඩි තිබ්බා ඒ ගොල්ලන්ට කියන කථාව; ඒ ගොල්ලොත් කියලා තිබුණා. මුලිකවම ගත්තාම තුන්වැනි පාර්ශ්වයක් වෙඩි තිබ්බේ නැහැ කියන කථාව සනාථ කර ගන්න තරම් ප්‍රමාණවත් කරුණක් ඒ වෙද්දී හෙළිදරව් වෙලා තිබුණේ නැහැ, ස්වාමිනි. CCD එකේ නිලධාරීන් කියනවා, අර පැත්තේ ඉඳලා අපට වෙඩි තිබ්බා කියලා. එතකොට අපි ඒ ගොල්ලන්ට වෙඩි තිබ්බා කියලා කියනවා. මොබයිල් එකේ කට්ටිය කියනවා. අපි එතකොට ඇවිල්ලා වෙඩි තිය තියා හිටපු වාහනයට වෙඩි තිබ්බා කියලා. ඒ කථාව ඔක්කෝම සැසඳුණා. අපට කිසිම evidence එකක් තිබුණේ නැහැ. කවුරු හරි කියනවා නම් ඇවිල්ලා හැංගිලා ඉඳලා මිනිහෙක් අපට වෙඩි තියලා පැනලා ගියා කියලා ස්වාමීනි. අපි ඒක නැහැ කියලා තහවුරු කර ගන්නා තෙක්ම අපට ඒක බැහැර කරන්න බැහැ නේ, කවුරුත් කිව්වොත් එහෙම ඇවිල්ලා, මට මෙතැන ඉඳලා මිනිහෙක් වෙඩි තිබ්බා කිව්වොත්, පරීක්ෂණාත්මක දේවල්වලින් පසුව - එතැනත් මම ඉදිරියේදී කියන්නම්. ස්වාමීනි. එහෙම පරස්පරයක් එන්න හේතුව මොකක් ද කියලා. අපට කවුරු හරි මිනිහෙක් හැංගිලා වෙඩි තිබ්බා. ඒ හින්දායි මම වෙඩි තිබ්බේ ඒ මිනිහාට, එතකොට මට තව පැත්තකින් මිනිහෙක් වෙඩි තිබ්බා කියලා කිව්වාම, මේ වෙඩි තියපු එකටයි. අර පැත්තෙන් දෙවැනියට ආපු වෙඩි තියපු වාහනයේ කට්ටියයි ඔක්කෝම පිළිගන්නවා, එහෙම තමයි වුණේ කියලා. නැත්තේ, අර පැත්තේ ඉඳලා වෙඩි තියපු මිනිහා විතරයි ස්වාමීනි. ඒක ඇත්ත කථාවක්ද, බොරු කථාවක්ද, මොකක් ද කියන කාරණාව සම්බන්ධයෙන් ඔය වාතාවරණය තුළ කිසිම idea එකක් කාටවත් තිබුණේ නැහැ. ඉතින් පණ්ඩුල වීරසිංහ කිව්වේත් කථා කරලා, ඔය කියන කථාව අනුව සර්, මේකයි වෙලා තිබෙන්නේ කියලා. මොකද, ඔහු ඇහෙන් දැකපු සාක්ෂිකාරයෙක් නොවෙයි නේ ස්වාමීනි, වුණේ මොකක්ද කියන එක සම්බන්ධයෙන්. මෙන්න මෙහෙම තමයි වෙලා තිබෙන්නේ කියලා කිව්වේ. ඉතින් ඔහු දෙන අර්ථ නිරූපණය අනුව තමයි ස්වාමීනි. ඉහළ ඉහළ නිලධාරීන් හැම එක්කෙනෙකුම මට කථා කළාම කිව්වේ. පණ්ඩුල වීරසිංහ ගිහිල්ලා inquiry කරලා තිබෙනවා, මේක තමයි තත්ත්වය කියලා.

ප්‍ර: එතකොට ඔබතුමා තහවුරු කර ගත්තාද, scene of crime එකට, අපරාධ ස්ථානීය පරීක්ෂණයට ඔය කියන පණ්ඩුල මහත්මයා ගිහිල්ලා, observe කරලා, නිරීක්ෂණය කරලා ද ඔබතුමාට ඔය විස්තර කිව්වේ කියලා?

උ: ස්වාමීනි, ශ්‍රී ලංකා පොලීසියේ තිබෙන ක්‍රමවේදය අනුව ගිනි අවි පාවිච්චි කරලා වෙඩි තැබීමක් වුණොත් එහෙම ඒ ස්ථානයට SOCO නිලධාරීන් කැඳවීම අත්‍යවශ්‍යයි. ගිනි අවි විතරක් නොවෙයි, කැපුම් කෙටුම් වුණත් කැඳවනවා, ස්වාමීනි. නමුත් firearms පාවිච්චි කළොත් අනිවාර්යයෙන්ම ඒකට, ඒ scene එක විමර්ශනය සඳහා සඳ SOCO නිලධාරීන් යනවා. SOCO නිලධාරීන් ඉන්නේ ස්වාමීනි, කොට්ඨාශයක් භාර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි යටතේ. ඔහුගේ පොලිස් අධිකාරි කාර්යාලය ඇතුළේමයි තිබෙන්නේ ඒ කාර්යාලය සහ විද්‍යාගාරයත්. ඒ අනුව මම පණ්ඩුල වීරසිංහ මහත්මයාගෙන් ඇහුවා. "SOCOලා සීන් එක සම්බන්ධයෙන් " කියලා. "

ඔව් සර් ඒවා ඔක්කොම කරනවා " කියලා. ඒ අනුව මම තහවුරු කර ගත්තා. SOCO නිලධාරීන් ඇවිල්ලා අපරාධ ස්ථානය ආරක්ෂා කරලා, එහි විද්‍යාත්මකව සාක්ෂි එකතු කිරීමේ කටයුත්තට අත ගහලා තිබෙනවා කියන කාරණය. ඊට අමතරව ඔහු මට දැනුවත් කළා, මේ ස්ථානයේ CCTV පරීක්ෂා කිරීම සම්බන්ධ වගකීම ඔහු විසින් කොට්යාශ අපරාධ විමර්ශන අංශය, DCDB කියලා හඳුන්වන division යටතේ තිබෙන separate unit එකක්. හැම division එකකම තිබෙනවා DCDB කියලා Divisional Crime Investigation Bureau වශයෙන් හඳුන්වන එකක්. Directive Bureau. කොට්යාශ අපරාධ විමර්ශන අංශය. ඒකේ OICට ඔහු responsibility එක පැවරුවා කියලා වටේ තිබෙන CCTV කැමරා සියල්ල බලන්න කියලා. ඒ වගකීම ඔහුට භාර දුන්නා කියලා කිව්වා. ඒ අනුව මම දැන ගත්තා, වැලිගම HQI විසින් මේ inquiry එක කළාට මේ inquiry එක supervise කරන්නේ. SSP පණ්ඩුල වීරසිංහ. මොකද ස්වාමීනි, පොලිසියේ තිබෙන වර්ගී කරණය අනුව මේ කේස් එක HQIට handle කරන්න බැහැ. මොකද, හේතුව පොලීසියේ තිබෙනවා අපරාධ බල අපරාධ කියලා වර්ගයක් තිබෙනවා. GCR grave crimes කියලා. එතකොට සාමාන්‍ය පොලිසියකදී නම් grave crime එකක් විභාග කරන්න ඕනෑ OIC stations. Grave crimes වර්ගීකරණය කරලා තිබෙන්නේ, සොරකමක් නම් මුදල් වටිනාකම් අනුව. රුපියල් 50,000ට වඩා අඩු ඒවා සුළු සොරකම්, රුපියල් 50,000 සිට 100,000 ඒවා grave crimes. ලක්ෂයට එහා පැත්තේ ඒවා D report. D report කියන්නේ ස්වාමීනි, reportable crimes කියලා. ඒ හැම crime එකක් සම්බන්ධව report එකක් පොලිස් මූලස්ථානයට එවන්න ඕනෑ. එතකොට D report කියන ඒවා ASP විසින් visit කරලා, එතැන බලලා, investigation එක handle කරන්න ඕනෑ ASP කෙනෙක් ඇවිල්ලා. ඒ වර්ගීකරණය අනුව මේක D report එකක්. වෙඩි තබලා පුද්ගලයකු මිය ගිහිල්ලා තිබෙනවා. ඒ අනුව මේකේ investigation officer වෙන්නේ දිස්ත්‍රික්කය භාර ASP ස්වාමීනි. මේ සිද්ධියේ බරපතළකම අනුව ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා ගිහිල්ලා, උසස් නිලධාරීන් ගමන් සටහන් පොතේ වැලිගම පොලීසියේ, අංක 15ක් යටතේ instructions දීලා තිබෙනවා මේ investigation කළ යුතු ආකාරය සම්බන්ධව. එතකොට Directorක්ම ASP Divisionගේ supervision එක යටතේ ASP විසින් මෙහෙයවන inquiry එකක් divisional ස්වායත්ත අංශ වන SOCO සහ DCD සම්බන්ධ වූ inquiry එකක් මේ ස්ථානයේ ආරම්භ වෙලා තිබුණා කියන කාරණාව 31 වැනි දා උදේ 10, 11 වෙන විට මට තහවුරු වෙලා තිබුණා, පණ්ඩුලගෙන් ලැබුණු feedback එකත් එක්ක.

The Respondent IGP in his evidence-in-chief has categorically stated that he was completely satisfied that Weligama police station was conducting an independent investigation into this incident under the direction of SSP Matara Pandula Weerasinghe. It is in the following terms that he has mentioned his satisfaction.

ප්‍ර: ඒ ගොල්ලන් විසින් කරනවා කියලා කිව්වා. ප්‍රකාශ සටහන් කිරීම සහ අනෙක් කණ්ඩායම් කෙරුවේ. ඔතැන කණ්ඩායම් දෙකක් ඉන්නවා. එකක් කොළඹින් ගිය කණ්ඩායම. අනෙක මු. පො.ප වැලිගම විසින් කරලා තිබෙනවා. එතකොට ඔබතුමා ඒ අවස්ථාවේදී වැඩ බලන පොලිස්පතිවරයා විධියට ඒ සිද්ධ වෙච්ච විමර්ශනය ගැන සෑහීමකට පත් වුණාද?

උ: මට ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි පණ්ඩුල වීරසිංහ මහත්මයා ඒ සිද්ධිය සම්බන්ධ කෙනෙක් නොවෙයි නේ. ඔහු මේකට කිසිම සම්බන්ධතාවක් නැහැ. ඒ නිසා ඔහුගේ අධීක්ෂණය යටතේ මේ විමර්ශනය කෙරෙනවා. එයාට ඉහළින් ඉන්න DIG කෙනෙක් සහ SDIG කෙනෙක් ඉන්නවා. එයා ඒ විමර්ශනය ස්වාධීනව කරනවාද කියලා සොයලා බලන්න, ඒ නිසා ඒ ව්‍යුහය යටතේ එතැන අකටයුත්තක් වෙන්නේ නැහැ කියන කාරණය සම්බන්ධයෙන් මට පූර්ණ විශ්වාසයක් තිබුණා.

In addition, the Respondent IGP has also stated that DIG Sarath Kumara who was Matara and Hambanthota DIG was also there to give necessary instructions. He has further stated that no senior officer at any time brought to his notice, about any necessity to have, the investigation undertaken by Weligama police station (with regard to the incident in which two of the CCD members were injured by gunfire received from the night mobile patrol team operated under the HQI Weligama), transferred to any other unit for an independent investigation up until the last date he discharged the functions of the office of the IGP. This was up until the Supreme Court restrained him from doing so by its Order on 24-06-2024. Moreover, it is the Respondent IGP's position that he did not see any such reason as to why that investigation should have been taken out of Weligama police station and given to an independent unit. It is his position even as at the date he gave evidence before this committee that he is perfectly satisfied and does not repent on the fact that he did not take this investigation out of the hands of Weligama Police to give it to some other unit. The reasons he has attributed to the above is the fact that there could have been allegations if he had assigned this investigation to the CID because the CID is directly under his supervision. One can find his position in the following excerpt.

ප්‍ර: දේශබන්දු මහත්මයා, ඔබතුමා දන්නවා පොලිස්පති චක්‍රලේඛයක් තිබෙනවා, යම් කොට්ඨාශයක යම් අපරාධයක් සිද්ධ වෙලා ඒක ගැන විමර්ශනයක් සිද්ධ වෙද්දී ඒ විමර්ශනය කෙළින්ම පොලිස්පතිට පුළුවන් අරගෙන ඔබතුමා යටතේ තිබෙන සුවිශේෂ අංශ, ඒ කියන්නේ, Colombo CCD, එහෙම නැත්නම් CID එකට පවරන්න. ඒ චක්‍රලේඛය අනුව එහෙම පවරා දීම සිද්ධ කරන්නේ මොනවාගේ කරුණු සලකා බලලාද පොලිස්පති කෙනෙක්?

උ: ස්වාමීනි, මේ සිද්ධිය වුණේ දකුණු පළාතේ. දකුණු පළාතට ඉන්නවා වෙනම Senior DIG කෙනෙක්. දකුණු පළාතේ සිද්ධිය වූ මාතර සහ හම්බන්තොට ප්‍රදේශයට වෙනම DIG කෙනෙක් ඉන්නවා. මාතර කොට්ඨාශයට ඉන්නවා වෙනම ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයෙක්. මේ සිද්ධිය වෙන අවස්ථාවේදී ස්වාමීනි මම ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පති, බස්නාහිරට අමතරව වැඩ බලන පොලිස්පති ධුරයෙන් කටයුතු කළා ස්වාමීනි. ඒ වන විට CID එකේ සෘජු අධීක්ෂණ නිලධාරියා මම. එතකොට මම කිව්වා Senior DIG කෙනෙක් ඒ වෙලාවේ සිටියේ

නැහැ කියලා. Senior DIG කෙනෙක් CID එක භාරව කවදාවත් ඉදලා නැහැ. මේ ළඟදී තමයි දාලා තියෙන්නේ. CID එකේ සෘජු අධීක්ෂණ නිලධාරියා මම ස්වාමීනි. SIU එකෙත් සෘජු අධීක්ෂණ නිලධාරියා මම. CID සහ SIU කියන අංශ දෙකම භාරව හිටියේ මම. මගේ යටතේ තිබෙන කණ්ඩායමක් තමයි CCD කියන්නේ. ඒ කියන්නේ මට අධීක්ෂණ වග කීමක් තිබෙන ආයතනයක්. DIG Colombo ගාවට මම ඉන්නේ. එතකොට CCD එකෙන් ගිහිල්ලා සිද්ධ වෙච්ච සිද්ධියක් සම්බන්ධව මම CCD එකෙන් ටීම් එකක් දැම්මත්, එස්අයියු එකෙන් ටීම් එකක් දැම්මත් දකුණු පළාත භාර Senior DIG යටතේ කෙරෙන විමර්ශනයට වැඩිය ඒක ස්වාධීනව වුණේ නැහැ. මම ඒක එහෙන් ගළවලා සීඅයිඩී එකට දාලා මේක යට ගැහුවා කියලා චෝදනාවක් මට අදත් ඒමේ හැකියාවක් තිබුණා, මම ඒ දේ කරලා තිබුණා නම්. ඒ නිසා මම අදත් සතුටු වෙනවා, මගේ සෘජු අධීක්ෂණය යටතේ තිබුණු අංශයකට දමන්නේ නැතිව මාතරින් කෙරුණ ඒ independent inquiry එක කරන්න ඉඩ දීම සම්බන්ධයෙන්. මම අදත් ඒ ගැන සෑහීමකට පත් වෙනවා. මොකද, මම ඒ වෙලාවේ බැරි වෙලාවත් ඕක දාලා තිබුණා නම්, සීඅයිඩී එකට හරි එස්අයියු එකට හරි ඔය නිලධාරීන් මොනවා හරි,- ඔය නිලධාරීන් 3.8 වැනිදා ගිහිල්ලා මේක වුණේ මෙහෙම නොවෙයි කියන කථාවට අමතරව සීඅයිඩී එක මොකක්ද ස්වාමීනි මේකේ සොයාගෙන තිබෙන පරිවේෂණීය සාක්ෂිය, ඔක ඔහොම නොවෙයි මෙහෙමයි වුණේ කියන්න. කිසිම දෙයක් සොයාගෙන නැහැ. මේ හුදු ප්‍රකාශ භයක් මත නේ ස්වාමීනි මේ කථාව ගොඩ නැඟිලා තිබෙන්නේ. මේ ගොල්ලන් මුලින් හිටපු ස්ථාවරයට වඩා අද වෙන කොට ස්ථාවරය වෙනස් වෙලා තිබෙන්නේ මේ ගොල්ලන් ගිහින් කියපු ප්‍රකාශ මත නේ. මොනවාද පරිවේෂණීය සාක්ෂි වලින් සොයාගෙන තිබෙන්නේ මේක වුණේ දැන් කියන කථාවට අනුව කියලා. මම තරයේ විශ්වාස කරනවා, භය වතාවක් එක කථාවක් කියලා තිබෙනවා, උසාවි දෙකක දිවුරුම් දීමකුත් ඇතුළත්ව. දිවුරුම් ප්‍රකාශ සහ දිවුරුම් දීම් ඇතුළත්ව. මම ස්ථිරව ප්‍රකාශ කරනවා, තව වැඩි දවසක් යන්න කලින් - ඒ දවස මට කියන්න බැහැ. මේ ගොල්ලන් ආයෙත් ප්‍රකාශ කරනවා, අපි දෙවැනි සැරේට කියපු ස්ථාවරයත් වැරදියි. වෙලා තිබෙන්නේ පළමුවැනි එක කියලා. මොකද, දෙපාරක් දිවුරුම් දීලා බොරු කියපු මිනිසුන්ට තව වතාවක්, - මම ඒක කියපු දවසට මම කොතැන හිටියන්, ඔබතුමාට මම කොහොම හරි දුරකථනයෙන් හරි අමතලා කියන්නම්, මෙන්න තව කථාවක් කියලා තිබෙනවා කියලා.

Even thereafter at later stages, the Respondent IGP has stated that the higher police officers in Matara Division did not bring to his attention, any such necessity. This is reflected in the following excerpt.

ප්‍ර: මට අතිශයින් වැදගත් වෙනවා, තව එක කරුණක්. දැන් ඔබතුමා ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිතුමා විමර්ශනයක් කරගෙන යනවා කිව්වා. ඒ කරගෙන යන විමර්ශනය ගැන නියෝජ්‍ය පොලිස්පති මාතර - හම්බන්තොට අමතලා ඔබතුමා ඔහුගෙන් ඒක ගැන තොරතුරු විමසලා දැන ගත්තාද?

උ: ඔව්. සාමාන්‍යයෙන් දවසක උදේට පළාතක situation එක සම්බන්ධයෙන් ඒ පළාතේ Senior DIG මහත්මයා පොලිස්පතිට කථා කරන්න ඕනෑ. විනාඩි කිහිපයක්. සාමාන්‍යයෙන් උදේ හයට කලින්. ඒ කථා කරන අවස්ථාවේ පළාතේ වැදගත් සිදුවීම් සම්බන්ධයෙන් update කිරීමක්

කරනවා. උදාහරණයක් හැටියට ගත්තොත්, මේ වැලිගම එක සම්බන්ධයෙන් සතියක් විතර යනකම් මෙහෙක් තත්ත්වය මේකයි, මේකේ තත්ත්වය මේකයි කියලා. මොකද, පොලිස්පතිව දැනුවත් කිරීම ඒ පැත්තේ ඉන්න Senior DIG මහත්මයාගේ වගකීමක්. වැඩිමනත් වශයෙන් DIG මාතරට මාව අප්ඩේට් කරන්න යමක් තිබුණොත් එයා Senior DIG කියනකම් ඉන්නේ නැහැ. එයාට කෝල් එකක් අරගෙන කීමේ තැකියාව තිබෙනවා. ඒ විධියට මේ කාල සීමාව ඇතුළත ඩීඅයිජී මාතර සහ සීනියර් ඩීඅයිජී දකුණු පළාත විසින් අවස්ථා ගණනාවකදී මට කථා කරලා තිබෙනවා දිනපතාම. ඒ කථා කරන අවස්ථාවල මම ඔවුන්ගෙන් මේ සිද්ධිය සම්බන්ධයෙන් විමර්ශන වල ප්‍රගතියත් විමසලා තිබෙනවා. මම එහෙම විමසන්නේ නැතිව මේ විමර්ශන වල ප්‍රගතිය. ඔවුන් විසින් කියපු අවස්ථාත් තිබෙනවා. ඒ අවස්ථාවල මෙම විමර්ශන වල වර්තමානයේ පවතින තත්ත්වය පිළිබඳ ඔවුන් මාව යථාවත් කරලා තිබෙනවා.

With regard to the calls given/received from SSP Nishantha de Zoysa, the Respondent IGP has admitted those calls as calls given/received between the Director Police Special Branch and the IGP at that time. It is the position of the Respondent IGP that those calls were calls in the ordinary course of duties. However, he has denied that he had specifically requested for information with regard to W15 hotel from SSP Nishantha de Zoysa. It is his position that SSP Nishantha de Zoysa has given false evidence in that regard to escape from his responsibility, fearing the possibility of him being named as a suspect in the Matara Magistrate's Court case. He also denies that SSP Nishantha de Zoysa had informed him that there was a lapse in the investigation undertaken by Weligama police station. However, the Respondent IGP has admitted that after SSP Nishantha de Zoysa was promoted as a DIG it was he who had recommended to the NPC to have DIG Nishantha de Zoysa appointed as DIG in-charge of Matara and Hambantota area. It is his position that DIG Nishantha de Zoysa as the DIG in-charge of Matara and Hambantota area also did not even thereafter submit to him, a report in this regard. In general, it is the position of the Respondent IGP that the higher officers in Matara are responsible for taking an action if they had observed any lapse in the investigation into the incident of shooting at Weligama carried out by Weligama police. According to him, it is because of that, he did not think it fit to direct the Special Investigation Unit which is directly under him in the Police Headquarters to conduct an investigation to ascertain whether there is any lapse on the part of the Police officers involved in the incident of shooting.

The following excerpt would show that the Respondent IGP did not know about the whereabouts of the CCD team during the time commencing from the point they came under fire by Weligama Police night mobile patrol up to the point they were stopped by Police officers on duty at Imaduwa Highway entrance.

ප්‍ර: ඔබතුමා දන්න විධියට ඒ වෙද්දී ඔවුන්ව රෝහල්ගත කරන්න පියවර අරගෙන තිබුණාද නැද්ද?

උ: 3.30 ට නිශාන්ත සොයිසා මහත්තයා මට කථා කරන අවස්ථාවේදීත් නිලධාරීන් දෙදෙනෙකුට වෙඩි වැදිලා තුවාලයි, එක්කෙනෙකුට අසාධ්‍යයි කියන මූලික තොරතුර තමයි ලබා දුන්නේ. රෝහල් ගත කිරීමක් හෝ ඔවුන් දැන් සිටින ස්ථානයක් පිළිබඳ දැනුම් දුන්නේ නැහැ. එවැනි දෙයක් කිව්වාට පස්සේ මට අනෙක් පැත්ත හැරිලා නිදා ගන්න පුළුවන්කමක් නැහැ, ස්වාමීනි. මේ සිද්ධිය සම්බන්ධයෙන් අවශ්‍ය තොරතුරු දැනගෙන අවශ්‍ය උපදෙස් දීම මගේ වගකීම, ස්වාමීනි. ඊට පස්සේ මම ඔහුටත්, කොළඹ අපරාධ කොට්ඨාසයේ වැඩ බලන අධ්‍යක්ෂටත්, ඊට පස්සේ එවකට ප්‍රදේශය භාරව හිටපු ජ්‍යෙෂ්ඨ පොලිස් නිලධාරීන්ටත් මම අවස්ථා ගණනාවකදී කරුණා කාරණා විමසුවා. ඒ පසු අවස්ථාවකදී මට දැන ගන්න ලැබුණා, මේ නිලධාරීන් වෙඩි වැදීමෙන් පස්සේ ඉමදුව පිවිසුම අසලට ආපු අවස්ථාවේ එතැනදී රඳවා ගත්තා. එතැනදී වැලිගම HQI ගේ මැදිහත් වීම මත '1990 සුවසැරිය' ගිලන් රථයකින් මේ අය කරාපිටිය රෝහලට ප්‍රතිකාර සඳහා රැගෙන ගියා කියන කාරණාව දැන ගත්තා. ඒ හැරෙන්න මේ අය රෝහලට ගෙන යන අතරතුර, ඊට පස්සේ ඉමදුව මුර පොළේ ගිහිල්ලා හිර වෙලා ඉන්න අතරතුර මට ඒ අය සමඟ කිසිම communication එකක් තිබ්බෙත් නැහැ. මම ඒ සිද්ධිය සම්බන්ධයෙන් දන්නෙත් නැහැ. මෙහි සාක්ෂි ලියැවුණු ආකාරයට 3.42, 3.43 විතර වෙන කොට ඉමදුව මුර පොළෙන් මේ අය පිටත් කරලා යවලා තිබ්බා, කරාපිටිය රෝහල කරා. මට මේ සිද්ධිය සම්බන්ධයෙන් පළමුවරට දැනුවත් වුණේ පැය 3.30ට. ඒ කියන්නේ මට දැනුම් දීම වෙලා විනාඩි 10කින් විතර ගත වෙද්දී ඔවුන් කරාපිටියට ගෙනිහිල්ලා. ඒ නිසා ඔවුන්ව රෝහල් ගත කරන ආකාරය සම්බන්ධයෙන් හෝ රෝහල් ගත කළ යුතු ස්ථානය සම්බන්ධයෙන් කිසිම කෙනෙකු මගෙන් උපදෙස් පැතුවෙත් නැහැ. මම ඒ අයට උපදෙස් දීලාත් නැහැ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: ඉමදුව හයිවේ එන්ට්‍රන්ස් එකට ඔය CCD එකේ කණ්ඩායම ආවා කියලා මහත්මයා දැන ගත්තේ කීයට විතරද?

උ: එදා පාන්දර 3.30 න් පසු අවස්ථාවක, ස්වාමීනි. ඒ කියන්නේ, නිශාන්ත සොයිසා මහත්මයා විසින් මුලින් මට දැනුම් දුන්නාට පස්සේ නැවත නැවත ඒ අයත් කථා කරනවා, මම ඒ අයත් සමඟ යථාවත් වන අවස්ථාවකදී මට හරියටම ඒ වෙලාව කියන්න බැහැ. නමුත්, අවස්ථාවකදී, -

ප්‍ර: පැයක් විතර වාගේ ඇතුළත?

උ: පැයකට වඩා අඩු කාලයක් ඇතුළත වෙන්නත් පුළුවන්. මේ ගොල්ලන් Imaduwa exit එකේ තියාගෙන ඉන්නවා, නැහැ ප්‍රශ්නයක් නැහැ සර්. මේ ගොල්ලන්ව මෙතැනින් සුව සැරියෙන් අරගෙන ගිහිල්ලා තිබෙනවා කියන කථාවත් කවුරු හරි කථා කරලා කිව්වා.

The following excerpt is also relevant to show the position taken up by the Respondent IGP with regard to the allegation of his failure to take steps to have this incident investigated by an independent investigation unit.

ප්‍ර: ඔබතුමා සැහිමකට පත් වුණාද පණ්ඩුල වීරසිංහ මහත්මයා අපරාධ ස්ථානය පිළිබඳ කරන විමර්ශනය පිළිබඳව ?

උ: ඔව්, සාමාන්‍යයෙන් රටේ වෙන තැනක ඔය වාගේ සිද්ධියක් වුණොත් කරන විධියටම කිසි අඩුපාඩුවක් නැතිව විමර්ශනයක් කරලා තිබෙනවා, ස්වාමීනි.

ප්‍ර: ඒ වාගේ ඒ පොලිස් කණ්ඩායම් අධීක්ෂණය කරන ඉහළ පොලිස් නිලධාරීන්ගෙනුත් අධීක්ෂණය හරියට වෙනවාද කියලා ඔබතුමා බැලුවාද?

උ: බැලුවා. මම කලිනුත් පැහැදිලි කළා, ස්වාමීනි.

ප්‍ර: ඒක අනිශය වැදගත්, අධීක්ෂණය කියන කොටස විමර්ශනය කරන ගරු විනිසුරුතුමාට?

උ: එයාව supervise කරනවා නේ, DIG.-

ප්‍ර: ඔබතුමා දන්නවා, කොළඹ අපරාධ කොට්ඨාසයේ සෘජු අධීක්ෂණය කරන්නේ කොළඹ දිසාව භාර DIG බව?

උ: ඔව්.

ප්‍ර: ඔහු විසින් මේ කණ්ඩායම් ගැන සිද්ධ වෙච්ච සිද්ධිය ගැන අධීක්ෂණය පසුව හෝ අධීක්ෂණය සිදු කිරීම ගැන ඔබතුමා සොයා බැලුවාද?

උ: ස්වාමීනි. මේ සිද්ධිය 31 වැනි දා අලුයම වුණාට පස්සේ නිල වශයෙන් HQI වැලිගම විසින් දුරකථන පණිවුඩයක් එවා තිබෙනවා, කොළඹ CCD එකට. ඒ කියන්නේ සිද්ධිය වෙච්ච ප්‍රදේශයේ පොලිසියේ ස්ථානාධිපතිවරයා විසින් සිද්ධියට සම්බන්ධ වෙච්ච නිලධාරීන් කොළඹ අපරාධ කොට්ඨාසයේ නේ. ඒ කොට්ඨාසයට officially inform කරලා තිබෙනවා සිද්ධිය සම්බන්ධයෙන් telephone message එකකින්. ඒ message එකේ පිටපතක් DIG Colombo විසින් ගෙන්වා ගෙන තිබෙනවා, ඔහුගේ කාර්යාලයට. ඊට පස්සේ ඔහු ඒ message එක සම්බන්ධයෙන් දුරකථනයෙන් මට කථා කරලා කිව්වා. වැලිගම HQI inform කරලා තිබෙනවා, මේ සිද්ධියට සම්බන්ධ වෙච්ච නිලධාරීන් සිටි පරණ ස්ථාවරය අනුව, පාර්ශ්ව තුනක් සම්බන්ධ වුණාය කියනවා, නාඳුනන කණ්ඩායමක් වෙඩි තැබුවා, තවම ඒ සම්බන්ධයෙන් අනාවරණය වෙලා නැහැ. ඊට පස්සේ මොබයිල් එකෙන් වෙඩි තියලා තමයි මේ නිලධාරියා තුවාල වුණේ කියන ඒ යථා තත්ත්වය සම්බන්ධව ඒ පරණ ස්ථාවරයට අනුව කටයුතු මේ අය මෙහෙම ප්‍රකාශ කරනවා කියලා කෙටි පණිවුඩයක් දැනුම් දීලා තිබුණා ඒ පණිවුඩය අනුව මේ වෙඩි තැබීම ඇත්ත වශයෙන්ම කවුරුන් විසින් කළාද, ඒක වුණේ කොහොමද කියන කාරණාව

සම්බන්ධව විමර්ශනයක් ඒ වනකොටත් මාතර SSPගේ මාර්ගයෙන් ආරම්භ වෙලා තිබුණු නිසා ඒ විමර්ශන වල අවසානයේ නිගමන වලට එළඹෙන තාක්කල් මේකට වග කිව යුත්තේ CCD නිලධාරීන් ද, මේකට වග කියන්න ඕනෑ වැලිගම නිලධාරීන්ද, මේ දෙගොල්ලන්ම නැතිව පාතාලයේ කණ්ඩායමක් ඇත්තටම ඇවිල්ලා වෙඩි තියලා misunderstand වෙච්ච කාරණාවක් ද කියලා අවසන් අදියරේ තීරණයකට එන්න බැරි නිසා කිසිම විමර්ශනයක් කොළඹ CCD නිලධාරීන්ට විරුද්ධව ආරම්භ කරන්න කටයුතු කළේ නැහැ, ස්වාමීනි.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: ඒ වාගේම වැලිගම පොලීසියේ නිලධාරීන්ට හෝ මාතර කොට්යාසය භාර නිලධාරීන්ට ඒ වෙද්දී මොකක්වත්ම action එකක්,-

උ: නැහැ. ස්වාමීනි.

With regard to the documents produced before the Committee by the Secretary to the National Police Commission, the Respondent IGP has admitted the letters he has received and sent. It is his position that he submitted the facts contained in his letter to NPC on the basis of a report tendered to him by the DIG in charge of Matara-Hambantota. He has admitted that he has not taken any disciplinary action against any officer who was involved in this shooting incident. He has accepted the responsibility of the contents of the letter sent to NPC.

It is his position that he did not have supernatural powers to ascertain that the incident had indeed occurred in a different way. The following portion from his long reply to the relevant question asked in that regard could be reproduced as follows:

එබදු තත්ත්වයක් තුළ ඒ ගිය මිනිස්සු කිසි කෙනෙක් ඇවිල්ලා එදා කියලා තිබුණේ නැහැ. අපි පොලිස් ජීප් එක කියලා දැක දැකත්, අපි පොලිස්පති යවපු වැඩකටනේ. ආවේ. ඒ හින්දා අපි ඇදලා ආවා කියලා, එහෙම කවුරුවත් කියලා තිබුණේ නැහැ. ස්වාමීනි. ඒ වාතාවරණය තුළ තිබිච්ච තත්ත්වයත් එක්ක තමයි ස්වාමීනි. ඒ වාර්තාව සපයලා තිබෙන්නේ. ඒක පොලිස්පති වෙත ආවාට පසුව මට දිවැස් නැහැනේ. ස්වාමීනි ඒක එහෙම නොවෙයි කියලා දැනා ගන්නා. මම පදනම් කරගන්නේ නිලධාරීන් එවපු වාර්තා, ස්වාමීනි. ඒ වාර්තාව අනුව තමයි ස්වාමීනි. ජාතික පොලිස් කොමිෂන් සභාවට යැව්වේ ඒ වාර්තාව. එහෙම නැතුව ජාතික පොලිස් කොමිෂන් සභාවට බොරු කියලා, අසත්‍ය කරුණු කියා පාලා, හංගන්න, බේරන්න අවශ්‍යතාවකට නොවෙයි. මම කවුරුවත් එවෙලේ එව්වේ.

Soon after this answer, he has again repeated that the investigation conducted into this incident by the Weligama police station is adequate. The Respondent IGP has confirmed that this is his view even at the time of giving evidence before this Committee of Inquiry. The relevant question and answer are as follows:

ප්‍ර: අතිශය වැදගත් කොටසක් clear කරගෙනම යන්න ඕනෑ. පොලිස්පතිතුමාට සෘජු බලයක් තිබෙනවානේ, CID එකට සමහර විමර්ශන කොට්ඨාසවලයන් ගලවා භාර දෙන්න. පොලිස්පති චක්‍ර ලේඛනයක් ඒකට තිබෙනවානේ. පොලිස් නියෝගයක් තිබෙනවා. ඒ පොලිස් චක්‍ර ලේඛන සහ නියෝග අනුව ඔබට කෙටියෙන් ඕනෑ නම් කියන්න පුළුවන්, පොලිස්පතිතුමා කෙළින්ම මැදිහත් වෙලා යම් කිසි කොට්ඨාසයක තිබෙන, එක්කෝ පොලිස් ස්ථානයක තිබෙන ඉන්වෙස්ටිගේෂන් එකක් ගලවා අරගෙන සීඅයිඩී එකට දෙන අවස්ථා. පැහැදිලි කරන්න. මේ උතුම් වූ විනිසුරුතුමන්ලාට?

උ: එතැනදී බලන්න ඕනෑ, යම් කිසි සිද්ධියක් වෙලා තිබෙනවා නම්, ඒ පොලිසියේ මිනිස්සුන්ගේ involvement එකක් තිබෙනවා නම්. ඒ සිද්ධියට; ඒ හින්දා ඒ පොලිසියෙන් විමර්ශනය කළොත් එහෙම, ඒ පොලිසියේ මිනිස්සු ඒකට පක්ෂග්‍රාහිව ඒ මිනිස්සු බේරෙන්න වැඩ කරයි කියලා පෙනෙනවා නම්. එතැනින් ගලවා ඉවත් කරලා CID එකට හෝ නැත්නම් වෙන unit එකකට හෝ දමන්න පුළුවන්. එහෙම නැත්නම් සමහර වෙලාවට ඒ පැත්තේ මිනිස්සු පෙළපාලියක්, උද්ඝෝෂණයක්, පිකට්ං එකක් කළොත්, මේ පොලිසිය විශ්වාස නැහැ අපට; මේ ගොල්ලන් තමයි මේක කළේ; මේක විශ්වාස නැහැ කියලා, එහෙම නැත්නම් නිලධාරීන්ට විරුද්ධව කිව්වොත්, මෙයා මේකට සම්බන්ධයි කියලා, පොලිස්පතිවරයාට පුළුවන් ඒක දමන්න.

ඊට පසුව ජාතික පුවත්පත්වල, රූපවාහිනිවල කියනවා, කථා කරලා මෙන්න, මේක මෙහෙම වුණේ කියලා. එතකොට දමන්න පුළුවන්, පොලිස්පතිවරයාට. එහෙම නැත්නම් ජාතික වශයෙන් සුවිශේෂී වැදගත්කමක් තිබෙනවා නම්, රටට බලපාන. ලොකු sensitive එකක් තිබෙනවා නම් පොලිස්පතිවරයාට අභිමතයක් තිබෙනවා, රයිට්, මෙතැනින් කරන්න එපා inquiry එක, දමන්න CID එකට කියලා.

මට නම් මේ සිද්ධිය සම්බන්ධයෙන් එබඳු category එකකට වැටෙනවා කියලා කිසිම ආකාරයේ වැටහීමක් තිබුණේ නැහැ. අදටත් මම එහෙම විශ්වාස කරන්නේත් නැහැ. ඒ නිසා එහෙන් කරපු inquiry එක ප්‍රමාණවත් කියලා - ජාතික ජන බලවේගයේ රජයක් එනකම් ඉඳලා අපි ලියන්නේ කියන නිර්නාමික පෙත්සමකට මේ inquiry එක ආරම්භ වෙලා තිබෙන බව ස්වාමීනි, මගේ ප්‍රකාශය ගත් දවසේ බන්ධනාගාරයේදී මම දැන ගත්තා. එතැනදීම මම දැන ගත්තා, මොකක්ද මේ යන පාර, මොකක්ද අවශ්‍යතාව කියලා. එතකොට ජාතික ජන බලවේගයේ රජයක් එනකම්ම ඉඳලා තිබෙනවා ඉවසා ගෙන කවුරු හරි කෙනෙක් ඒ තිබෙන තොරතුරු ටික දෙන්න. ඒ කියන්නේ වෙන රජයක් යටතේ දෙන්න ඉඳලා නැහැ. ඒ තොරතුරු. ජාතික ජන බලවේගයේ රජයක් එනකම්ම ඉඳලා තිබෙනවා, ඉවසාගෙන. මොකද, හේතුව වෙන රජයක් යටතේ ඒ තොරතුරු දීලා එයා සෑහීමකට පත් වෙලා නැහැ. ඉතින්

එතැනින්ම තේරෙනවා. ස්වාමීනි අපි ඉන්න කොට ඒක ලැබුණේ නැහැ කියන එක. අපිට දීලා නැහැ ඒ තොරතුරු කවුරුවත්.

Giving evidence with regard to the failure of CCD officers in the van to identify themselves to Weligama night mobile patrol, the Respondent IGP has also taken the view that the CCD team led by CI Anslem de Silva should have identified themselves to Weligama night mobile patrol officers. The Respondent IGP has taken the view that it is not possible to accept the fact that the CCD team in the van did not identify that it was the Weligama night mobile patrol jeep which arrived and parked their Land Cruiser Police jeep in front of CCD's KDH van which was parked at that time. This is a clear indication that the Respondent IGP has also condemned the action of CCD team members escaping from the officers of the Weligama police night mobile patrol and speeding away from that place. The relevant excerpt in this regard is reproduced below.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: අර මහත්මයා කිව්වා වාගේ ඇන්සලම් ද සිල්වා මහත්මයාගේ කණ්ඩායම වැලිගම ජංගම මුර සංචාරයේ නිලධාරීන්ට කථා කරලා නැහැ?

උ: ස්වාමීනි, වෙඩි තැබීම වුණාට පස්සෙත් කථා කරලා නැහැනේ. වෙඩි වැදීගෙන මේ ගොල්ලන් ඇවිල්ලා තිබෙනවා නේ ස්වාමීනි. මම කියන්නේ, වෙඩි වැදුණාට පස්සේ සාමාන්‍යයෙන් අපි කවුරු වුණත් අපිත් එක්ක ගිය කණ්ඩායමක ගිය මිනිහෙකුට වෙඩි වැදුණා නම්, මේ මිනිහා මැරෙයිද කියන ප්‍රශ්නය උඩ, වෙඩි වැදුණාට පස්සේ ස්වාමීනි, නිකම් අත පය සිරිලා තිබෙන්නේ නැහැ නේ. අඩු ගණනේ අපට මේ සාක්ෂි වලින් හෙළිදරව් වුණේ. අර මනුස්සයා ඇඳගෙන හිටපු ජැකට් එකවත් මේ ගොල්ලන් ගලවලා බැලුවේ නැහැ කියලා නේ, මේ ඉමදුවේදී අර 1990 න් ඇවිල්ලා බලන්කල්. නමුත්, ඒ අස්සේ කියනවා කථා කරලා, අඳුරු තැනකට දාලා ගහගෙන ආපු නොම්මර තහඩු ගලවල අයින් කරලා, වාහනයේ original ඒවා සවි කෙරුවා කියලා. ඒ ගොල්ලන් එහෙම කරලා තිබෙනවා නම් ස්වාමීනි, ඒ කටයුත්තටත් විනාඩි කිහිපයක් ගතවෙන්න ඇති නේ, අඩු ගණනේ විනාඩි 5ක්, 10ක්වත් ගත වෙන්න ඇති නේ. එතකොට මේ ගොල්ලන්ට තමන් එක්ක ආපු මිනිහාට වෙඩි වැදිලා තිබුණා නම්, ඉස්පිරිතාලයට ඇතුල් කිරීම තමයි ඊළඟට තිබෙන ප්‍රමුඛතම රාජකාරිය කියලා වැටහීමක් තිබුණා නම් ඊට වඩා ටිකක් ඉක්මන් කරගන්න තිබුණා ඔය කටයුත්ත.

ප්‍ර: දැන් මහත්මයාගේ මතය අනුව ඔය CCD එකේ කණ්ඩායමට වැලිගම ජංගම මුර සංචාරයේ යෙදුණු නිලධාරීන්ට කථා කරලා උදව් ගන්න තිබුණා?

උ: මම කියන්නේ. සිද්ධියට පෙර කෙසේ වෙතත්, සිද්ධියක් වුණා නේ ස්වාමීනි. ඊට පසුව හෝ ඔවුන්ට තිබුණා කථා කරන්න. මම දන්නේ නැහැ ස්වාමීනි, කොතෙක් දුරට ප්‍රායෝගිකද කියලා මේ වාහනය පොලිස් වාහනයක් කියලා අපි හඳුනා ගත්තේ නැහැ කියන කථාව. ඔබතුමා ඉහාම හොඳින් බුද්ධිමත්ව ප්‍රශ්න කිහිපයක් ඇහුවා සාක්ෂිකාරයින්ගෙන්, ඔය වාහනය යන කොට පාර දෙපැත්තේ හිටපු මිනිස්සු ප්‍රතිචාර දක්වන්නේ කොහොමද කියලා. එතකොට මේ සාක්ෂිකාරයෝ කථා කරලා කිව්වා, සමහර මිනිස්සු දුවනවා කියලා, සමහර මිනිස්සු හැංගෙනවා කියලා. එහෙම එකක් තිබුණාම,මේ ජීප් එක මෙතැනට ආවා නම්, එතැන තිබුණු ආලෝක තත්ත්වයත් එක්ක මේක නිල් පාට පොලිස් කියලා ගහලා තිබුණු ජීප් එකක් කියලා අර මිනිස්සු කිව්වා නම්, ඕක දැක්කේ නැතුවයි අපි ගියේ කියලා කියන කථාව කොයි තරම් දුරට ඔබතුමා සැලකිල්ලට ගන්නවාද කියලා මම දන්නේ නැහැ ස්වාමීනි. එහෙම දැක්කා නම්, ඒ වාහනයෙන් වෙඩි තියන කොට එයා දැනගන්න ඕනෑ පොලිසියෙනුයි මේ වෙඩි තියන්නේ කියලා. පොලිසියෙනුයි මේ වෙඩි තියන්නේ කියලා දැනගත්තාට පස්සේ එයාලා කළ යුතුව තිබුණේ ඒ මොහොතේ නරි වාහනය නතර කරලා, වෙඩි තැබීම නතර කරපුවාම බැහැලා ඇවිල්ලා, වෙඩි තියන්න එපා. අපි පොලීසියේ නිලධාරීන්, කරුණා කර මේක ඇතුළේ ඉන්න මිනිස්සුන්ට වෙඩි වැදිලා, මේ මිනිස්සු ඉස්පිරිතාලේ ගෙනියන්න උදවු කරන්න කියලා කියන එක. එහෙම දැක දැකත් මේ ඉමදුව වාගේ තැනකට එනකල් ආපු එක අනුව මම හිතන්නේ නැහැ. ඒ ගොල්ලන් බුද්ධිමත් ක්‍රියා මාර්ගයක් අරගෙන තිබෙනවා කියලා. සාමාන්‍ය දැනීමට අනුව එහෙම කරපු එක හොඳයි කියලා මට හිතෙන්නේ නැහැ.

ප්‍ර: දැන් වැලිගම පොලිසියෙන් ජංගම මුර සංචාරයෙන් එතැනට ඇවිල්ලා තිබෙන බව සත්‍යයි?

උ: ඔව්, දැන් එය සනාථ වෙලා තිබෙනවා නේ ස්වාමීනි. ඒ නිලධාරීන් ප්‍රකාශයක් දීලා තිබෙනවා නේ.

ප්‍ර: මහත්මයා එතැන සිටියේ නැති බව මම දන්නවා. මහත්මයාගේ මතය අනුව ඒ ගොල්ලන් uniform එකෙන් හිටපු බවත් සත්‍යයක්?

උ: ඒ අය සහ හමුදාවේ නිලධාරීන් ඔක්කොම uniform ඉඳලා තිබෙන්නේ.

ප්‍ර: හැබැයි, හමුදා නිලධාරීන් බැස්සේ නැහැ. ' පොලිස් ' කියා mark කරපු ජීප් එකක්?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: සාමාන්‍යයෙන් පොලිස් කියලා පින්තාරු කර තිබුණු ජීප් රථයක්?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්තයා කියන්නේ, ඒ තත්ත්වය යටතේ ඔය CCD එකේ කට්ටිය අනිවාර්යයෙන්ම ඔය වැලිගම පොලිසියෙන්, එහෙම නැත්නම් මොකක්හරි පොලිස් ස්ථානයකින්, ජංගම මුර සංචාරය කියන්නේ මොකක්ද කියන එක අමුතුවෙන් ඒ ගොල්ලන්ට පැහැදිලි කළ යුතු දෙයක් නොවෙයි නේ. ඒ ගොල්ලන් පොලිසියේ සේවය කරන අය නේ. මේ පොලිසියේ ජංගම මුර සංචාරයේ යෙදෙන ජීප් එකක් තමයි ඔතැනට ආවේ කියන එක දැනගත යුතුව තිබුණා?

උ: මගේ පුද්ගලික අදහස අනුව නම් එහෙම දැනගන්න තිබුණා. මගේ පුද්ගලික අදහස ඔබතුමාගේ දැන ගැනීම සඳහා විතරයි කියන්නේ. ඔය දෙපාර්ශ්වයම ටිකක් ඉවසිලිවන්තව ක්‍රියා කළා නම් වෙඩි තියාගන්න එකත් වළක්වාගන්න තිබුණා කියලා මම හිතනවා ස්වාමීනි. ඒකෙන් මම අදහස් කරන්නේ, අපේ නීතිඥ මහත්මයා හරස් ප්‍රශ්න වලදී ඒක ඇහුවා. ජංගම මුර සංචාරය ඔය ස්ථානයට ආපු අවස්ථාවේදී කරපු වෙඩි තැබීමක්; CCD නිලධාරීන් වෙඩි තැබීම නතර වෙලා තිබුණා කියලා මේ සාක්ෂිවලින් කියැවුණා. ඒ කියන්නේ නවත්වලා තිබුණු CCD වාහනයේ ඉඳලා කරපු වෙඩි තැබීම නතර වුණු අවස්ථාවේ තමයි වැලිගම පොලිසියේ ජීප් එක ඇවිල්ලා තිබෙන්නේ. ඒ වෙලාවේ ඇවිල්ලා මහ හරස් කරලා නැවැත්තුවා කියලා කිව්වා, වාහනය. ඒ වෙලාවේ මේ ගොල්ලන්ගේ චෝදනාව තමයි මේ ආපු වාහනය හදුනා ගන්න බැරි වුණා කියන එක. එතකොට මේ නිල ඇඳුමෙන් ආපු එක නිලධාරියෙක් බැහැලා වාහනය පැත්තට පොඩ්ඩක් ආවා කියලා කියනවා. ඒ වෙලාවේ මේ ගොල්ලන්ට තිබුණා කියලා මම විශ්වාස කරනවා, මේ වාහනයෙන් ඔතැනින් එකපාර පැනලා යන එක නවත්වා ගන්න, ඊට වඩා ඒ ගොල්ලන් ගාව තිබුණු තුවක්කු බලය හරි strength එක හරි පාවිච්චි කරලා ඊට වඩා effective විධියට වැඩ කරන්න තිබුණා. එතකොට ඒ පැත්තෙන් ඒ ගොල්ලන්ගේ වගකීමකුත් මම දකිනවා.

ප්‍ර: ඒ කියන්නේ වැලිගම mobile එක?

උ: එහෙමයි. වැලිගම mobile එකත් මීට වඩා, ඒ සාජන් මහත්මයෙක් නේ in-charge විධියට ඇවිල්ලා හිටියේ. සමහර විට එතැන ටිකක් experience තිබෙන IP කෙනෙක්, SI කෙනෙක් වාගේ හිටියා නම් ඒ වෙලාවේ, සමහර විට ඊට වඩා හොඳට ඒක handle කරගන්න තිබුණා කියලා මම හිතනවා ඔව්වර දුර දිග යන්නේ නැතුව. ඊළඟට, CCD එකේ නිලධාරීන් ඒ වෙලාවේ ක්‍රියා කරපු ආකාරය, දුර දිග බලන්නේ නැතිව ගත්ත ක්‍රියා මාර්ගය නිසා තමයි දෙවැනි වෙඩි තැබීමක් දක්වා මේක දුර දිග ගිහින් තිබෙන්නේ. ඒ දෙවැනි වෙඩි තැබීම නිසා තමයි මේ නිලධාරීන් දෙදෙනා මැරිලා තිබෙන්නේ. එතකොට මාතර මහෙස්ත්‍රාත්තුමාගේ මරණ පරීක්ෂණයේදී එතුමා නිගමනයකට ඇවිල්ලා තිබෙනවා පුද්ගලික ආරක්ෂාවේ අයිතිය යටතේයි මේ ගොල්ලන් වෙඩි තැබුවේ කියලා හමුදා නිලධාරියා ඔක්කොම එතැනින් නිදහස් කර තිබෙනවා. අපි ඒ සම්බන්ධයෙන් කථා කරන්න කැමැති නැහැ. නමුත්, මෙතැනදී අනාවරණය වෙච්ච කරුණු අනුව තමන්ව පසු කර පළා යන වාහනයකට වෙඩි තබා තිබෙනවා ඒ පිරිස. ඒ වෙඩි තැබීමෙන් තමයි මේ පුද්ගලයින් මිය ගිහින් තිබෙන්නේ සහ

තුවාල ලබා තිබෙන්නේ කියලා අපි සාක්ෂිකරුවන්ගෙන් හරස් ප්‍රශ්න ඇසීමේදී ඔබතුමාගේ අවධානයට යොමු කළා. කෙසේ වුණත් ඒක අදාළ නැහැ මෙතැනට, මම කියන්නේ මේ නිලධාරීන් කණ්ඩායම් දෙක වගකීමෙන් යුතුව ක්‍රියා කළ යුතුව තිබුණා. ඒකෙන් මම පොඩ්ඩක්වත් කියන්නේ නැහැ, පළවෙනියට වුණා කියලා සිද්ධිය, ඒ කියන්නේ CCD එකේ නිලධාරීන් හෝටලය දෙසට වෙඩි තැබීමත්, ඒ වාගේම හෝටලය පැත්තේ ඉඳලා මේ ගොල්ලන්ට වෙඩි තැබුවා කියන කථාවත්, ඒ දෙකට යටත්ව මම නථා කරන්නේ නැහැ. ඒවා ඔක්කොම ඇත්තට කොහොම වුණාද කියන කාරණාව සනාථ කරගන්නත් එක්ක මම මේ කථාව කියන්නේ.

ප්‍ර: දැන් මහත්මයා කියන්නේ, CCD එකේ අය වැලිගම පොලිස් ජීප් එක දැක්කේ නැහැ එතැනින් යන කොට කියන එක පිළිගන්න බැහැ කියලා?

උ: මට නම් ස්වාමීනි, ප්‍රායෝගික තත්ත්වයත් එක්ක පිළිගන්න බැහැ. ඇන්සලම් ද සිල්වාට දෝංකාරය නිසා කන් දෙකට අත් දෙක තියාගෙන පහත් වුණා කියන එක මට විශ්වාස කරන්න පුළුවන්. ඒමාකද, ඔහුගේ වයස සහ ඔහුගේ රෝගී තත්ත්වයන් එක්ක. නමුත්, රියදුරා වාහනය එළවන්න ඕනෑ ඉස්සරහා බලාගෙන, ස්වාමීනි. මොකද, එයාට බැහැ නේ ඔළුව අස්සේ හංගාගෙන යන්න. එතකොට එයා ඒක දැකිය හැකිව තිබුණා. ඇන්සලම් ද සිල්වා ලෙඩෙක් කියලා එක මම කලිනුත් ප්‍රකාශ කළා, මිනිහාට shock එකක් එන්න ඇති වෙඩි තියද්දී ඇති වෙච්ච කම්පනයන් එක්ක, මිනිහා කන් දෙකට අත් දෙක තියාගෙන පහත් වුණා කියන එක. සාමාන්‍යයෙන් මෙහෙම මෙහෙම වෙඩි තියනවා නම් කවුරුහරි ඇවිල්ලා, එතැන ඉන්න බැහැ නේ ස්වාමීනි. ඒ හේතුව නිසා අපට ඒ කථාව පිළිගන්න පුළුවන් ස්වාමීනි. නමුත්, රියදුරා සහ ඉස්සරහා අසුනේ හිටපු අනෙක් නිලධාරියා ඒක නොදැක ගියා කියලා කියන කාරණාව මට නම් පිළිගන්න බැහැ ස්වාමීනි. ඒ වෙලාවේ ඒක කොහොම වුණාද කියලා ඒ ගොල්ලන් කියන කථාව. නමුත්. සාමාන්‍ය පුද්ගලයෙක් වශයෙන් මට පුද්ගලිකව නම් හිතෙන්නේ නැහැ එහෙම නොදැක ඉන්න ඉඩ තිබුණා කියලා. මොකද, පොලිස් කියන වාහනය ගිනි පෙට්ටියක් වාගේ එකක් නොවෙයි නේ ස්වාමීනි. අර කිව්වා වාගේ පොඩි ළමයෙක් වුණත් හඳුනන වාහනයක් නේ ස්වාමීනි.

ප්‍ර: ඕක තමයි සාමාන්‍ය තත්ත්වය යටතේ ඕනෑම පොලිස් නිලධාරියෙකුගේ මතය, ඔය සිද්ධිය සම්බන්ධයෙන්. මේ වැලිගම පොලීසියේ ජීප් එක දැක්කේ නැහැ කියන එක සම්බන්ධයෙන්?

උ: බහුතරයක් මිනිස්සුන්ගේ අදහසක් වෙයි ස්වාමීනි ඒක. අනුන්ගේ අදහසක් මට කියන්න බැහැ ස්වාමීනි.

ප්‍ර: මහත්මයා කිව්වා වාගේ ඒක ප්‍රායෝගිකව වෙන්න අමාරුයි නේ?

උ: මම හිතනවා ස්වාමීනි.

The Respondent IGP has repeatedly stated that even as at present he is of the opinion that the team led by CI Anslem de Silva was engaged in an official duty on 30-12-2023, in front of W15 hotel. It is also the Respondent IGP's position that CI Anslem de Silva led his team to execute the order he had given to the Acting Director CCD ASP Neville de Silva on 29-12-2023 at the Police Headquarters. This is reflected in the following excerpt:

ප්‍ර: ඔබතුමා සාක්ෂි දෙමින් සිටියේ මෙම සිද්ධියට පාදක වන W15 හෝටලය ඉස්සරහට ගිය පොලිස් කණ්ඩායම් දෙක ගැන. ඔබතුමාගේ නිරීක්ෂණය අනුව 2023.12.30 දින ඇන්සලම් සිල්වා මහත්මයාගේ නායකත්වයෙන් කොළඹ අපරාධ කොට්ඨාසයේ කණ්ඩායම නීත්‍යානුකූල කාර්යයකට ගියා කියලා ඔබතුමා නිරීක්ෂණය කරනවාද?

උ: ඔව් මම නිරීක්ෂණය කරනවා. ඔවුන් පිටවීමට පෙර යෙදලා ගිහින් තිබුණු පිටවීමේ සටහන් අනුව, මා විසින් 2023.12.29 වෙනි දින උදේ පොලිස් මූලස්ථානයේදී කොළඹ අපරාධ කොට්ඨාසයේ වැඩ බලන අධ්‍යක්ෂකට මා විසින් දීපු නියෝගයට අනුකූලව ඒ ලැයිස්තුවේ සඳහන් පුද්ගලයි අත්අඩංගුවට ගන්න යනවා කියලා යොදලා තිබෙන පිටවීමේ සටහන් එක්ක, ශ්‍රී ලංකා පොලීසියට අයිති වාහනයකින් යාම සඳහා අයදුම්පතක් යොදලා ඒකට පූර්ව අනුමැතිය ගත්තා කියලා සටහන් යොදලා යාම සම්බන්ධව ඔවුන් නීත්‍යානුකූල රාජකාරියට ගියේ කියලා මම පිළිගන්නවා.

It is also the position of the Respondent IGP that the officers in Weligama police night mobile patrol jeep did not commit any offence and was a team which had only engaged in their official duties. This is supported by the fact that the learned Counsel for the Respondent IGP did not seek to challenge the evidence of Police Sergeant Ajith Sisira Kumara and Army Sergeant Ruchiranga during their evidence in the Inquiry. It is the position of the Respondent IGP that he still relies on the initial account given by the CCD Officers led by CI Anslem de Silva with regard to the way the two CCD Officers had got injured in the shooting incident at Weligama. It is on that basis that he has attempted to show to this Committee that there were empty cases of cartridges which could be presumed to have been fired from the alleged suspected unknown gunman. It is his position that the SOCO officers of Matara had found some empty cartridges at the scene. He has stated that since SI Maduranga of the CCD has fired 09 rounds of ammunition, it should have been an organized crime group which had fired the rest of the cartridges. It is the position of the Respondent IGP that SOCO officers of Matara had not engaged in any illegal act in their investigation.

With regard to the availability of CCTV footage around the scene of the crime, the Respondent IGP's position is that he was satisfied of the fact that the Weligama police investigators had not found any relevant CCTV footage during their investigation.

Giving evidence with regard to the approval of the reward to PS Upul of the CCD who was killed in the shooting incident, it is the position of the Respondent IGP that he became satisfied that the team had acted within the course of their duties; the team had not engaged in an illegal activity, before he signed on **P-7** granting his approval both as the Senior DIG in charge of the Western Province and as the Acting Inspector General of Police. He has identified and accepted the documents marked **P-2** to **P-7** upon them being shown to him before the Committee. It is his position that he had no reason to suspect in recommending/granting his approval for the payment of this reward out of the Police Reward Fund.

It is his position that he acted on the account given to him by the Acting Director CCD ASP Neville de Silva in this regard. This is reflected in the following excerpt taken from his evidence:

උ: උපුල් නිලධාරියා මිය ගිය අවස්ථාවේ සිට වැඩ බලන්නා අධ්‍යක්ෂකත් එක්ක මට ඒ සම්බන්ධව communication එක තිබුණා. ඒ වාගේම උසස් නිලධාරීන්, DIG Colombo මේ සම්බන්ධයෙන් කථා කළා. ඒත් එක්කම දකුණු පළාතේ උසස් නිලධාරීන් කථා කරලා ඒ අනුව CCD එකේ සිටින පොලිස් සැරයන් උපුල් තමයි මිය ගියේ කියන කාරණාව මට හොඳින් තහවුරු වෙලා තිබුණේ, ඒ අවස්ථාව වන විට.

ප්‍ර: ඔබතුමා ඔහුගේ සේවා කාලය ගැන තහවුරු කර ගැනීමක් කළාද?

උ: ඔව්. ඇත්ත වශයෙන්ම නිලධාරියෙක් මිය ගියාට පස්සේ ඒ නිලධාරියා කෙබඳු ආකාරයේ නිලධාරියෙක්ද යන්න විමසීම සාමාන්‍ය දෙයක්. ඒ අනුව එම නිලධාරියා මිය ගියා කියපු අවස්ථාවේ වැඩ බලන අධ්‍යක්ෂ නෙවිල් සිල්වා මහත්මයා ඒ නිලධාරියා පිළිබඳව මට දීර්ඝ විස්තරයක් කළා. බොහොම ශෝකානුකූලව ඒ නිලධාරියා කථා කරලා කිව්වා, "අපිත් එක්ක වැඩ කරපු ඉතාම හොඳ, අවංක, කාර්ය ශූර නිලධාරියෙක්, මේ සිද්ධියෙන් විශාල පාඩුවක් වුණේ කියලා. ඒ වාගේම එම නිලධාරියා ආර්ථික දුෂ්කරතා තිබෙන නිලධාරියෙක්. ඉස්කෝලේ යන වයසේ ගැහැණු දරුවන් දෙදෙනෙක් සිටින නිලධාරියෙක්. ඒ නිලධාරියාගේ පඩියෙන් තමයි ගෙදර මිනිස්සු ජීවත් වෙන්නේ. ඒ නිලධාරියාගේ ගෙවල් දොරවල් වලටත් අපි ගිහින් තිබෙන අවස්ථා තිබෙනවා සර්. ඒ නිසා ඒ අයට මොකක් හෝ සැලකීමක් කළ යුතුව තිබෙනවා. මළ ගෙදරවත් කර ගන්න පුළුවන් තත්ත්වයක් තියේවිද දන්නේ නැහැ. උදව් කරලා හැම දෙයක්ම සොයා බලා කරන්න වෙනවා. මට හරිම කනගාටුයි" කියලා කිව්වා. ඒ වගේ වේදනාත්මක ආකාරයෙන් එම නිලධාරියා පිළිබඳව විශාල තොරතුරක් කියලා තමයි මට විස්තර කිව්වෙ.

ප්‍ර: ඔබතුමා අවස්ථා ගණනකදී මාතර ASP ඔහන්මයාට, ඒ වාගේම DIG මහත්මයාට, නි.පො.ප. කට, ඒ වාගේම ජ්‍යෙ.නි.පො.ප. කට කථා කළා කිව්වා. මේ ඉල්ලුම් පත අත්සන් කරන්න ඉස්සෙල්ලා එම නිලධාරියාගේ මරණය හදිසි මරණයක්, ඒ හදිසි මරණය සම්බන්ධයෙන් ගරු අධිකරණයට කරුණු වාර්තා කළාද, නැද්ද කියන කාරණය තහවුරු කරලා දැන ගත්තාද?

උ: පැහැදිලිවම ස්වාමීනි, මේ ක්‍රියාවලිය සිදු වුණු අවස්ථාවේ ඉඳලා වැඩ බලන පොලිපතිවරයා හැටියට ඒ සම්බන්ධයෙන් වන දේවල් පිළිබඳව නිරන්තරයෙන් update වුණු නිලධාරියෙක් මම. මේ සම්බන්ධයෙන් පරීක්ෂා කරන්න මහෙස්ත්‍රාත්තුමා ආවාද, මහෙස්ත්‍රාත්තුමා පරීක්ෂණය ආරම්භ කළාද, ඔබලා සාක්ෂි මෙහෙයවනවාද. කවුද සාක්ෂි මෙහෙය වන්නේ, ඒ ආදී තොරතුරු සියල්ලම පිළිබඳ යථාවත් වුණු නිලධාරියෙක් මම. මේ සිද්ධිය වුණාට පස්සේ, නිලධාරියෙක් මිය ගියා, පශ්චාත් මරණ පරීක්ෂණය පැවැත්වූවා, අධිකරණයට කරුණු වාර්තා කළා, එම නිලධාරියා බීමත්ව සිටියේ නැහැ, මේ ආදි කරුණු සියල්ල පිළිබඳවම යථාවත් වීමක් වුණා. මම හෝ කවරු හෝ පොලිස්පති වශයෙන් සිටින නිලධාරියෙක් මේ සම්බන්ධයෙන් අහක බලාගෙන ඉන්නේ නැහැ. මොකද, ඒ වෙලාවේ ප්‍රධාන වශයෙන්ම කථා කළේ ඒ සිදුවීම පිළිබඳව නිසා. එම සිදු වීම වුණු දවසේ වෙන දේකට වඩා මේ සිදුවීම ගැන තමයි කථා කළේ. මේ සියලු දේවල් සම්බන්ධයෙන් මම යථාවත් වෙලා සිටියේ.

ප්‍ර: ඔබතුමා මීට ඉස්සෙල්ලාත් මේක කිව්වා. නමුත්, මේක අතිශය වැදගත්. එම නිලධාරීන් පිටව යෑමට අදාළ අවුට් එකක් තිබෙනවාද, නැද්ද කියන කාරණය තහවුරු කර ගත්තාද?

උ: ස්වාමීනි, මම මීට කලිනුත් ප්‍රකාශයක් කළා. එදා උදේ නෙවිල් සිල්වා යන ගමන්ම කිව්වා කියලා ඔහු පහාමාරට CCD එකට ගිහිල්ලා බැලුවා නිත්‍යානුකූලව අවුට් එකක් දාලා තිබෙනවාද කියලා. ඒකේ උපුල්ගේ නම සඳහන් වෙනවා කියලා මට කථා කරලා කිව්වා.

It is relevant to note that according to the Respondent IGP he had even contacted the DIG Colombo in this regard. In his evidence, he has also proceeded to explain in detail the other occasions at which he was instrumental in ensuring the payment of rewards to the affected families without any undue delay.

Answering a question asked by his Counsel, the Respondent IGP has taken up the position that he did not take steps to pay rewards to the other officers namely: the others in the CCD team including SI Maduranga who received a gunshot on his leg; the officers of the Weligama police night patrol jeep; Police Sergeant Sisira Kumara who got off the jeep and walked towards the parked CCD van from which firing was seen happening; Army Sergeant Ruchiranga who opened fire at the escaping van. According to the Respondent IGP the reason for that was because no senior officer down the line had recommended a payment of any such reward to those officers.

The Respondent IGP, responding to a question his Counsel had asked, has admitted that he appointed a three-member committee comprising of DIG Colombo Jagath Chandra Kumara, SSP Colombo Central Division Leelaratne and OIC Colombo Fraud Bureau CI Balasuriya and obtained a recommendation from the said committee to grant a promotion to PS Upul

posthumously as a Sub-Inspector. It is his position that he is satisfied that the correct procedure was followed in granting the said promotion posthumously to PS Upul.

He has further stated that DIG Colombo Jagath Chandra Kumara had informed him over the phone, strongly recommending the payment of Rs. 1.5 million to the family of the killed PS Upul from the Police Reward Fund. The relevant question and answer in this regard is as follows:

ප්‍ර: ඔබතුමා දැන් කිව්වා, ඒ නිලධාරියාගේ ආර්ථික තත්ත්වය, ඒ නිලධාරියාගේ මුළු පවුලම යැපෙන්නේ ඒ නිලධාරියාගේ වැටුපෙන් විතරක් කියලා. දරුවෝ දෙදෙනෙක් ඉන්නවා කියලා. ඒ දියණියන් දෙදෙනෙක්ය කියලා. දියණියන් දෙදෙනා ඉස්කෝලේ යනවා කියලා. ඒ කරුණු ගැන කොයි වෙලාවක හරි ඒ මිය ගිය නිලධාරියා අදාළ වන පොලිස් වසමේ ස්ථානාධිපතිගෙන් කරුණු තහවුරු කර ගත්තාද? ඒ ගැන විස්තර සඳහන් කරන්න?

උ: චන්ද්‍රකුමාර, නියෝජ්‍ය පොලිස්පති, කොළඹ දිශාව ළඟට ඒ reward application එක ආවාට පස්සේ ඔහු මට දුරකථනයෙන් කථා කළා. කථා කරලා ඇහුවා, "මේ reward application එකට Directorගෙන් ඇවිල්ලා තිබෙනවා ලක්ෂ 15 ක් දාලා. මේක සාමාන්‍යයෙන් මීට කලිනුත් CCD එකේ කට්ටිය මැරුණාම පාස්කු ප්‍රහාරයේ කට්ටියක් අත්අඩංගුවට ගන්න ගිහිල්ලා තුන්දෙනෙක් මැරුණා එක දවසේ. තුන්දෙනාටම ලක්ෂ 15, 15 දීලා තිබෙනවා. ඒ නිසා වෙන්න ඇති මේගොල්ලෝ මේක දාලා තිබෙන්නේ. මේක සම්බන්ධව මම හොයලා බැලුවා. මම ගලේවල OICට කියලා නිලධාරියෙක් ගෙදරට යවලා හොයලා බැලුවා ඇත්තටම ඒ මිනිසුන් ආර්ථික දුෂ්කරතා තිබෙනවාද කියලා. කථාව නම් ඔක්කෝම ඇත්ත සර්. මගේ අදහස නම් මේ ලක්ෂ 15 ඒ මිනිහාට දෙන එක සාධාරණයි. සර් මොකද හිතන්නේ" කියලා කථා කරලා මගෙන් ඇහුවා.

මම කිව්වා, "ඒ මිනිහාගේ කථාවත් ඇත්ත නම්, ඒ මනුෂ්‍යයාට ඔය වාගේ ආර්ථික දුෂ්කරතා තිබෙනවා නම්, ඒ මිනිහා හොඳ මිනිහෙක් නම්, රාජකාරියකට ගිහිල්ලා මැරිලා තිබෙන්නේ. මීට කලින් මිනිසුන්ටත් ලක්ෂ 15 ක් දීලා තිබෙනවා නම් ඔයාගේ නිර්දේශය ඔය එව්වොත්, මමත් ස්ථිර වශයෙන් ඕක අනුමත කරනවා ලක්ෂ 15 ක් දෙන එකට" කියලා මම කිව්වා.

The Respondent IGP has denied that he had influenced his junior officers to include a figure of Rs. 1.5 million in the reward application. It is his position that the process adopted in the payment of the reward of Rs. 1.5 million to the killed PS Upul was perfectly in order.

Referring to the offer by the Cricket Board to him to join as a security consultant, the Respondent IGP while admitting that there was such an offer, has stated in his evidence that he refused to accept the same by sending a written letter. He denies that there was any connection between this and the person known as Jamaldeen who is said to be the owner of

W15 hotel. Similarly, he also denies that he has any involvement in the incident regarding the dispute pertaining to a land situated on Darley Road, Colombo. In his evidence, the Respondent IGP has stated that he did not have any animosity against the owner of W15 hotel.

Referring to the evidence of police officers who stated before the Committee about the alteration of number of registers maintained in the relevant offices, it is the position of the Respondent IGP that it is the relevant officers in charge of those offices who must take the responsibility for those actions of unlawful alterations of relevant registers. It is to be noted that the Respondent IGP had not sought to challenge the veracity of the evidence of those police officers who testified before the Committee explaining how they were forced to alter the respective registers. His position with regard to the evidence of those police officers is limited to the assertion that these alterations were not carried out at his command.

The Respondent IGP has also stated that DIG Nishantha de Zoysa's assertion that it was SI Priyankara who supplied to him on 30-12-2023, the photographs and video clips of W15 hotel is false. He also denies that he sought information about W15 hotel from DIG Nishantha de Zoysa.

Towards the end of his examination-in-chief, the Respondent IGP has stated as follows:

ප්‍ර: ඔබ කොයි වෙලාවක හරි සක්‍රිය විධියට හෝ නිශ්ක්‍රිය විධියට හෝ කිව්වාද, ඩබ්ලිව් 15 එකට වෙඩි තියන්න කියලා?

උ: කිසිසේත්ම නැහැ.

ප්‍ර: ඔබ කොයි වෙලාවක හෝ ඔය යන ගමනේ නිලධාරින්ට ආයුධ අරගෙන යන්න කියලා කිව්වාද?

උ: මම කිව්වේ නැහැ. නමුත් ප්‍රමාණවත් ආරක්ෂාව සලසා ගෙන යන්න කියලා එයාලගේ ඩිරෙක්ටර් කියා තිබෙන බව ඒ අය ප්‍රකාශ කර තිබෙනවා. ඒ අනුව තමයි ඔවුන් ආයුධ අරගෙන ගිහින් තිබෙන්නේ.

ප්‍ර: එහෙම ආයුධ අරගෙන ගියා කියන එක ඔබ දැනගෙන හිටියාද?

උ: නැහැ. මම පසුව දැන ගත්තා.

ප්‍ර: යන්න ඉස්සෙල්ලා දැනගෙන හිටියාද?

උ: යන්න ඉස්සෙල්ලා දැනගෙන හිටියේ නැහැ.

He has also described an incident in which Acting Director CCD ASP Neville de Silva had resisted an illegal order given to him by DIG Nishantha de Zoysa at that time.

The Respondent IGP in the conclusion of his evidence-in-chief, has denied the charges levelled against him and stated as follows:

ප්‍ර: ඔබතුමාට වෙන මොනවා හෝ මේ උතුම් වූ පරීක්ෂණ කමිටුවට කියන්න තිබෙනවා නම්, අවසාන වශයෙන් කියන්න?

උ: ස්වාමීනි, මම කලිනුත් ප්‍රකාශ කළා වාගේ, මම මේක සලකන්නේ, කාගේ හෝ වුවමනාවකට, ඒක දේශපාලන වුවමනාවක් වෙන්නත් පුළුවන්, හැබැයි දේශපාලන වුවමනාවකටත් වඩා පුද්ගලයින් කිහිපදෙනෙක් සම්බන්ධයෙන් මගේ අදහසක් තිබෙනවා. ඒක මම ප්‍රකාශ කරන්න යන්නේ නැහැ. තමා විසින් නිර්මාණය කර ගත් පෙත්සමකට, තමන්ට ඕනෑ ආයතනයකට දාලා, තමන්ට ඕනෑ විධියට සාක්ෂි හදාගෙන කරපු inquiry එකක් විතරයි. නිශාන්ත සොයිසා මහත්මයා කරලා තිබෙන මේ අසත්‍ය ප්‍රකාශය හැරුණු විට මට විරුද්ධව, මගේ වුවමනාවට මේක වුණා කියන එක සම්බන්ධයෙන් කිසිම සාක්ෂියක් හෙළිදරව් වුණේ නැහැ ස්වාමීනි. මම මෙතැන වාඩිවෙලා පසුගිය දවස් වල අහගෙන සිටියා. CID එක පවත්වපු විමර්ශනයේදීත්, මම උපදෙස් දීලා ගිහින් මේක කෙරෙව්වා කියලා පරිවේෂණීය සාක්ෂියක්වත්, වෙන සාක්ෂියක්වත්, කිසි දෙයක් හෙළිදරව් වෙලා නැහැ ස්වාමීනි. එහෙම අවස්ථාවක මම මේ රටේ නාමිකව පොලිස්පති වශයෙන් ඉන්නකොට මාව අත් අඩංගුවට අරගෙන, අනික් මිනිස්සු ඔක්කොටම රිට් අයදුම්පතක් මඟින් අත් අඩංගුවට ගැනීම වළක්වා තිබුණු අවස්ථාවක, උසාවියෙන් දවස් 20ක් රක්ෂිත බන්ධනාගාරගත කළා ස්වාමීනි. ඒ දවස් 20 ඇතුළත මම කිසිම වරප්‍රසාදයක් ඉල්ලුවේ නැහැ. සාමාන්‍යයෙන් මට නිදාගන්න මෙට්ටයක් හෝ ඉල්ලීමේ හැකියාව තිබුණා. මම ඒ කිසිම දෙයක් ඉල්ලන්නේ නැතුව ගත කළා. මොකද, හේතුව ඒ දීපු අයුක්ති සහගත තීන්දුව නිසා මට වෙච්ච අගතිය සම්බන්ධයෙන් මා තුළ තිබුණු දැඩි මානසික පීඩාව නිසා මම එහෙම කළේ. මොකද, හේතුව කවදාහරි දවසක මේකෙන් මට යුක්තියක් ඉෂ්ට වෙයි කියලා මම බලාපොරොත්තු වෙනවා. මට විරුද්ධව කිසිම සාක්ෂියක් ඉදිරිපත් වෙලා නැහැ. ඒ නිසා මට අවසන් වශයෙන් කියන්න තිබෙන්නේ, ඔබතුමා පිළිබඳව තිබෙන විශ්වාසය සහ ඔබතුමා වාගේම අනෙක් විනිසුරුතුමන්ලා දෙදෙනා ගැන තිබෙන විශ්වාසය නිසා තමයි අපි තීරණය කළේ මේ පරීක්ෂණයට සහභාගි වෙන්න. එහෙම නැත්නම් ඕනෑ තීන්දුවක් ගන්න කියලා ස්වාමීනි, මට මේකට පෙනී සිටින්නේ නැතිව ඉන්න තීරණයත් ගන්න තිබුණා. නමුත්, මම තීරණය කළා ඔබතුමා ඉස්සරහට ඇවිල්ලා අපේ පැත්තෙන් කරුණු කාරණා කියනවා කියලා. ඔබතුමා මොන තීන්දුවක් දුන්නත්, අපි ඒ තීන්දුව හිස නවා පිළිගන්නවා. නමුත්, මේක ඉතිහාසගත වෙනවා. පොලීසියේ ඉතිහාසය අවුරුදු 158යි. පළමුවැනි වතාවට මේ Act එක යටතේ ඇවිල්ලා පොලිස්පතිවරයෙක් සම්බන්ධයෙන් ක්‍රියා කරන අවස්ථාවක් මේක. මේක ඉතිහාසගත වෙනවා. ඉතිහාසගතවෙනවා වාගේම ඉදිරි කාලයේදී ඒ සම්බන්ධව මිනිස්සු

ගොඩක් දේවල් කථා කරයි. ඒ නිසා ඔබතුමාගෙන් අපි ඉල්ලා සිටින්නේ, කරුණාකර මේ එළඹුණු සාක්ෂි එක්ක බලලා ඔබතුමාගේ අභිමතය පරිදි සුදුසු තීන්දුවක් ලබා දෙන්න කියලා.

(24) Cross-examination of the Respondent IGP by the learned Additional Solicitor General.

The learned Additional Solicitor General has cross-examined the Respondent IGP on several material points. In the course of the said cross-examination, the learned Additional Solicitor General has established (from the answers the Respondent IGP has given during the cross-examination), that the Respondent IGP had only taken out checking details/apprehension of 149 persons listed in **R-2** and assigned only that task to the Acting Director CCD ASP Neville de Silva. The Respondent IGP though has taken the view that he was not satisfied with the progress made by the CID with regard to the investigations carried out to curb the narcotics distribution network operated by *Harak Kata*, has not taken any step/remedial action against the alleged errant CID officers. This is important as it is the evidence of the Respondent IGP that he decided to assign the above task to the CCD Acting Director on the basis of the CID officers' lethargy or their involvement in corrupt activities which he thought favoured *Harak Kata's* organized crimes.

The Respondent IGP in several places during his cross-examination, has taken up a clear position that the CID nevertheless did proceed with the main investigation against *Harak Kata's* dealings in the organized crimes. He has also specifically stated that the only aim he sought to achieve by assigning **R-2** to the Acting Director CCD ASP Neville de Silva, is to ensure the destruction of the narcotics distribution network operated by *Harak Kata* in the Southern Province. The Respondent IGP's assertion is that this operation was centered and focused on the people whose addresses were found in Weligama area and its suburbs only. That is why the Respondent IGP has stated that he expected ASP Neville de Silva to continue to send teams daily to Weligama area until they finish probing into the details of all of them in the list attached to **R-2**.

Evidence has revealed that IP Jayatilleke's team from the CCD was the first team which went to Matara area on 29-12-2023. The CCD team led by CI Anslem de Silva which left in the night on 30-12-2023 is the second team. While the first team is reported to have arrested 11 persons, the second team has not done anything on the persons listed in **R-2**. The Respondent IGP has admitted that the CCD did not do anything after this shooting on 31-12-2023. The Respondent IGP's explanation for the CCD's failure to carry on with the instructions he has

consciously given to ASP Neville de Silva with a huge interest and vigour is reflected in the following two excerpts:

ප්‍ර: හැබැයි ඒ මෙහෙයුම ඉවර වුණේ නැහැ?

උ: බැරි වුණානේ මෙක නිසා. මේ සිද්ධියෙන් පස්සේ ඒක කඩාකප්පල් වෙලා ගියා ස්වාමීනි.

ප්‍ර: මට තේරෙන්නේ නැත්තේ ඒක කඩාකප්පල් වුණේ කොහොමද පොලිස්පතිතුමා?

උ: ස්වාමීනි, 29 වෙනි දා ගිය කණ්ඩායම මේකෙන් 11දෙනෙක් අත්අඩංගුවට ගෙන ගෙනාවා. 30 වෙනි දා ගිය කණ්ඩායම මේ කියපු රාජකාරියට යනවා කියලා පිටවෙලා ගිහින්, වෙන සිද්දියක් එතැන සිද්ධ වුණා. ඊට පස්සේ නිලධාරියෙක් මැරුණා. ඊට පස්සේ සිසිඩී එකට පවරපු ජොබ් එක එතැනින් ඇත්ත වශයෙන් කඩාකප්පල් වෙලා ගියා. මේ සිද්ධිය නොවෙන්න ස්ථිර වශයෙන්ම, - 31 වෙනි දා, ජනවාරි 01 වෙනි දා ආදී වශයෙන් මාසයක් විතර ඇතුළත මේ 149 දෙනා ඉවර කරලා දෙන්න කියලා මම කිවේ - ඒක කෙරනවා. නමුත් මේ අනපේක්ෂිත සිද්ධිය නිසා ඒ වැඩේ නතර වුණා කියන එක තමයි මම කියන්නේ.

ප්‍ර: ඒ කියන්නේ CCD එකෙන් 30වෙනි දා ගිය කණ්ඩායම් කළ වැඩේ නිසාද කඩාකප්පල් වුණේ?

උ: ඔව් ස්වාමීනි. ඒකේ ගිය නිලධාරියෙක් මැරුණාට පස්සේ ඒ වැඩේ තවදුරටත් සිසිඩී එකෙන් නොකෙරෙන තත්ත්වයට පත් වුණා. ඊට පස්සේ කණ්ඩායම් මේ සඳහා යැවීමක් වෙලා නැහැ.

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ප්‍ර: සාක්ෂිකරු කිව්වා, මෙම සිද්ධියෙන් පස්සේ මේ වැටලීම් නැවතුණා කියලා?

උ: ඔව්, ස්වාමීනි.

ප්‍ර: මම අහන්නේ, මෙම සිද්ධිය ශක්තියක් කරගෙන full force එකෙන් ගහන්න ඕනෑ නැද්ද පාතාලයට?

උ: එසේ ගැසිය යුතුව තිබෙනවා, ස්වාමීනි. නමුත්, කරුණු කාරණා යෙදිච්ච ආකාරය අනුව, විශේෂයෙන්ම මේකට CID එක දිගටම යොදවලා නිශ්චිත result එක ගන්න බැරි නිසයි CCD එක දැම්මේ කියලා මම කලින් අවස්ථාවේ ප්‍රකාශ කළා. ඒකට දාපු CCD එකේ team එක ගිහිල්ලා මේ වාගේ සිද්ධියක් ඇති වුණා. එතකොට ප්‍රායෝගිකව එතැනදී පොලිස් නිලධාරියෙකුත් මැරුණා. ඊට පස්සේ ප්‍රායෝගිකව ඇති වෙච්ච පසුබැස්ම නිසා නැවත වතාවක්, - ඒක අනිවාර්යයෙන්ම කළ යුතුව තිබුණා. නමුත්, ඒ සිදුවීමෙන් වූ පසුබැමත් එක්ක ඒ කර්තව්‍ය සඳහා නැවත වතාවක් අඛණ්ඩව teams යෙදවීම කඩාකප්පල් වෙලා තිබෙනවා.

<u>පරීක්ෂණ කොමිටුවෙන්:</u>

ප්‍ර: මේ වාගේ සිද්ධියක් ඇති වුණා කියන එකෙන් සාක්ෂිකරු අදහස් කරන්නේ CCD එකේ නිලධාරීන් වැරදි වැඩක් කළා කියලාද?

උ: නැහැ. CCD එකේ නිලධාරීන් නීත්‍යානුකූලව රාජකාරි කරන්න ගිය වෙලාවේ වෙච්ච වෙඩි තැබීමකින් නිලධාරීන් දෙදෙනෙකුට වෙඩි වැදී එක් නිලධාරියෙකු මියයෑම සහ අනෙක් නිලධාරියාට තුවාල සිදු වීම. අන්න ඒ නිසා CCD එකෙන් teams මේකට අඛණ්ඩව දාන්න කියපු වැඩ පිළිවෙළ එතැනින් කඩාකප්පල් වුණා; පසුබෑමකට ලක් වුණා කියන එක තමයි මම අදහස් කරන්නේ.

ප්‍ර: ඒ කියන්නේ තුන්වැනි පාර්ශ්වයකින් වෙඩි තියපු එක ගැන?

උ: තුන්වැනි පාර්ශ්වයකින් හෝ කවුරු හරි තියපු වෙඩි පහරකින් එක් නිලධාරියෙක් මැරිලා, තවත් නිලධාරියෙක් තුවාල වීමෙන් පස්සේ මේ වැඩේ ඇනහිටියා කියන එක තමයි මම කියන්නේ.

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ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරන්නේ ඇනහිටින්න නොවෙයි, ඒක තව ශක්තියක් කර ගන්න තිබුණා කියන එකයි. සාක්ෂිකරු ලස්සන වචනයක් කිව්වා, අපරාධකරුවන් තුළ, පාතාලය තුළ මානසික භීෂණයක් ඇති කරන්න,- සාක්ෂිකරුට දැනෙන විධියට මෙම සිදුවීමේදී අසාධාරණ චෝදනාවක් නේ මුලින්ම ආවේ. ඒ කියන්නේ, W15 හෝටලයට කොන්ත්‍රාත් එකකට ගිහින් වෙඩි තිබ්බා වාගේ කථාවක් සමාජගත කරලා, ඊට වඩා වැඩි මෙහෙවරක් නැවත්වුවා කියන එකනේ පෙනී යන්නේ. නමුත්, සාක්ෂිකරු ඒකෙන් ශක්තියක් අරගෙන අඩුම තරමේ මේ ප්‍රහාරකයෝ හොයන්න යම්කිසි මෙහෙවරක් කරන්න ඒ නිලධාරීන්ට වග කීමක් නැද්ද? සාක්ෂිකරුට නොවෙයි මම අහන්නේ. ඒ ප්‍රදේශයේ නිලධාරීන්ට හරි වගකීමක් නැද්ද?

උ: අනිවාර්යයෙන්ම මට මේ සිද්ධිය සැල කරපු වේලාවේ ඉඳලාම මම දීපු මූලිකම instruction එකක් තමයි මේ CCD එකට වෙඩි තිබ්බේ කවුද කියලා හොයන්න කියන එක. කවුරු හරි වෙඩි තිබ්බා නම් හොයන්න. එහෙම කවුරු හරි වෙඩි තිබ්බේ නැත්නම් ඒක clear-cut ඇවිල්ලා වෙඩි තියලා නැහැ කියලා report කරන්න ඕනෑ. ඒ දෙකෙන් එකක් ගත්තා නම් මෙතැනදී තීන්දුවකට එන්න තිබුණා. මම ඉස්සෙල්ලා පැහැදිලි කළා වාගේ මේ සම්බන්ධයෙන් විර්මශනයක් මාතර පොලිස් කොට්ඨාසයෙන් වුණා. ඒ අය අවසාන වශයෙනුත් තීන්දුවකට ඇවිල්ලා නැහැ, තුන්වැනි පාර්ශ්වයක් වෙඩි තිබ්බේ නැහැ කියලා. නමුත්, තුන්වැනි පාර්ශ්වයක් වෙඩි තිබ්බා කියලා සනාථ කර ගන්න සාක්ෂියකුත් හම්බ වෙලා නැහැ. අදටත් ඒක නොවිසඳුණු තත්ත්වයේ තිබෙන ප්‍රශ්නයක්. ....."

The Respondent IGP did not even mention the fact that it was the officers in the Weligama police night mobile patrol who had given statements to the Weligama OIC Crimes first. This was at 6.00 am at the scene of the crime itself on 31-12-2023. Nevertheless, it is the consistent position of the Respondent IGP right throughout this Inquiry, that an unknown gunman had

opened fire at the CCD officers when they had wanted to check the purported suspected person. It is also the position of the Respondent IGP that the CCD officers in the van came under fire and the suspected person fled. According to the Respondent IGP, it is at that occasion that SI Maduranga in the CCD van had opened fire at the direction where the fire targeting the CCD officers came from. This is the view taken by the Respondent IGP even at present. The primary question which arose to the Committee of Inquiry is as to why the Respondent IGP is still interested in maincaining that view.

He as the Inspector General of Police was discharging functions of the office of the Inspector General of Police until 24-07-2024. At present, he has been restrained by the Supreme Court from discharging the functions of the office of the Inspector General of Police. He was not present at the scene of the crime when the incident took place. He never went in the CCD van with CI Anslem de Silva and the team. He did not go to Weligama police station or to the scene of the crime even after the incident.

After some time, the CID took over the investigation. The learned Magistrate of Matara came to a conclusion that the CCD team's SI Maduranga had opened fire at W15 hotel deliberately without any justification. The learned Magistrate, in his Order dated 27-02-2025, for the reasons set out in that Order has concluded that such a firing by an unknown gunman is a false assertion and an event which had not factually happened. Officers who were in Weligama police night mobile patrol jeep made statements to OIC Crimes Weligama at 06.00 am at the scene of crime itself on 31-12-2023 stating the true incident. The Respondent IGP does not challenge that evidence. Thereafter, after analysis of the empty cases of cartridges which are said to have been found at the scene by SOCO officers, the Government Analyst has submitted a report (**P-11**) confirming that all empty cases of cartridges found there, have been fired by the same weapon. The Respondent IGP still does not have any interest to take those matters into consideration. Nevertheless, the Respondent IGP is a Police officer who has received higher education with regard to the scope of his duties in the Police, in countries such as Russia, China, South Korea, India and Thailand and a Police officer who has received training regarding the crime investigation in Scotland Yard in Great Britain. In view of all the aforementioned matters, the Committee of Inquiry takes the view that the facts, circumstances and the common course of natural events relating to this incident do not at all support the view/position, the Respondent IGP still seeks to maintains.

Thus, the Committee of Inquiry is unable to accept the Respondent IGP's evidence that the incident of shooting took place in front of W15 hotel in Weligama had happened in the way

the Respondent IGP has attempted to assert before this Committee. It is the view of the Committee of Inquiry that there is no basis whatsoever upon which the Respondent IGP could or should have concluded that this shooting incident had happened in the way CI Anslem de Silva and the other members of his team had claimed in their first set of statements to Weligama police station and their evidence at the inquest. Indeed, it is a fact that even the learned Magistrate of Matara had not accepted the evidence of the CCD team members when he arrived at his conclusion in his Order dated 27-02-2025.

The Respondent IGP consistently stated before this Committee that one cannot exclude the possibility that there was indeed firing by an unknown gunman at the CCD van in front of W15 hotel as the investigations were continuing. However, he himself has stated clearly that he is not aware as to what progress the investigation carried out by Weligama police station had achieved. Indeed, CI Karunathilleke of the CID who has given evidence before this Committee has clearly stated that the investigation carried out by Weligama police station had not proceeded thereafter. It is a fact that the HQI Weligama police station at present stands accused before the Magistrate's Court of Matara for concealing evidence pertaining to this incident.

When confronted as to why the CCD team could not have come forward and identify themselves to the members of Weligama police night mobile patrol, the Respondent IGP has admitted that the CCD team members should have done so. He has also admitted that there is no lapse on the part of Weligama police night mobile patrol in that regard. The Respondent IGP has also admitted that at least one of the members of the CCD team should have been in uniform at that occasion according to the circulars issued by Inspector General of Police. He has admitted that failure too on the part of CCD officers (i.e., the failure for at lest one CCD officer to be in uniform).

His view on the actions of the CCD speeding away to escape when the Weligama police night mobile patrol came at the time of shooting is reflected in the following excerpt:

ප්‍ර: සභාපතිතුමාට වැඩිය මම පියවරක් ඉදිරියට ගොස් ප්‍රශ්නය අහනවා. තුන්වැනි පාර්ශ්වයක් කොළඹින් ගිය කණ්ඩායමකට පාර අයිනේ ඉඳන් වෙඩි තිබ්බා නම් වැලිගම කණ්ඩායමක් එකතු කළා නම් ප්‍රහාරකයාට ප්‍රහාරයක් දෙන්න තිබුණේ නැද්ද?

උ: ඇත්ත වශයෙන්ම එසේ කිරීමට ද හැකියාවක් තිබුණා. මොවුන් ප්‍රකාශ කර තිබෙන ආකාරයට ජීප් එක එන අවස්ථාවේ පාර හරස් කරපු වෙලාවේ ඔබ කියනවා වාගේ වැලිගම පොලිසියේ ජීප් එකට ගිහිල්ලා කථා කරලා අපට මෙහෙම සිද්ධියක් වුණා. ඒකයි අපි වෙඩි තිබ්බේ.

දෙපැත්තම එකතු වෙලා අර මිනිහා අල්ලා ගන්න ක්‍රියා කරමු කියලා කටයුතු කිරීමේ අවස්ථාවක් තිබුණා.

ප්‍ර: ඒ විතරක් නොවෙයි, තව එස්.ටී.එෆ්. බස් එකක් තිබුණා, පොඩ්ඩක් එහා. ඒ ගොල්ලන්ගෙනුත් support එකක් ගන්න තිබුණා?

උ: ඒ ගොල්ලන් එහෙම කියලා තිබෙනවා. එහෙම තිබුණා නම් ඒ අයගේ support එක ගැනීමේ හැකියාව තිබුණා.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: ඒ වෙලාවේ ආවේ වැලිගම පොලීසියේ නයිට් මොබයිල් එක නේ. නයිට් මොබයිල් එක යන්නේ සිද්ධියක් සිද්ධ වෙලා කියලා දැන ගෙන ඒක විමර්ශනය කරන්න නොවෙයි නේ?

උ: මේක වෙන වැඩකට ගිහිල්ලා එන එකක්. මෙතැනදී අහම්බෙන් සෙට් වෙච්ච එකක් නේ, ස්වාමීනි.

ප්‍ර: නයිට් මොබයිල් එක සිද්ධියක් වුණත් නොවුණත් සංචාරය කරනවා?

උ: එහෙමයි.

ප්‍ර: පාරේ තිබෙනවා?

උ: ඔව්.

ප්‍ර: ඒක තමයි නයිට් මොබයිල් එක කියන්නේ?

උ: එහෙමයි.

ප්‍ර: සිද්ධියක් වන නොවන එක වෙන එකක්?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඒ වාගේ වෙඩි තැබීමක් සිද්ධ වුණොත් ඒ ගොල්ලෝ යන පාරේ ඒක අනිවාර්යයෙන්ම ඒ ගොල්ලන්ගේ විෂය පථයට වැටෙනවා නේ?

උ: අනිවාර්යයෙන්ම විෂය පථයට වැටෙනවා. ඒ ගොල්ලන්ගේ ඇස් ඉදිරිපිට ඒ වාගේ දෙයක් සිදු වුණා නම් ඒ ගොල්ලෝ අනිවාර්යයෙන්ම මැදිහත් වෙන්න ඕනෑ, ස්වාමීනි.

ප්‍ර: ඒ බව CCD එකේ අය නොදැන ගන්න හේතුවක් නැහැ නේ?

උ: එතැන හිටපු නිලධාරීන්ගේ ජ්‍යෙෂ්ඨත්වයයි, ඒ ගොල්ලන්ගේ අත් දැකීම් එක්ක ඒක ඒ ගොල්ලෝ නොදැන ගන්න විධියක් නැහැ, ස්වාමීනි.

ප්‍ර: එහෙම නම් ඒ ගොල්ලන් අනිවාර්යයෙන්ම කළ යුතුව තිබුණේ මොබයිල් එකේ සහය පැතීම.

උ: අනිවාර්යයෙන්ම ඒ ගොල්ලන්ගේ සහාය ලබා ගැනීමට ඒ අය කටයුතු කළ යුතුව තිබුණා.

Moreover, the unjustifiable and abrupt end of the mission the Respondent IGP had assigned to ASP Neville de Silva is clear from the following questions and answers:

ප්‍ර: ඒක මර්දනය කරන්න යවපු නිලධාරීන්ට දැන් ඔය හරියට ගියේ ඔය විමර්ශනයට අදාළ සැකකරුවන් හොයන්න නේ ඔය හරියේ සංචාරය කළේ?

උ: එහෙම කියලා නේ ලියලා ගිහින් තිබෙන්නේ.

ප්‍ර: එහෙම ගියාම සංවිධානාත්මක අපරාධ කරුවන්ගෙන් කියලා විශ්වාස කරන්න පුළුවන් වෙඩි තැබීමකට ලක් වෙලා පොලිස් නිලධාරීන් මිය ගියාම ඒක භයානක තත්ත්වයක් කියලා මහත්මයා පිළිගන්නවාද?

උ: ඔව්. ඔවුන් කියපු විධියටත් පාතලයේ ඒ ලිස්ට් එකේ මිනිසුන් අල්ලන්න ගියාම පාතාලයේ මිනිහෙක් වෙඩි තියලා පොලිස් නිලධාරියෙක් මැරුණා නම් ඒක බරපතළ තත්ත්වයක්, ස්වාමීනි.

ප්‍ර: ඒක බරපතළ තත්ත්වයක්. මොකද, වෙඩි තියපු මිනිහාත් හොයා ගන්න නැහැ?

උ: ඔව්, ස්වාමීනි.

ප්‍ර: එතකොට පාතලයේ හෝ නාදුනන තුවක්කුකරුවෙක් හෝ රාජකාරියට ගිය පොලිස් නිලධාරියෙක් වෙඩි තබා ඝාතනය කරනවා කියන්නේ බරපතළ තත්ත්වයක්?

උ: ඔව්.

ප්‍ර: ඒක නිසා දැන් මහත්මයා කියන විධියට සම්පූර්ණයෙන්ම විමර්ශන සංවිධානය කඩාගෙන වැටුණා?

උ: ඔව්. ඒක මම ආයේ කරන්න අත ගැහුවා නම් අනිවාර්යයෙන්ම- මට ඒක කරන්න බැරුව ගියා. STF එක වාගේ එකක් එක්ක combined කරලා තමයි ඊළඟ සැරේ කරනවා නම් කරන්න වෙන්නේ. මොකද, threat එකක් තිබුණා ඒ level එකත් එක්ක. මොකද හේතුව ස්වාමීනි, underworld එකේ මිනිහෙක් වෙඩි තිබ්බා කියලා ඒ ගොල්ලෝ කිව්වා නේ කථා කරලා. එහෙම එකක් වෙලා නැහැ පලයල්ලා භය නැතුව කියලා තව කණ්ඩායමක් මට යවන්න පුළුවන් වාතාවරණයක් තිබුණේ නැහැ. මොකද, නිලධාරීන්ගේ ජීවිත නැති වුණොත් ඒක වග කීමක් වනවා නේ.

ප්‍ර: ඒක ඇත්ත වශයෙන්ම සංවිධානාත්මක අපරාධකාරයෝ වෙඩි තියලා ඒ වෙඩිල්ලකින් පොලිස් සැරයන් උපුල්ව ඝාතනය කළා නම් ඒ හේතුවෙන් ඔය විමර්ශන සංවිධානය ඔබතුමා කරන්න

පටන් ගත්ත කර්තව්‍ය සම්පූර්ණයෙන්ම කඩාගෙන වැටුණා නම් සංවිධානාත්මක අපරාධකාරයෝ ජයග්‍රහණය කරලා තිබෙනවා?

උ: ඔව්, ඒ ලැයිස්තුවේ කට්ටිය අල්ලන එක break වුණා එතැනින්. නමුත්, යුක්තියේ මෙහෙයුම මත්ද්‍රව්‍ය වැටලීම් කරන එක අපි නතර කළේ නැහැ. මාතර ප්‍රදේශයේ වැඩ නැවැත්වූයේත් නැහැ. නමුත්, මේ ලිස්ට් එක ඔස්සේ මිනිසුන් අත්අඩංගුවට ගැනීම break වුණා. එය මත්ද්‍රව්‍ය ජාවාරම්කාරයන්ට ලැබිච්ච ජයග්‍රහණයක් විධියට සලකන්න පුළුවන්.

ප්‍ර: එහෙම බැලුවාම හරක්කටාගේ ජාලය සම්බන්ධව කරන විමර්ශනය පවත්වාගෙන යන්න කලින් ඒ වෙඩි තියපු එක ගැන විමර්ශනය කරලා මොකක් හරි කරන්න ඕනෑ?

උ: අනිවාර්යයෙන්ම කවුරු හරි මිනිහෙක් වෙඩි තියලාද, එහෙම නැත්නම් මිනිහා තිබ්බේ නැහැ කියන කථාව ඇත්ත ද කියන එක තහවුරු කර ගත යුතු වනවා.

When the learned Additional Solicitor General confronted the Respondent IGP with the evidence of the police officers who were on duty at Imaduwa Highway Entrance, when the CCD van came there after the shooting incident, the Respondent IGP has admitted the fact that the CCD team members had failed to divulge to the Police officers at Highway entrance that there were two police officers with gunshot injuries inside the van and in particular their failure to divulge the fact that one of the injured was in critical condition, is a questionable conduct on the part of the members of the CCD team. Furthermore, the Respondent IGP has clearly stated that the conduct of the police officers on duty at Imaduwa Highway Entrance who gave evidence before this Committee of Inquiry is not questionable. The Respondent IGP has stated that he never instructed the CCD officers to go to Weligama without informing the local police authorities.

Regarding the approval granted by him for the payment of the reward to PS Upul of the CCD who was killed in the shooting incident, the Respondent IGP even at present takes the view that there was nothing wrong in rewarding PS Upul of the CCD who was killed in this shooting incident. This is reflected in the following question and answer:

ප්‍ර: අවුරුදු එකහමාරකට පස්සේ ඒ දෙස බලනකොට මේ නිලධාරින්ගේ ක්‍රියාකාරිත්වය ගැන ප්‍රශ්න සහගත බවක් පේන්නේ නැත්ද?

උ: මට නවම එහෙම පේන්නේ නැහැ. එයට හේතුව වශයෙන් අද උදෙන් මම කරුණු දැක්වුවා. ඔවුන් දැනට සිටින තත්ත්වයත් ඉදිරියේදී නැවත වෙනස් කරයි කියලා දැඩි විශ්වාසයක් මට තිබෙනවා.

When the learned Additional Solicitor General asked the Respondent IGP as to why no steps were taken to reward either the Weligama police officers in the night mobile patrol or the other members of the CCD, the position taken up by the Respondent IGP is that there was no such application initiated by those down the line of command. At another point, the Respondent IGP has taken the position that such payments could not have been made as there was no final conclusion as to the legality or illegality of the actions of the police officers involved in the incident. When confronted as to why then the reward was approved for PS Upul of the CCD only, the Respondent IGP has failed to give any distinction/explanation acceptable to the Committee of Inquiry. This position is reflected by the following excerpt reproduced from his evidence during the cross-examination:

උ: ඒවා විමර්ශනයට භාජනය වෙනවා ස්වාමීනි. ඒ ප්‍රශ්නගත අවස්ථාවල් විමර්ශනයට භාජනය වෙලා, ක්ලියර් එකක්, තීරණයක් ඇවිල්ලා ඒ ඉන්ක්වයරි කරන කට්ටිය ගෙන්වලා මේ ගොල්ලන් මේ මේ කරුණු අනුව කියලා තිබෙන්නේ බොරු, මේක නොවෙයි මෙතැන වෙලා තිබෙන්නේ කියලා.

ප්‍ර: කවුද ඒවා විමර්ශනය කළේ?

උ: මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිගේ පූර්ණ අධික්ෂණය යටතේ ASP වැලිගම තමයි ඔය ඉන්ක්වයරිය හැන්ඩල් කරලා තිබෙන්නේ.

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ප්‍ර: දේශබන්ධු මහත්මයා, 31 වෙනකොට සම්පූර්ණ රාජ්‍ය යාන්ත්‍රණය සහ ඔබ දෙපාර්තමේන්තුව මිය ගිය උපුල් කියන නිලධාරියා පොලිස් දෙපාර්තමේන්තුවේ වීරයෙක් කරලා 3 වැනිදා වනකොට උසස් වීමකටත් නිර්දේශ වෙලා ඉවරයි?

උ: ඔව්.

ප්‍ර: නමුත්, ඒ හා සමගාමීව ඒකාබද්ධ යුද හමුදා පොලිස් කණ්ඩායමකුත් වැලිගම හිටියා, මේකට සම්බන්ධ වෙච්ච?

උ: 'යුක්තිය' මෙහෙයුම යටතේ ආවේ කියලා ඒ ගොල්ලන් කියලා තිබෙනවා.

ප්‍ර: ඔබතුමාගේ මෙහෙයුම යටතේ තව කට්ටියක් හිටියා?

උ: ඔව්.

ප්‍ර: දැන් ඒ අයට කිසි ඇගැයීමක් වුණේ නැහැ?

උ: ස්වාමීනි, ඔබතුමාට මම පැහැදිලිව කියන්න ඕනෑ. මියගිය නිලධාරියා කොළඹ අපරාධ කොට්ඨාසයට අනුයුක්තව හිටපු නිලධාරියෙක්. ඔහු CCD commander හැටියට හිටපු නිලධාරියෙක්. ඒ නිසා එයාට මැරුණාට පස්සේ reward එකක් දීම initiate කරලා තිබෙනවා කියලා CCD එකේ OIC සහ director ඒ ක්‍රියාවලියේ, - වැලිගම පොලිසියේ නිලධාරින් අගයලා ඔහු හමුදා නිලධාරියෙකුටත් reward දෙන්න පුළුවන්. ඒකේ කිසි ප්‍රශ්නයක් නැහැ. එහෙම initiate කරනවා නම් HQI වැලිගම ඒක initiate කරලා, ASP වැලිගම, SSP මාතර DIGලා හරහා මට ආවා නම් reward එකක් දෙන්න කියලා ඒ ගොල්ලන් කරලා තිබෙන ක්‍රියාවලිය යහපත් තත්ත්වයක් තිබුණා නම් මට ඒකටත් දෙන්න තිබුණා. නමුත්, මේකේ මැරුණු මනුස්සයාට හැර ඒ ගිය team එකේ අනෙක් මිනිස්සුන්ටවත් ඒ ගොල්ලන් යෝජනාවක් ගෙනැල්ලා නැහැ, reward එකක් දෙන්න කියලා.

ප්‍ර: ඒක තමයි. මම ඔබට යෝජනා කරන්නේ කොළඹ අපරාධ කොට්ඨාසයේ ස්ථානාධිපතිගේ ක්‍රියා කලාපයම අස්වාභාවිකයි කියලා. මොකද, තුවාල වෙච්ච මිනිහාට ඉල්ලන්නේ නැහැ.

උ: ගරු ඔබතුමාගේ අවධානයට මම යොමු කරනවා, එදා reward application එකේ මේ මනුස්සයාට ලක්ෂ 15ක් දීලා ඇන්සලම් ද සිල්වා ඇතුළු අනෙක් කණ්ඩායමේ මිනිස්සුන්ටත් ලක්ෂ 5 ගානේ දුන්නේ නැත්තේ ඇයි කියලාද ඔබතුමා අහන්නේ.

ප්‍ර: දෙන්න ඕනෑ කියලායි මම කියන්නේ?

උ: ඇයි ඒ? අද ඔබතුමාම තර්ක කරනවා, අර මනුස්සයාට ලක්ෂ 15 ක් දුන් එක වැරදියි කියලා.

ප්‍ර: නැහැ. නැහැ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මම හිතන්නේ, එතුමා ඒ ප්‍රශ්නය ඇහුවේ ඔබතුමාගේ ස්ථාවරය ඒක නම් මිය ගිය,?

උ: ඔහු මිය ගිය නිසා පමණයි ස්වාමීනි, ඔහුට ලක්ෂ 15 ක් දුන්නේ. මේ ප්‍රශ්නයට අදාළ විමර්ශනයක් යනවා, විමර්ශනයෙන් මොකක් හරි තීරණයක් එනකල් මේකට අදාළ කිසි කෙනෙකුට ගෙව්වේ නැහැ. උපුල් කියන නිලධාරියාත් මැරුණේ නැත්නම් එයාට මේ reward එක දෙන්නේ නැහැ.

ප්‍ර: දැන් ඔබතුමාටම සැකයක් තිබෙනවා. මියගිය කෙනාට ගෙවනවා, compensation-?

උ: ඔව්.

ප්‍ර: ඊට පස්සේ ඔබතුමා කියනවා, අනෙක් තුවාල ලැබූ සහ වීර ක්‍රියාවක් කරපු කට්ටියට විමර්ශනයක් තියලා ගෙවන්න ඕනෑ කියලා. ඔබතුමා මියගිය අයටත් විමර්ශනයක් තියාගෙන මේකේ හරි වැරදි තෝරාගෙන ගෙව්වොත් හොඳයි කියන එක හිතුවේ නැද්ද?

උ: මම කිසිසේත් ඒ විධියට හිතන්නේ නැහැ, ස්වාමීනි. සිද්ධියකින් ඒ නිලධාරියා ජීවිතක්ෂයට පත් වෙලා තිබෙනවා. ඒ ඉදිරිපත් වෙච්ච කරුණු කාරණාවල ඒ මැරුණු පුද්ගලයා වරදක් කළා කියලා කිසිම ආකාරයකින් සටහනක් වෙන්නේ නැහැ. කොළඹින් මෙගොල්ලන්ව වාහනයට දමාගෙන අරගෙන ගිහිල්ලා තිබෙන්නේ?

The reward has been approved and paid on the basis that PS Upul of the CCD was shot and killed by an unknown gunman when the CCD team had attempted to arrest him in front of W15 hotel. However, admittedly the Respondent IGP by 6.00 am on 31-12-2023 had got to know with certainty that PS Upul of the CCD and SI Maduranga received gunshot injuries from Army Sergeant Ruchiranga who fired from his T56 gun while being a member of the Weligama police night mobile patrol. When confronted with his two contradictory positions, the Respondent IGP had stated as follows:

ප්‍ර: P2 තැගි වවුචරයේ තිබෙන්නේ පොලිස් සැරයන් උපුල් කියන නිලධාරියා නාඳුනන තුවක්කුකරුවකුගේ වෙඩි පහරින් මිය ගියා කියලානේ?

උ: එහෙමයි.

ප්‍ර: ඒකේ සත්‍යතාවක් නැහැ නේ?

උ: ඒකේ සත්‍යතාව පිළිබඳ තවම නිලධාරීන් කථා කරලා කියලා තිබෙනවා මොබයිල් එකෙන් වෙඩි තියලා තමයි මේවා වුණේ කියලා. ඒකේ ගැටලු සහගත තත්ත්වයක් ඇති වෙලා තිබෙනවා. නමුත්, අපට final තීරණයකට එන්න බැහැ. මොකද, නාඳුනන මිනිස්සු තිබ්බා කියන කාරණාව තවම නිෂේධ වෙලා නැහැ.

However, the Respondent IGP has admitted that the investigation carried out by the Weligama police station up until now has not confirmed any such position.

When further questioned, the Respondent IGP has reluctantly admitted that there was no conclusive finding as to which version is correct by 31-12-2023. The attitude and the interest taken by the Respondent IGP to lean on the version that there was firing by an unknown gunman and it is that firing which injured the CCD officers, could be seen from the following questions and answers recorded in the course of his evidence.

ප්‍ර: ඒක පැත්තකින් කියන්න. ඒක නොවෙයි. අපි තීරණය කරන්නේ මේකනේ. CCD එකෙන් මුලදී කියපු කතන්දරය විශ්වාස කරන්න, ඒගොල්ලන් කියපු ප්‍රකාශය හැර - ඇත්තටම ඔව්, ඒක එහෙම වෙන්න පුළුවන් කියලා හිතන්න වෙන බාහිර සාක්ෂියක් ස්වාධීන හෝ තහවුරු වෙන සාක්ෂියක් නැද්ද?

උ: ඒගොල්ලන් මුලින් කියපු කථාව පිළිගන්නත්, ඒ ගොල්ලන් කරන හුදු ප්‍රකාශ හැරෙන්න අපිට වෙන දේකුත් නැහැ. ඒ ගොල්ලන් දෙවැනියට කියපු ස්ථාවරයක් හරි කියලා පිළිගන්නත් ඒ ගොල්ලන් කියන කථාව හැර වෙන කථාවක් නැහැ. සාක්ෂියක් විධියට..

ප්‍ර: එතකොට ජංගම මුර සංචාරයේ යෙදුණු අයගේ ප්‍රකාශ?

උ: ජංගම මුර සංචාරයේ යෙදුණු අය කියන්නේ, - තුන්වැනි පාර්ශ්වයක් වෙඩි තැබුවාය කියන කථාව.

ප්‍ර: ඒ ගොල්ලන් කියන්නේ නැහැනේ? ජංගම මුර සංචාරයේ යෙදුණු කට්ටිය කියන්නේ නැහැනේ?

උ: නැහැ. ජංගම මුර සංචාරයේ යෙදුණු අය කියන්නේ නැහැ. ස්වාමීනි. මේගොල්ලන් කථා කරලා කිව්වානේ, අපට ඉස්සෙල්ලාම පාතාලයේ කට්ටියක් වෙඩි තිබ්බාය කිව්වානේ. ඒක එහෙම වුණා කියන්නත් සාක්ෂියක් නැහැ. නොවුණා කියන්නත් සාක්ෂියක් නැහැ, ස්වාමීනි.

ප්‍ර: එහෙම වුණාය කියලා සාක්ෂියක් නැහැ?

උ: නැහැ.

ප්‍ර: මම මේ කථා කරන්නේ අනිත් පැත්තට. ජංගම මුර සංචාරයේ කට්ටිය ඒ වෙලාවේම එතැනට ආපු කට්ටියක්.

උ: ඔව්.

ප්‍ර: ඒ ගොල්ලන් එහෙම එකක් කියන්නේ නැහැ?

උ: එහෙම එකක් කියන්නේත් නැහැ.

ප්‍ර: ඒ ගොල්ලත් මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි යටතේ ඉන්නා කට්ටිය. HIQ මහත්තයා යටතේ ASP අරුණලාල් යටතේ ඉන්නා කට්ටිය?

උ: ඔව්.

ප්‍ර: ඒ ගොල්ලන් ඉස්සරවෙලාම එතැනට ආවේ?

උ: ඔව්.

ප්‍ර: ඒ විතරක් නොවෙයි, වෙඩි තිබ්බේ?

උ: ඔව්.

ප්‍ර: වෙඩි තිබ්බේ, වෙඩි තියමින් ඉන්නා කට්ටියකට? CCD එකේ කට්ටියට?

උ: ඒ ගොල්ලන් -

ප්‍ර: මොකද, නැද්ද?

උ: වීදුරුව ඇතුළෙන් වෙඩි තබන අවස්ථාවේ ගිනි පුපුරු යනවා කියලා දැක්කා. නමුත් වාහනය නතර කරන අවස්ථාවේදී වෙඩි තැබීම අවසන් වෙලා තිබුණා.

ප්‍ර: ඒක හරි. හැබැයි, වෙඩි තියමින් හිටියා දැක්කා?

උ: ඒගොල්ලන් දැක්කා කියලා කියනවා. ඒගොල්ලන්ගේ නිලධාරින් දැක්කා කියලා කියනවා.

ප්‍ර: සාක්ෂි හරිනේ එතකොට?

උ: ඔව්.

ප්‍ර: ඒ වෙඩි පහරවල් වැදිච්ච. කෙනෙක් හිටියේ නැහැ? CCD එකේ කට්ටිය තියපු වෙඩි පහරවල් වැදිච්ච මිනිහෙක් හිටියේ නැහැ?

උ: ඔව්. ඉතින් තුවාල වෙලාවත්. මැරිලාවත් නැහැනේ ඒ වෙලාවේ.

ප්‍ර: හැබැයි, වෙඩි පහරවල් හෝටලයට වැදිලා තිබෙනවා?

උ: ඔව්.

ප්‍ර: මිනිහෙක් අල්ලා ගෙන නැහැ. පැනලා ගියපු මිනිහෙක් පස්සේවත් අල්ලාගෙන නැහැ.

උ: ඔව්.

ප්‍ර: කවුරුවත් එහෙම දැකලාය කියන්නේත් නැහැ?

උ: සිසිටී එකෙන් වෙඩි තියලා තියනවා.

ප්‍ර: මොබයිල් එකේ කට්ටිය ඒක දැකලා තිබෙනවා?

උ: ඔව්. ස්වාමිනි.

ප්‍ර: වෙඩි වැදිලා හානි වෙලා තිබෙනවා, හෝටලයට?

උ: ඔව්. ස්වාමිනි.

ප්‍ර: ඒවායෙන් සාමාන්‍යයෙන් අදහස් වෙන්නේ නැද්ද, මොබයිල් එකේ team එක කියන එක වැඩිය වෙන්න පුළුවන් කියලා?

උ: එහෙම එකක් ස්වාමීනි, මට තීරණය කරන්න බැහැ. නමුත් ඒ මොබයිල් එකේ කියන කට්ටිය -

ප්‍ර: නැහැ, තීරණය කරන්න නොවෙයි.

උ: මොබයිල් එකේ කට්ටිය තියපු වෙඩි පහරවල් තමයි CCD එකේ වාහනයේ හිටපු මිනිස්සුන්ට වැදුණේ කියන කථාව පිළිගන්න පුළුවන්. CCD එකේ වාහනය ඇතුළේ හිටපු මිනිස්සුන්ට වැදුණේ මොබයිල් එකේ මිනිස්සු තියපු වෙඩි පහරවල් කියන එක විශ්වාස කරන්න පුළුවන්.

ප්‍ර: මම අහන්නේ මෙන්න මේ ප්‍රශ්නය. ඔය CCD එකේ කට්ටියත් පොලිස් නිලධාරින්.

උ: ඔව්.

ප්‍ර: මොබයිල් එකේ කට්ටියත් පොලිස් නිලධාරින්.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඔය විමර්ශනය කරපු හෝ නොකරපු හෝ අයත් පොලිස් නිලධාරින්.

උ: ඔව්, ස්වාමීනි.

ප්‍ර: මහත්මයා, පොලිස්පති.

උ: ඔව්.

ප්‍ර: එවකට වැඩබලන පොලිස්පති.

උ: ඔව්.

ප්‍ර: ඒ කියන්නේ අන්තිම බලධාරියා. ඊට ඉහළින් එක් කෙනෙක් නැහැනේ පොලීසියේ? එතකොට පොලීසියේ නිලධාරින් කොට්ඨාස දෙකක්, දෙකක් කියනවා.

උ: ඔව්.

ප්‍ර: එකකට එකක් විරුද්ධයි.

උ: එකකට එකක් විරුද්ධයි කියන මතයට ස්වාමීනි, - මොකද, මුල් අවස්ථාවේදී වැලිගම පොලීසියේ කට්ටිය CCD එකේ කට්ටියට නොහඳුනන පුද්ගලයෙක් වෙඩි තැබුවාය කියන ස්ථාවරය ප්‍රතික්ෂේප කර තිබුණේ නැහැ.

ප්‍ර: කවුද, ප්‍රතික්ෂේප කළේ නැත්තේ?

උ: වැලිගම පොලීසියේ කට්ටිය. වැලිගම පොලීසියේ මොබයිල් එකේ කට්ටිය අර මුල් අවස්ථාවේදී -

ප්‍ර: ඒ ගොල්ලන් එහෙම එකක් දැකලා නැහැ.

උ: ඒක තමයි. එහෙම එකක් දැකලා නැහැ. CCD එකේ කට්ටිය කිව්වා, මේ පැත්තට එල්ල කරලා වෙඩි තිබ්බා කියලා.

ප්‍ර: ඒක තමයි මම කියන්නේ. ඒ ගොල්ලන් එහෙම එකක් දැකලා නැහැ.

උ: දැකලා නැහැ කියලා පිළිගන්නවා.

ප්‍ර: ඒ ගොල්ලන් එහේම එකක් දැකලා නැත්නම් - මම මේ අහන ප්‍රශ්නය ගැන පොලිස්පතිතුමා විධියට හිතන්න.

උ: හරි.

ප්‍ර: CCD එකේ නිලධාරීන් කොළඹ ඉඳන් ඇවිල්ලා එක්කෝ හෝටලයට හෝ පැනලා ගියපු පුද්ගලයෙකුට හෝ කාට හෝ වෙඩි තියපු කට්ටිය.

උ: ඔව්.

ප්‍ර: බැලූ බැල්මට ඒ ගොල්ලන්ට හේතුවක් නැහැ.

උ: ඔව්.

ප්‍ර: වෙඩි තැබීමට හේතුවක් නැහැ.

උ: ඔව්.

ප්‍ර: ඒ වාගේම වෙඩි තියලා මැරිව්ව කෙනෙකුත් නැහැ.

උ: ඔව්.

ප්‍ර: මොබයිල් එකේ කට්ටිය - වැලිගම මොබයිල් එකේ කට්ටිය එහෙම නොවෙයි. ඒ ගොල්ලන් සම්පූර්ණයෙන්ම ස්වාධීන කණ්ඩායමක්.

උ: ඔව්.

ප්‍ර: ඒගොල්ලන් දන්නේ නැහැනේ, මෙතැන මොකක්ද කියලා. පොලීසියේ, CCD එකේ කට්ටියක් ඉන්නවා ද කියලා දන්නේත් නැහැ.

උ: එහෙමයි. ස්වාමිනි.

ප්‍ර: දන්නවා නම් වෙඩි තියන්නේ නැහැනේ.

උ: ඔව්.

ප්‍ර: ඒගොල්ලන් හිතුවේ මේගොල්ලන් පාතාලයේ කට්ටියක් කියලා. එතකොට ඒ ගොල්ලන් වෙඩි තිබ්බා.

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: එතකොට CCD එකේ එක් කෙනෙක් මැරුණා.

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: ඒ ගොල්ලන් දකින්නේ නැහැ. ඈනලා ගියපු පුද්ගලයෙක්. මහත්මයා පොලිස්පති විධියට, ඔය කියන කණ්ඩායම් දෙකේම නායකයා විධියට මොබයිල් එකේ කණ්ඩායම කියන එක ඒ විධියට වෙන්න පුළුවන් කියලා මහත්මයාට හිතුණේ නැද්ද?

උ: ස්වාමීනි, වැලිගම පොලිසියෙන් ඔය මොබයිල් එක පොලිසියේත් ස්ථානාධිපති තමයි වැලිගම මුලස්ථාන පොලිස් පරීක්ෂක, ඔහු ඒ ගොල්ලන්ගේ මේ සිද්ධියෙන් පස්සේ 31 වැනිදා උදේ 6-7 වෙන කොට ලිඛිතව පණිවුඩයක් ලබා දීලා තිබෙනවා. මේ සිද්ධිය සම්බන්ධව කොළඹ අපරාධ කොට්ඨාසය ඇතුළු තවත් වගකිව යුතු ආයතන ගණනාවකට, එහිදී ඔහු මේ සිද්ධිය සම්බන්ධව කියා තිබෙන්නේ ඒ වෙනකොට වැලිගම පොලීසිය දරපු ස්ථාවරය. ඔබතුමා සඳහන් කළා වාගේම වැලිගම පොලිසියේ මොබයිල් එකෙන් මේ මනුස්සයෙකුට වෙඩි තියලා ඒකෙන් තමයි මේ අය තුවාල වුණේ කියන කාරණාව සඳහන් වෙනවා. CCD එකේ වාහනයේ හිටපු කට්ටිය ඒගොල්ලන්ට හඳුනන්නේ නැති පුද්ගලයෝ කණ්ඩායමක් වෙඩි තිබ්බා කියලා කියනවා; ප්‍රකාශ කරනවා. මේක සම්බන්ධයෙන් පරීක්ෂණ පවත්වා තිබෙනවා කියලා දැනුම් දීලා තිබෙනවා. ඒක තමයි ඔවුන්ගේ ස්ථාවරය වෙලා තිබෙන්නේ. ඒ නිසා මට මේ CCD එකේ කට්ටිය බොරු කියන්නේ. වැලිගම කට්ටිය තමයි ඇත්ත කියන්නේ කියලා එතැනදී වෙනසක් හඳුනා ගන්න බැහැ. නමුත් වැලිගම කට්ටිය කියන ප්‍රකාශයත් සත්‍යයි. CCD එකේ කට්ටිය කියන කථාවත් සත්‍යයි කියන එක තමයි මගේ ස්ථාවරය වුණේ.

ප්‍ර: වැලිගම මොබයිල් එකේ කට්ටිය කියන එක සත්‍යයක් නම්, CCD එකේ කණ්ඩායම මුලදී කියපු එක අසත්‍යයක් නම්, CCD එකේ කණ්ඩායම අනිවාර්යයෙන්ම නීත්‍යානුකූල නොවන දෙයක් කර තිබෙන්නේ? ඒක හරිද?

උ: ස්වාමීනි, ඒකට මම පිළිතුරක් දෙන්නේ, මම ඒ වනවිට හෝ මගේ වාරණ නියෝගය ලැබෙන තාක්කල් CCD එකේ කට්ටිය අසත්‍යයක් කිව්වේ කියන කාරණාව සම්බන්ධයෙන් මගේ කිසිම දැනුමක් නැහැ. එදාට පසුව තිබුණු තත්ත්වයක් පිළිබඳව තමයි ඔබතුමා මගෙන් විමසීමක් කරන්නේ. ඒ කියන්නේ CCD එකේ කට්ටිය කිව්වේ බොරුවක් කියලා -

ප්‍ර: නැහැ. ඒ දෙකම නොවෙයි. මම කියන්නේ "නම්"; "if" -

උ: බොරුවක් නම් ඉතින් ඒක -

ප්‍ර: එච්චරයි. ඔබතුමා ගත් මතය නොවෙයි.

උ: බොරුවක් නම්, ඒක වැරදියි කියන එක පිළිගන්නවා.

ප්‍ර: ඒක නීත්‍යානුකූල නොවන ක්‍රියාවන්නේ?

උ: බොරුවක් නම් -

ප්‍ර: ඔක ඇත්තක් ද, බොරුවක්ද කියලා හොයා ගන්න නම් විමර්ශනයක් කරන්න වෙනවා.

උ: අනිවාර්යයෙන්ම.

ප්‍ර: ඒ විමර්ශනය වැලිගම - වැලිගම පොලීසිය මාතර පොලීසිය යටතේ තිබෙන්නේ?

උ: ඔව.

ප්‍ර: එතකොට ඒක එක පැත්තක්.

උ: ඔව්.

ප්‍ර: CCD එක තව පැත්තක්.

උ: ඔව්.

ප්‍ර: එතකොට වැඩියෙන්ම හොඳ ක්‍රියාව තමයි ඔය දෙකටම නැති ස්වාධීන unit එකකට ඕක භාර දෙන එක.

උ: මට ඒ වෙලාවේ එහෙම දෙයක් හිතුණේ නැහැ. මොකද, හේතුව ස්වාමීනි, කවුරුවත් කියලා තිබුණේ නැහැ, - මේ කරන විමර්ශනය පිළිබඳ සැක පහළ කරලා තිබුණේ නැහැ. අඩුම ගණනේ මාතර මහෙස්ත්‍රාත්වරයාට ඔය CCTV අරගේ මෙහේ කථාවක් තිබුණා නම්, මේක වෙන බාහිර එකකට දමන්න කියලා මට කිව්වා නම්, අනිවාර්යයෙන්ම මම නොකර ඉන්නේ නැහැ. මොකද, හේතුව මට කිසිම කෙනෙක්ගෙන් - මම කොළඹ ඉන්නේ. මට නිරීක්ෂණය වුණේත් නැහැ. එහේ හිටපු අයට නිරීක්ෂණය වෙලාත් නැහැ, එහෙම අවශ්‍යතාවක් තිබෙනවා කියලා.

ප්‍ර: වැලිගමින් හෝ මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා විසින් හෝ ඔය සිද්ධිය සම්බන්ධයෙන් කරපු විමර්ශන කොච්චර කාලයක් විතර නිස්සේ කරගෙන ගියාද, සාමාන්‍ය තත්ත්වයකට එන්න?

උ: සාමාන්‍යයෙන් මාසයක විතර වාගේ කාලයක්.

ප්‍ර: එතකොට ඒක ඉවර වුණාද? එහෙම නැත්නම් ඊට කලින් CID එකෙන් භාර ගත්තාද?

උ: නැහැ. ඒක දිගටම කෙරෙමින් පැවතුණා. මාසයක් විතර වෙනකම් ස්පීඩ් ගිහිල්ලා ඊට පසුව තව තව අලුතින් සිදුවීම් එද්දී ඒක ටිකක් උදාසීන ස්වරූපයෙන් ඇදි ඇදී තිබුණා, ස්වාමීනි.

ප්‍ර: ඔය විමර්ශනයෙන් ප්‍රතිඵල දෙකක් වෙන්න පුළුවන්. එකක් තමයි සීසීඩී එකේ කට්ටිය කරපු දේ නීත්‍යානුකූල නොවෙයි කියන එක.

උ: ඔව්.

ප්‍ර: එහෙම නැත්නම් CCD එකේ කට්ටිය ඇත්තටම නීත්‍යානුකූල වැටලීමකට ඇවිල්ලා, ඔය කියපු විධියට නාඳුනන තුවක්කුකරුවෙකුගේ වෙඩි පහරට ලක්වුවා කියන එක. ඔය දෙකෙන් එකක්නේ, වෙන්න පුළුවන්.

උ: ඔව්.

ප්‍ර: ඒ දෙකෙන් එකක්වත් හොයාගෙන නැහැනේ, 31 වෙනකොට?

උ: ඔව්.

ප්‍ර: මොකද, විමර්ශන මාසයක් විතර ගියා නේ?

උ: ඔව්. අපිට අපේක්ෂා කරන්නත් බැහැ ස්වාමීනි, ඒ වාගේ දවස් 2ක් ඇතුළත ඇවිල්ලා ඕකටත් තීරණයක් හොයාගන්න පුළුවන් වෙයි කියලා.

The Respondent IGP has also admitted that Acting Director CCD ASP Neville de Silva did not visit the scene of the crime on 31-12-2023. The reason he attributes to that is the possibility that ASP Neville de Silva would have faced allegations that he influenced the investigations conducted by Weligama police station. However, there are two parties who had claimed to have opened fire in this shooting incident. One party is the Weligama police night mobile patrol. The other party is the CCD team led by CI Anslem de Silva. It is the version of the Weligama police night mobile patrol that they shot at a group of persons opening fire at W15 hotel, thinking that it was an underworld group firing at the hotel for what they suspected at that time was a move to take ransom from the hotel owners.

The Weligama police night mobile patrol team is part of Weligama police station. Even the Respondent IGP has now admitted that it is wrong for the CCD team to have escaped from the scene after Weligama night mobile patrol jeep came there. Despite Police Sergeant Sisira Kumara and Army Sergeant Ruchiranga giving statements to OIC Crimes Weligama, by 6.00 am on 31-12-2023, no further investigation or action has been taken by Weligama police station against the CCD officers. They have just been released on 31-12-2023 itself. The Respondent IGP still states that investigations are proceeding. What that investigation has produced, he does not know. The Respondent IGP has also failed to give a reason as to why he did not direct an investigation to be carried out by an independent unit. The situation

becomes very serious not merely because the Respondent IGP at that time had failed to direct an independent investigation unit to take over the investigation into this shooting incident, but because he still justifies his omission to make such directions.

Regarding **P-45**, **P-46**, **P-47** and **P-48**, the Respondent IGP similarly takes up the position that he conveyed to the National Police Commission what the DIG conveyed to him about the incident. When he was confronted with **P-49** and **P-50** which are the reports submitted to the National Police Commission by the present Acting Inspector General of Police SDIG Priyantha Weerasooriya, he gave the following answer:

ප්‍ර: P49 සහ P50 කියන ලේඛන බලන්න, වර්තමාන වැඩබලන පොලිස්පති ප්‍රියන්ත වීරසූරියට විමසා තිබෙන ලේඛනය සහ ඔහුගේ ප්‍රතිචාරය. ඔබතුමා ඒ දෙකේ යම්කිසි වෙනසක් දකිනවාද? වර්තමාන වැඩ බලන පොලිස්පතිවරයා දීර්ඝ විමර්ශන ප්‍රගතියක් -

උ: ඔහු ඒ වාර්තාව යවලා තිබෙන්නේ අර සිද්ධියට සම්බන්ධ වුණු නිළධාරීන් විසින් CID විමර්ශනය ආරම්භ කළාට පස්සේ ලැබුණු ප්‍රකාශ වලින් අනාවරණය වුණු කරුණු. එවැනි නිලධාරීන් විසින් කරන ප්‍රකාශයක්, මා රාජකාරි කළ කාල සීමාව තුළ එවැනි ප්‍රකාශයක් ගිහින් තිබුණේ නැහැ. එහෙම එකක් තිබුණා නම් සමහර විට මමක් එවැනි වාර්තාවක් එවන්න තිබුණා.

The position taken up by CI Anslem de Silva (the team leader of the CCD team in the van WP PK-7225) is that they undertook an illegal mission to open fire at W15 hotel at Weligama in the night of 31-12-2023 on the illegal instructions given to them in that regard by the Acting Director CCD ASP Neville de Silva. If so, why is the Respondent IGP so interested in defending either the Acting Director CCD ASP Neville de Silva or CI Anslem de Silva or his team? No explanation for this concern could be found from the evidence adduced before this Committee of Inquiry. Such an interest on the part of an IGP does not stand to reason.

On the other hand, since he is the Inspector General of Police he oversees both Weligama police station, Matara Police Division, CCD and all the other officers in Sri Lanka Police. The question arises as to why he picked on a version which has also now been made invalid by its authors themselves and by the learned Magistrate of Matara by the Order dated 27-02-2025. This situation becomes further serious as the Respondent IGP even at present attempts to justify his action of not taking any interest to direct an independent investigation.

As pointed out by the learned Additional Solicitor General, the Respondent IGP in his second affidavit has rejected the statement of PS 16089 Ajith Sisira Kumara who was in charge of the Weligama police night mobile patrol jeep on 31-12-2023. This is reflected in Clause 90 of his second affidavit dated 09-06-2025. It could therefore be seen that the Respondent IGP in this

regard has taken up different positions at different times. As this is a material fact, the Committee of Inquiry takes the view that it goes to the root of the issue of credibility of the positions taken up by the Respondent IGP. That is not in his favour. The learned Additional Solicitor General confronted the Respondent IGP with Clause 83 of his second affidavit dated 09-06-2025. From the said Clause (Clause 83), it could be seen that the Respondent IGP even in his second affidavit has accepted the fact that it was wrong for the CCD van to speed away when Weligama police night patrol jeep came and stopped at the time the CCD was firing in front of W15 hotel. If this is the view taken up by the Respondent IGP, why does he still attempt to justify the actions of the CCD team members in front of W15 hotel in Weligama? Why did he state in his report sent to NPC that there was no lapse on the part of CCD officers? Moreover, the Respondent IGP even at present, attempts his best to convince this Committee of Inquiry that the incident of shooting in front of W15 hotel at Weligama which occurred around 2.20 am on 31-12-2023 has happened in the way the CCD team members had first told the Weligama police station. This assumes a greater importance and concern because by this time CI Anslem de Silva and his other team members have abandoned their original position. Then what is the necessity for the Respondent IGP to still attempt to establish that version? That is a version which its authors themselves have now jettisoned, a version they admit having fabricated. Should this Committee accept such a version as the correct version? Answer is clearly no.

(25) Evidence of DIG Kapugamaralalage Jagath Chandra Kumara.

This witness was the Deputy Inspector General of Police in charge of Colombo District and therefore the CCD came under his direct supervision at the relevant time. Police Divisions namely: Colombo Central; Colombo South; Colombo North; Colombo Fraud Bureau; and Colombo Crimes Division; were all supervised by this witness in his capacity as the DIG Colombo. It is this witness who was in office as DIG Colombo during the relevant time of the shooting incident at Weligama on 31-12-2023. Although this witness first attempted to state in his evidence that the CCD was assigned the responsibility of conducting investigations into *Harak Kata's* heroin distribution network, later on he had stated that the assignment given to the CCD by the Respondent IGP was restricted to persons who maintained links with *Harak Kata*. Upon further questioning, he admitted that he had not seen any document in that regard. Thus, admittedly although he claims to have supervised investigations pertaining to *Harak Kata's* dealings, he remains a person who has not even seen **R-2** up until now. However,

he has told this Committee from his memory that the list contained the names of 149 persons. Then the question arises as to how he could remember this figure and told it to the Committee of Inquiry from his memory. The only explanation he has offered is that the Director CCD had told him at that time. When confronted, this witness has later on admitted that he could not have effectively supervised any investigation without even seeing the initial document relevant to the assignment. This is reflected from the following questions and answers:

ප්‍ර: එතකොට ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිතුමා ඒ ලේඛනය කාට දුන්නා කියලා ඔබතුමා දන්නවද?

උ: ඒක කොළඹ අපරාධ කොට්ඨාශයට විමර්ශන සඳහා භාර දුන්නා කියලා මම දැන ගත්තා.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: ඒ ලේඛනය දැකලා තිබෙනවාද?

උ: නැහැ ස්වාමීනී.

ප්‍ර: ඒක මොන වගේ ලේඛනයක්ද කියලා මහත්මයා දන්නේ නැහැ?

උ: මම දන්නේ නැහැ ස්වාමීනී.

ප්‍ර: ඒක කවද භාර දීපු ලේඛනයක්ද කියලාත් දන්නේ නැහැ?

උ: නැහැ ස්වාමීනී.

ප්‍ර: ඒකෙන් බලාපොරොත්තු වෙච්ච විමර්ශනය මොකක්ද කියලාවත් මහත්මයාට අවබෝධයක් නැතුව ඇති?

උ: ස්වාමීනී, මගේ මතකයේ හැටියට ඒකේ නම් 149 ක් වගේ ප්‍රමාණයක් තිබුණා. ඔවුන් සම්බන්ධව,-

ප්‍ර: දැක්කෙ නැහැ කිව්ව නේ?

උ: මට අධ්‍යක්ෂවරයා කියා තිබුණා. ලේඛනය දැක්කේ නැහැ. නමුත්, අධ්‍යක්ෂවරයා මට කියා තිබුණා මෙන්න මෙහෙම විමර්ශනයක් භාර දුන්නා කියලා.

ප්‍ර: සාමාන්‍යයෙන් අධ්‍යක්ෂවරයාත් එක්ක විමර්ශන ගැන කථා කරනවාද?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: හැමදාම වගේ?

උ: අපි රූස්වෙනවා දින දෙක තුනකට සැරයක්. එතකොට අපි සමාලෝචනය කරනවා විමර්ශන සම්බන්ධයෙන්.

ප්‍ර: ඔය වගේ සාකච්ඡා කරපු අනෙක් විමර්ශන මොනවද?

උ: ස්වාමීනී, ඒ කාල වකවානුවේම තමයි. තවත් අපරාධකරුවන් තවත් සිටිනවා, හරක් කටාට අමතරව්. කොළඹ අපි හඳුනාගත්ත කිඹුලා ඇළේ ගුණා, වැල්ලේ සාරංග, පුකුඩි කන්නා.

ප්‍ර: කිඹුලා ඇළේ ගුණා ගැන මොන වගේ විමර්ශනයක් ද කළේ?

උ: ස්වාමීනී, මම කොළඹ හිටපු කාලය තුළ සිදු වූ යම් යම් අපරාධවලදී මේ නම් කියැවුණා. මොවුන්ගේ සම්බන්ධතා කියැවුණා.

ප්‍ර: ඒකේ විමර්ශනය මොකක්ද කියලා හරියටම මතක නැහැ?

උ: මත්ද්‍රව්‍ය ජාලය සම්බන්ධයෙන් තමයි ප්‍රධානම විමර්ශනය සිදුවුණේ.

ප්‍ර: මහත්මයාට මතකද නැද්ද කියන්න?

උ: ස්වාමීනී, මට මතක තිබෙන්නේ, ඔවුන්ගේ අනුගාමිකයන්, ලංකාවේ ක්‍රියාකාරීන් සම්බන්ධ විමර්ශන තමයි භාර දුන්නේ.

ප්‍ර: කී දෙනෙක්ද?

උ: ප්‍රමාණයක් දන්නේ නැහැ.

ප්‍ර: මේකේ 149 මතක හිටියේ කොහොමද?

උ: අධ්‍යක්ෂවරයා කියා තිබුණා.

ප්‍ර: ඒක මහත්මයාට මතක හිටියේ කොහොමද කියන එක මට ප්‍රශ්නයක්. මහත්මයා ඔය ලේඛනය දැක්කේ නැහැ?

උ: ලේඛනය දැක්කේ නැහැ ස්වාමීනි.

ප්‍ර: අද වෙනකල් දැකලා තිබුණේ නැහැ?

උ: නැහැ.

ප්‍ර: 149 මතකයි?

උ: ඔව්.

ප්‍ර: ඒකයි මම ඇහුවේ තිඹුලා ඇළේ ගුණා ගැන. මෙසේ චිතරක් 149 ප්‍රමාණය මතක හිටියේ කොහොමද?

උ: ඒක මාධ්‍ය වලත් ගියා ස්වාමීනි.

ප්‍ර: මාධ්‍ය වල ගිය නිසා?

උ: එහෙමයි.

ප්‍ර: ඒ කියන්නේ වැලිගම සිද්ධිය මාධ්‍ය වල ගිය නිසාද?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: දැන් මේ විමර්ශනය මහත්මයා අධීක්ෂණය කළාද නැද්ද?

උ: සෘජුව අධීක්ෂණයක් නොවෙයි ස්වාමීනී.

ප්‍ර: මහත්මයාට තේරෙනවද මම අහන කාරණය?

උ: එහෙමයි.

ප්‍ර: මහත්මයා, අපරාධ අංශයේ නියෝජ්‍ය පොලිස්පති. විමර්ශනය අධීක්ෂණය කරන්න බැහැ නේ ඔය මොකක්වත් දකින්නේ නැතුව? එහෙම පුළුවන්ද අධීක්ෂණ කරන්න?

උ: බැහැ ස්වාමීනී.

DIG Jagath Chandra Kumara has admitted signing Police Form 439 to recommend the CCD team, led by CI Anslem de Silva, to travel to Weligama on 30-12-2023. Although at initial stages he had stated that he received approximately 100 such Police Form 439 documents, in face of further questioning, he has admitted that he only received 02 or 03 of such Police Form 439 documents in his office per day.

DIG Jagath Chandra Kumara has identified the documents marked **P-13** to **P-16**. It is his position that he signed **P -13** to **P-16** to recommend payment of reward, as he was satisfied that the team of CCD officers led by CI Anslem de Silva had gone to Weligama to engage in an official duty. According to him, he has verified this from the Acting Director CCD ASP Neville de Silva, SSP Matara Pandula Weerasinghe and ASP Matara Arunalal. It is the position of DIG Jagath Chandra Kumara that he still takes the view that SI Maduranga and PS Upul of the CCD team received injuries from gunfire which came from an unknown gunman. This is despite the fact that he continued to be in charge and supervised the CCD as DIG Colombo up until 05-

12-2024. His position in this regard would be gathered from the following questions and answers:

ප්‍ර: ඔය සිද්ධියට පසුව කවදා වෙන කල් CCD එකේ සිටියාද?

උ: 2024.12.05 වැනිදා වෙනකල් කොළඹ දිශාව භාරව සිටියා ස්වාමීනි. 2024.12.05 වැනිදා තමයි මම ස්ථාන මාරුවීම් ලැබුවේ.

ප්‍ර: දැන් මහත්මයාගේ ස්ථාවරය CCD එකේ පොලිස් සැරයන් උපුල්ට වෙඩි වැදුණේ නාඳුනන තුවක්කුකරුවෙක් තියපු වෙඩි පහරකින් කියා එක?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්මයා ඒක කියන්නෙත් එවකට CCD එක භාරව හිටපු නියෝජ්‍ය පොලිස්පතිවරයා විධියට?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: CCD එකේ මහත්මයා නියෝජ්‍ය පොලිස්පතිවරයා විධියට සිටියා 2024.12.05 වැනිදා වෙනකල්?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මේ සිද්ධියට පස්සේ අවුරුද්දකට ආසන්න කාලයක් සිටියා?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්මයා එවකට CCD එක භාර නියෝජ්‍ය පොලිස්පතිවරයා විධියට මහත්මයාගේ ස්ථාවරය සහ මහත්මයාගේ අවබෝධය CCD එකේ 2023.12.31 වැනිදා වෙඩි වැදිලා තුවාල වෙච්ච SI මධුරංගට තුවාල වුණේ නාඳුනන තුවක්කුකරුවෙකුගේ වෙඩි පහරකින් කියලා?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: ඒක ස්ථිරයි?

උ: මා දැනට දන්නේ එහෙමයි ස්වාමීනි.

ප්‍ර: ඒක තමයි මහත්මයා සොයා ගත්තේ?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්මයාගේ අවබෝධය අනුව වෙන කවුරුවත් වෙන විධියකට සොයා ගෙන

උ: මා දන්නා තරමින් නැහැ ස්වාමිනි.

ප්‍ර: මහත්මයාගේ සාක්ෂිය අනුව, මහත්මයා ඔය මතයට ආවේ මාතර ඔය විමර්ශනය භාරව ඉන්න නිලධාරීන්ගෙන් කරුණු විමසලා?

උ: ජ්‍යෙෂ්ඨ පොලිස් අධිකාරී, මාතරින් ස්වාමීනි.

ප්‍ර: ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි කවුද?

උ: ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි පණ්ඩුල වීරසිංහ.

ප්‍ර: මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා මහත්මයාට කිව්වේ ඔය විධියට ඔක වුණා කියලාද?

උ: එහෙමියි ස්වාමීනි.

ප්‍ර: මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරී පණ්ඩුල වීරසිංහ මහත්මයා කමන්ට කිව්වේ. ඔය CCD එකේ තුවාල වෙච්ච දෙදෙනාට තුවාල වුණේ නාඳුනන තුවක්කුකරුවකුගේ වෙඩි ප්‍රහාරයකින් කියලා?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: වැලිගම මු.පො.ප. ටත් කථා කළාද?

උ: නැහැ ස්වාමීනි.

ප්‍ර: වැලිගම පොලිස් නිලධාරීන් ඉහළ සිට පහළ සියලු තනතුරු, OIC (Crimes). නියෝජ්‍ය පොලිස්පතිවරයා, මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරය, වැලිගම ඒඑස්පී. වැලිගම එච්කිව්අයි. වැලිගම OIC (Crimes), ඒගොල්ලෝ සේරම ඔය ස්ථාවරය තමයි අරගෙන තිබෙන්නේ?

උ: ස්වාමීනි ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි කියපු දේ පමණයි මම දන්නේ. අනෙක් අය සමඟ මම සම්බන්ධ වුණේ නැහැ.

ප්‍ර: මහත්තයා ඔය ටික වාර්තාවකින් ද ගෙන්වා ගත්තේ නැත්නම් වාචිකවද? ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි පණ්ඩුල වීරසිංහ මහත්මයාගෙන් වාර්තාවක්ද ගෙන්වා ගත්තේ, නැත්නම් වාචිකවද?

උ: වාචිකව, දුරකථනයෙන් සම්බන්ධ වුණේ.

ප්‍ර: පණ්ඩුල වීරසිංහ මහත්මයා ඕක තමයි සොයාගෙන තිබෙන්නේ?

උ: එහෙමයි.

ප්‍ර: මහත්තයා කටයුතු කළේ ඒ අනුව?

උ: මම විශ්වාස කළා ස්වාමීනි.

ප්‍ර: තාමත් විශ්වාස කරන්නේ එහෙම?

උ: වෙනත් දෙයක් දැනගන්න ලැබුණේ නැහැ ස්වාමිනි, ඒ නිසා.

The Committee of Inquiry is compelled to observe here that unlike this witness, the Respondent IGP at least in the face of questioning did not take up the position that he up until now did not know that it was Army Sergeant Ruchiranga who was a member of Weligama night mobile patrol who shot at the van carrying CCD team. Thus, the question before the Committee is as to whose version of events this witness has sought to support before this Committee of Inquiry? It is one of his own but is a non-existent position.

Answering further questions, it was revealed that this witness remembered details of an incident in which a police officer was killed in the year 2003 when he functioned as ASP Avissawella. However, with regard to the incident of shooting which occurred in December 2023, this witness could not remember any material fact. This is despite the fact that CCD was directly under his purview at the relevant time. There is no acceptable explanation before the Committee of Inquiry as to why this witness did not remember the facts pertaining to the shooting incident at Weligama on 31-12-2023 which became widely publicized in the country and raised the concerns of the people in this country. The situation is further exacerbated as the facts pertaining to the 2003 incident which is more than 20 years ago are still fresh in his mind. This position DIG Jagath Chandra Kumara takes up in the minds of the Committee, would seriously affect his credibility particularly because he was the DIG who directly supervised the CCD at the relevant time.

This witness was the chairman of the committee appointed by the Respondent IGP which recommended a promotion to PS Upul of the CCD who was killed in the shooting incident at Weligama. The said committee under the chairmanship of this witness had comprised of SSP Colombo Central Lalith Leelaratne and CI Balasuriya who at that time functioned as the OIC of the Colombo Fraud Bureau. It is this witness's evidence that this committee unanimously recommended a granting of a promotion to PS Upul. He also admits recommending and signing the reward application and forwarding the same to the Respondent IGP. It is his position that he was satisfied after verification from the relevant local police authorities in Matara that PS Upul was killed by the gunfire from an unknown gunman. When asked whether he knew about the arrival of any mobile patrol from Weligama police station, he has provided the following answers before this Committee:

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: සාක්ෂිකරුට මොකක්ද මතක?

උ: ජංගම මුර සංචාරයක් සම්බන්ධව.

ප්‍ර: එතැනදී මොකාක්ද වෙලා තිබෙන්නේ?

උ: වැලිගම පොලීසියේ ජංගම මුර සංචාරක රථයක් මෙම ස්ථානයට ඇවිල්ලා කියලා එම වාර්තාවේ තිබුණා.

ප්‍ර: සාක්ෂිකරුට මතක එච්චරයි ද?

උ: ඔව්, ස්වාමීනි.

ප්‍ර: එච්චරයි මතක?

උ: එහෙමයි.

ප්‍ර: වැලිගම පොලිසියේ රාත්‍රී ජංගම මුර සංචාරයේ,-

උ: ඒ නිලධාරින් එම ස්ථානයට පැමිණියා කියලා ඒ වාර්තාවේ සඳහන් වුණා මතකයි.

ප්‍ර: මොකකින්ද ඇවිල්ලා තිබෙන්නේ?

උ: "ජංගම සංචාරය" කියලා තමයි සඳහන් වුණේ, ස්වාමීනි.

ප්‍ර: පයින් ද, වාහනයකින්ද?

උ: වාහනයකින්, ස්වාමීනි.

ප්‍ර: මොන වගේ වාහනයකින්ද?

උ: ජංගම සංචාරයක් කියලා තමයි සඳහන් වුණේ. වාහනයේ වර්ගය සඳහන් වුණාද කියලා මට මතක නැහැ, ස්වාමීනි.

ප්‍ර: වාහනයේ වර්ගය ඕනෑ නැහැ මහත්මයා. බස් එකක්ද, මොකක්ද?

උ: ජංගම රථය කියලා තමයි සඳහන් වෙලා තිබුණේ, ස්වාමීනි. මොකක්ද කියලා සඳහන් වෙලා තිබුණේ නැහැ.

ප්‍ර: සාමාන්‍යයෙන් පොලිස් ජංගම මුර සංචාර විවිධ වාහන වලින් යනවාද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: එදා ගිය වාහනය මොකක්ද කියලා මහත්මයා දන්නේ නැද්ද? මේ වෙන කොටත් දන්නේ නැද්ද?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: බස් එකක්ද, මෝටර් සයිකල් එකක් ද කියලා දන්නෙ නැද්ද?

උ: ජංගම රථයක් කියලා කමයි මම දන්නේ, ස්වාමීනි.

ප්‍ර: ජංගම සංචාරවල මෝටර් සයිකලුත් යනවා නේද?

උ: ඔව්, මෝටර් සයිකලුත් යනවා, ස්වාමීනි.

ප්‍ර: මෝටර් සයිකල් එකක්ද ගියේ කියලාත් මහත්මයා දන්නේ නැද්ද?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: මේ වෙනකල් දන්නේ නැද්ද?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: දන්නවා නම්, මේ අහන ප්‍රශ්නවලට උත්තර දෙනවානේ. නේද?

උ: එහෙමයි, ස්වාමීනි.

The afore-mentioned evidence given by this witness is self-explanatory. It is therefore the view of the Committee that one does not need any more reasons to understand the quality of the evidence of this witness who claimed to have supervised the investigations carried out by the CCD at the relevant time when the CCD team went to Weligama on 30-12-2023. Suffice it to say that DIG Colombo who was supposed to have supervised CCD as at the date relevant to this incident does not exclude the possibility that it could be even a motor bicycle which came as the mobile patrol from Weligama Police to the place where the shooting took place. It is with this knowledge that he has recommended a payment of reward and chaired the Committee which had recommended a promotion to PS Upul who was killed in the relevant incident of shooting. This Committee regrets its inability to accept and act upon the evidence of this quality.

(26) Cross-examination of DIG Jagath Chandra Kumara by the Additional Solicitor General.

Answering the questions asked from him by the learned Additional Solicitor General, DIG Jagath Chandra Kumara has stated before this Committee that he permitted the CCD team led by Anslem de Silva to travel to Weligama in uniform. It was his position that if he knew that the said team was attempting to go to Weligama in civil clothes on 30-12-2023, he would not have allowed them to proceed to Weligama in that way. However, when the learned Additional Solicitor General confronted him with the document **P-15**, he had to admit that even at the time of granting his recommendation, the document **P-15** had already indicated that this team had requested permission to go to Weligama in civil clothes. It is that request which this witness had recommended to the Respondent IGP. Thus, this witness has taken up two completely contradictory positions in this regard.

It is the consistent position take up by this witness that Acting Director CCD ASP Neville de Silva informed him about the incident of shooting in which PS Upul of the CCD was killed, at about 9.00 am - 10.00 am on 31-12-2023 after he went to his office.

According to him, what ASP Neville de Silva had told him at that time was that PS Upul was killed and SI Maduranga was injured by gunfire by an unknown gunman. Despite the fact that he was informed by ASP Neville de Silva about this incident after he came to office between 9.30 am and 10.00 am, even to date he does not know as to what time ASP Neville de Silva had got to know about this incident. The answers provided by this witness to the questions posed to him in this regard shows that this witness does not understand or does not appreciate or does not care about the seriousness of this issue. It is the position of this witness that despite the fact that he continued to be the DIG Colombo overseeing affairs of the CCD up until 05-12-2024, he was not interested in probing further into this incident. The excuses he has given when repeatedly questioned in this regard are not acceptable to this Committee. Indeed, they are not excuses. This witness became uneasy when he was confronted with these questions. It is relevant to reproduce rather than paraphrasing the relevant parts of this evidence which is as follows:

ප්‍ර: එදා W15 හෝටලය ආසන්නයේ වෙච්ච සිද්ධිය තමුන් දැන ගත්තේ කීයටද?

උ: ස්වාමීනි. මගේ මතකයේ හැටියට නවයාහමාර, දහය වාගේ වෙලාවක තමයි දැන ගත්තේ.

ප්‍ර: උදේ?

උ: උදේ. ස්වාමීනි.

ප්‍ර: කවුද තමුන්ට නවයාහමාර, දහයට විතර ඒ සිද්ධිය දැනුම් දුන්නේ?

උ: මගේ මතකයේ හැටියට වැඩබලන අධ්‍යක්ෂවරයා විසින් තමයි මට සිද්ධිය දැනුම් දුන්නේ.

ප්‍ර: නම වශයෙන් සඳහන් කළොත් කවුද?

උ: සහකාර පොලිස් අධිකාරි නෙවිල් ද සිල්වා.

ප්‍ර: තමුන්ට දැනුම් දුන්න විධියට සිද්ධිය කීයට විතරද වෙලා තිබෙන්නේ?

උ: අලුයම කියලා කිව්වේ, ස්වාමීනි.

ප්‍ර: කියට විතරද?

උ: පාන්දර 4 වාගේ වෙලාවක.

ප්‍ර: තමුන් තමයි අධීක්ෂණ නිලධාරියා හැටියට කටයුතු කරන්නේ කොළඹ අපරාධ කොට්ඨාශයේ?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: තමා ඒ සිද්ධිය ගැන දැනුවත් වුණා කිව්වේ කීයටද?

උ: නවයහමාර, දහය වාගේ වෙලාවට, ස්වාමීනි.

ප්‍ර: දැන් අධීක්ෂණ නිලධාරියා හැටියට තමන් යටතේ තිබෙන ක්‍රණ්ඩායමක් යම්කිසි සිද්ධියකට මුහුණ පෑවාම ඒක තමුන්ට දැනුම් දෙන්න වග කීමක් තිබෙනවා නේද ඉතාම කඩිනමින්.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මේ අවස්ථාවේදී එහෙම දෙයක් වෙලා තිබෙනවාද?

උ: නැහැ, ස්වාමීනි. මට ඒක පසුව තමයි දැනුම් දීලා තිබෙන්නේ.

ප්‍ර: දැන් තමුන් කියන විධියටම තුනයි ගණනට වෙච්ච සිද්ධියක් තමුන්ට දැනුම් දෙනකොට වෙලාව කීයද කිව්වේ?

උ: නවයාහමාර, දහය වාගේ වෙලාවට තමයි.

ප්‍ර: අධීක්ෂණ නිලධාරියා හැටියට එහෙම සිද්ධියක් වුණාම ඉතා කඩිනමින් ඒක තමුන්ට කවුද දැනුම් දෙන්න ඕනෑ?

උ: අධ්‍යක්ෂවරයා දැනුම් දිය යුතුයි, ස්වාමීනි.

ප්‍ර: අධ්‍යක්ෂවරයා තමුන්ට දැනුම් දුන්නේ මොකක්ද ඒ අවස්ථාවේ?

උ: මේ සිද්ධිය සම්බන්ධයෙන් ස්වාමීනි, දැනුම් දුන්නා. නාදුනන වෙඩික්කරුවකුගේ වෙඩි පහරකට ලක් වෙලා දෙදෙනෙක් තුවාල ලැබුවා; පොලිස් සැරයන්වරයා මිය ගියා; කරාපිටිය රෝහලට ඇතුළු කළා කියන විස්තරය මූලික වශයෙන් ලබා දුන්නා, ස්වාමීනි.

ප්‍ර: ඒ කියන්නේ. සිද්ධිය සිදු වෙලා පැය කීයකට විතර පස්සේද අධීක්ෂණ නිලධාරියා හැටියට තමුන්ට ඒ දැනුම් දීම කරලා තිබෙන්නේ?

උ: පැය දෙක, තුනකට පස්සේ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: අධ්‍යක්ෂවරයා දැනගෙන තිබෙන්නේ කීයටද?

උ: ඒක දන්නෙ නැහැ. ස්වාමීනි.

ප්‍ර: දන්නේ නැහැ?

උ: අධ්‍යක්ෂවරයා දැනගත් වෙලාවක් සම්බන්ධව මම දැනුවත් නැහැ, ස්වාමීනි.

ප්‍ර: තවම දන්නේ නැද්ද?

උ: උදෑසන සිද්ධිය වුණ ගමන් උදෑසන කිව්වා කියලා ආරංචිය තිබුණේ. අධ්‍යක්ෂවරයා කිව්වේ පාන්දර කිව්වා කියන එක. වෙලාවක් සඳහන් කළේ නැහැ. ස්වාමීනි.

ප්‍ර: හරියටම වෙලාව නොවෙයි. සිද්ධිය සිදු වූ වහාම වාගේ අධ්‍යක්ෂවරයා දැන ගෙනද?

උ: ඒ සම්බන්ධව දන්නේ නැහැ, ස්වාමීනි.

ප්‍ර: මේ වන කල් දන්නේ නැද්ද?

උ: දන්නේ නැහැ. ස්වාමීනි.

ප්‍ර: මහත්මයාට ප්‍රශ්නයක් වුණේ නැද්ද, මහත්මයාට සෘජු අධීක්ෂණ නිලධාරියා විධියට නවයාහමාර වන කල් ඒ සිද්ධිය ගැන මහත්මයාට කිව්වේ නැහැ කියන එක කවුරුවත්?

උ: ප්‍රශ්නයක් වුණා, ස්වාමීනි. මම ඒ සම්බන්ධව විමර්ශනය කළා. අධ්‍යක්ෂවරයාගෙන් විමසා සිටියා ප්‍රමාදයට හේතුව සම්බන්ධව.

ප්‍ර: එකකොට?

උ: එතකොට මොකුත් කිව්වේ නැහැ, ස්වාමීනි.

ප්‍ර: මුකුත් කිව්වේ නැහැ?

උ: නැහැ.

ප්‍ර: මහත්මයාටත් ප්‍රශ්නයක් නැහැ?

උ: සිදුවීම සිදු වුණාට පස්සේ උසාවියේ නේ. වැඩිදුර සොයා බැලුවේ නැහැ.

ප්‍ර: සොයා බලන්න අවශ්‍යතාවකුත් වුණේ නැහැ.

උ: තිබුණා, ස්වාමීනි.

ප්‍ර: හොයලා බැලුවාද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මොකක්ද සොයා ගත්තේ?

උ: ඒ සිදුවීම ගැන අධ්‍යක්ෂවරයා විසින් දැනුම් දුන්න දේ නිවැරදියි කියලා පරීක්ෂා කළා, ස්වාමීනි.

ප්‍ර: සිද්ධිය ගැන නොවෙයි, මම අහන්නේ. මහත්මයාට දැනුම් දුන්නේ නැති එක ගැන?

උ: වෙනම විමර්ශනයක් කළේ නැහැ, ස්වාමීනි.

ප්‍ර: මහත්මයාට උනන්දුවක් තිබුණා ද ඒක හොයා ගන්න? විමර්ශන ගැන නේ හැම තිස්සේම කියනවා නේ.

උ: මට ඒ ගැන උනන්දුවක් තිබුණේ නැහැ, ස්වාමීනි.

ප්‍ර: මහත්මයාගෙන් දැන් අපි ප්‍රශ්න අහන්නේ මහත්මයා කියන දේ ගැන උනන්දුවක් තිබෙන නිසා.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: නීතිඥ මහත්වරු දෙපැත්තෙන්ම ප්‍රශ්න අහන්නේ ඒ කියන දේ සම්බන්ධව උනන්දුවක් තිබෙන නිසා.

උ: එහෙමියි, ස්වාමීනි.

ප්‍ර: වෙන වචන වලින් කියනවා, සාක්ෂිකාරයෙක් හෝ කවුරු හරි කියන දෙයක් එලෙසම පිළිගන්න පුළුවන්ද, බැරිද කියන එක. එහෙම නේද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මහත්මයා සැකකාරයන්ගෙන් ප්‍රශ්න අහලා ඇති නේද?

උ: එහෙමයි, ස්වාමීනි,

ප්‍ර: උනන්දුවක් නැත්නම් දෙයක් හොයා ගන්න පුළුවන්ද කාගෙන් හරි?

උ: බැහැ, ස්වාමීනි.

ප්‍ර: බැහැ නේ?

උ: බැහැ, ස්වාමීනි.

ප්‍ර: මහත්මයාට අධීක්ෂණ නිලධාරියෙක් විධියට වගකීමක් නැද්ද, මෙච්චර වෙලා මහත්මයා කිව්වා නේ, වගකීමක් තිබෙනවාය කියලා මහත්මයාට වහාම දැනුම දෙන්න.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මහත්මයා නිදාගෙන හිටියත් මහත්මයාට දැනුම් දෙන්න ඕනෑ.

උ: එහෙමයි.

ප්‍ර: මහත්මයා ඇහැරෙන කල් ඉන්න ඕනෑ නැහැ නේ?

උ: නැහැ. ඕනෑ වෙලාවක දැනුම් දෙන්න ඕනෑ.

ප්‍ර: රාජකාරි දුරකථන හැමෝටම දිලා තිබෙනවා?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: ඒවා off කරන්න බැහැ?

උ: බැහැ, ස්වාමීනි.

ප්‍ර: ඇ කීයට හරි, කොච්චර මහන්සි වෙලා නිදා ගත්තත්, කොච්චර තද නින්දේ හිටියත් උත්තර දෙන්න ඕනෑ?

උ: ඕනෑ වෙලාවක උත්තර දෙන්න ඕනෑ, ස්වාමීනි.

ප්‍ර: උදේ නවයහමාර කියන්නේ නිදා ගන්න වෙලාවක් නොවෙයි නේ?

උ: නැහැ, ස්වාමීනි. කාර්යාල වේලාව.

ප්‍ර: මහත්මයාට කාර්යාලයේදී ද ඒක කිව්වේ?

උ: කාර්යාලයේ ඉන්න වෙලාවේ.

ප්‍ර: කාර්යාලයට ආවාට පස්සේ කිව්වේ?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: කාර්යාලයෙන් ද මහත්මයා දැන ගත්තේ?

උ: නැහැ, අධ්‍යක්ෂවරයා මගේ දුරකථනයට කථා කළා.

ප්‍ර: මම අහන්නේ, ඒක අයීක්ෂණ නිලධාරියෙක් විධියට මහත්මයාට ප්‍රශ්නයක් වුණේ නැද්ද?

උ: ස්වාමීනි. ඒ වෙලාවේ ලොකු සිද්ධියක් වෙලා නිලධාරියෙකුත් මිය ගිහිල්ල තිබෙන නිසා මට ඒ ගැන වැඩි අවධානයක් යොමු කරන්න බැරිවුණා, ස්වාමීනි.

ප්‍ර: ඒකනේ මහත්මයා මම ප්‍රශ්නයක් ඇහුවේ. මේ වන කල් මහත්මයා දන්නේ නැද්ද කියලා.

උ: අලුයම කියලා දැන ගන්න ලැබුණා ස්වාමීනි, අධ්‍යක්ෂවරයාගෙන්, මේ ගොල්ලෝ විස්තරය සඳහන් කළා කියලා.

ප්‍ර: මහත්මයාට හම්බ වෙච්ච වෙලාව ගැනයි මේ ප්‍රශ්න කරන්නේ. ඒ වෙලාවේ busy කියමු කෝ?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: පස්සේත් ඉතින් මහත්මයාට ප්‍රශ්නයක් නැහැ. මහත්මයා දැනටත් දන්නේ බොහොම ටිකයි නේ. එහෙම නේද?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: දැනටත් ප්‍රශ්නයක් නැහැ. මහත්මයාට මේ සිද්ධිය ගැන දැනටත් ප්‍රශ්නයක් නැහැ නේ?

උ: තිබෙනවා, ස්වාමීනි. අධිකරණයේ කටයුත්තක් තිබෙන නිසා-

ප්‍ර: අධිකරණයේ කටයුත්ත තිබෙන්නේ අධිකරණයේ නේ. මම අහන්නේ මහත්මයාට? මහත්මයා CCD එකේ හිටියේ 2024.12.05 වැනි දා වන කල් ?

උ: එහෙමයි. Colombo DIG, ස්වාමීනි.

ප්‍ර: Colombo DIG. CCD එක භාරව සිටියේ. 2024.12.05 වැනි දා වන කල් මහත්මයාට CCD එකේ අය හරි දෙයක් කළාද, වැරදි දෙයක් කළාද කියන එක සම්බන්ධයෙන් එවිවර ප්‍රශ්නයක් තිබුණේ නැහැ කියලා කිව්වොත් හරිද?

උ: ඒ වන කොටත් විමර්ශනයක් යන නිසා ස්වාමීනි, මම බැලුවේ නැහැ.

ප්‍ර: මම කිව්වේ මහත්මයාට? විමර්ශන කිහිප ආකාරයකින් කළා නේ.

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: 2024.12.05 වන දා වනකොට CID එකෙනුත් පටන් අරගෙනද?

උ: එහෙමයි, ස්වාමීනී.

ප්‍ර: හරිද?

උ: හරි.

ප්‍ර: අඩු ගණනේ ඒක මහත්මයා දැනගෙන හිටියාද?

උ: දැනගෙන හිටියා, ස්වාමීනි.

ප්‍ර: මහත්මයාට ප්‍රශ්නයක් තිබිලා නැහැ. ඒකයි ඔය කියන දෙයින් තේරෙන්නේ. හරි නම් හරි කියන්න. වැරදි නම් වැරදියි කියන්න. වැරදියි කියනවා නම්, වැරදියි කියන්න හේතුව කියන්න? විමර්ශන අංශ වලින් CID එකෙන් කරනවා. මාතර පොලිසියෙන් කරනවා.

උ: ඔව්. ඒ නිසා මම සොයා බලන්න ගියේ නැහැ. විමර්ශන වලට බාධාවක් වෙයි කියලා මම සොයා බලන්න ගියේ නැහැ. ස්වාමීනි.

ප්‍ර: ඉතින් මහත්මයාම නේ කිව්වේ, මහත්මයා ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිට කථා කළා කියලා?

උ: එක පාරක් කථා කළා.

ප්‍ර: දැන් කියනවා, බාධාවක් වෙයි කියලා-

උ: සිද්ධිය වූ දිනයේ, සිද්ධිය නිවැරදිව දැන ගන්න කථා කළා. ස්වාමීනි, ඊට පස්සේ කථා කළේ නැහැ.

ප්‍ර: ප්‍රමාදය පිළිබඳව මහත්මයාට තවම ප්‍රශ්නයක් නැහැ?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: මේ පුද්ගලයා මිය ගිහිල්ලා තිබෙන්නේ කීයටද?

උ: රෝහලට ඇතුළත් කළාට පස්සේ.

ප්‍ර: කීයට විතරද?

උ: ස්වාමීනි, පාන්දර.

ප්‍ර: ඒක මහත්මයා දැන ගන්නකොට පැය 4 ක් විතර ගිහිල්ලා?

උ: එහෙමයි.

ප්‍ර: ඒකත් මහත්මයාට ප්‍රශ්නයක් නැහැ?

උ: ප්‍රශ්නයක් තිබෙනවා, ස්වාමීනි. නිලධාරියෙක් මිය ගිහිල්ලා-

ප්‍ර: ප්‍රශ්නයක් තිබෙනවා නම් මොකක් හරි කරන්න එපා යැ, මහත්මයා. මොකක්ද කරලා තිබෙන්නේ?

උ: විමර්ශනයක් කරන්න තරම් සාධාරණ හේතුවක් තිබුණේ නැහැ ස්වාමීනි.

ප්‍ර: විමර්ශනයක් කොටයි. " ඇයිමට කිව්වේ නැත්තේ " කියලාවත් ඇහුවේ නැද්ද?

උ: ඇහුවා, ස්වාමීනි.

ප්‍ර: ඒකට හේතුවක් දුන්නාද?

උ: වැඩ කටයුතු නිසා කියා ගන්න බැරි වුණා කියලා කිව්වා. මිය ගිහිල්ලා, එයා රෝහලට ගිහිල්ලා තිබෙනවා. පාන්දරම එයත් මාතරට ගිහිල්ලා තිබුණා, ස්වාමීනි.

ප්‍ර: කවුද එයාට යන්න කිව්වේ?

උ: දන්නේ නැහැ.

ප්‍ර: මහත්මයා කිව්වාද?

උ: නැහැ.

ප්‍ර: මේ වෙනකල් දන්නේ නැහැ. අධ්‍යක්ෂවරයාට මාතරට යන්න කිව්වේ කවුද කියලා?

උ: සාමාන්‍යයෙන් ඔහුගේ කණ්ඩායමක් නිසා ඔහු යා යුතුයි, අධ්‍යක්ෂවරයා හැටියට.

ප්‍ර: මහත්මයාගේ කණ්ඩායමක් නොවෙයිද, මේ කණ්ඩායම?

උ: මගේ කණ්ඩායමක් තමයි, ස්වාමීනි. මගේ යටතේ රාජකාරි කරන අය.

ප්‍ර: මහත්මයා මරණ ගෙදර ගියාද?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: ඇත්තටම තමන්ගේ තනතුර මොකක්ද?

උ: නියෝජ්‍ය පොලිස්පති, ස්වාමීනි.

ප්‍ර: ඒ කියන්නේ තමන්ට මේ තනතුර සඳහා රජයෙන් වැටුප් ගෙවලා, රජයෙන් සියලු පහසුකම් දීලා ඔතැන තියලා තිබෙන්නේ ඇයි?

උ: ඒ අදාළ බල ප්‍රදේශයේ රාජකාරි සම්බන්ධව වග කියන්න, ස්වාමීනි.

ප්‍ර: වාහනයක් දිලා, ඩ්‍රයිවර් කෙනෙක් දිලා, ටෙලිෆෝන් දීලා, පෙට්‍රල් දීලා, ඒ සියල්ලම කරලා තිබෙන්නේ මොකටද කියලා මම අහන්නේ.

උ: රාජකාරි කටයුතු සඳහා, ස්වාමීනි.

ප්‍ර: එතකොට තමන් ත'මන්ගේ රාජකාරිය හරියට කළාද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: කළා නම් කොහොමද, - තමන්ට මේ ගැන අවබෝධයක් ලැබෙන්නේ, 9.30ත් -10.00 ත් අතර?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: සිද්ධිය වෙලා තිබෙන්නේ 3.00 ට වාගේ?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: එතකොට තමන් මේ ප්‍රමාදය ගැන සොයා බැලුවේ නැද්ද?

උ: ස්වාමීනි. සිදුවීමෙන් නිලධාරියෙක් මිය ගියා කියලා, ලොකු operation එකක් කළ නිසා නිලධාරින්ගේ චිත්ත ධෛර්යයට බාධාවක් වෙයි කියලා මම කිසිම විමර්ශනයක් ආරම්භ කළේ නැහැ.

ප්‍ර: එතකොට තමන්ගේ අධීක්ෂණය මොකක්ද?

උ: මම ඒ වෙලාවේ මගේ වැඩි අවධානය යොමු කළේ, මිය ගිය සහ තුවාල ලැබූ නිලධරීන්ගේ සුභසාධනය සම්බන්ධව.

ප්‍ර: එකකොට රජයෙන් තමන්ට මෙච්චර වියදම් කරලා, මෙච්චර තනතුරු දීලා, සැප පහසුකම් දිලා තිබෙද්දී තමන් තමන්ගේ රාජකාරිය හරියට කළා කියලා තමන් සෑහීමකට පත් වෙනවාද?

උ: ඔව්. ස්වාමීනි. මම වසර හතරක පමණ කාලයක් කොළඹ නියෝජ්‍ය පොලිස්පති හැටියට රාජකාරි කළා.

ප්‍ර: වසර හතරේම කළේ ඔහොමද, ඔය විධියටමද?

උ: නැහැ. රාජකාරි විශාල ප්‍රමාණයක් කළා, ස්වාමීනි.

ප්‍ර: තමන්ට ඉහළින් ඉන්නේ, ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිවරයා?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිවරයාත් දැන ගත්තේත් ප්‍රමාද වෙලාද?

උ: අධ්‍යක්ෂවරයා කිව්වා, උදෑසනම ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස් අධිකාරිවරයාට දැනුම් දුන්නා කියන එක.

ප්‍ර: ඒ කියටද?

උ: වෙලාවක් ඇහුවේ නැහැ, ස්වාමීනි. මා දැනුවත් වෙනකොට එතුමා දැනුවත් වෙලා කියන කථාව තමයි කිව්වේ. වෙලාවක් මම ඇහුවේ නැහැ. ස්වාමීනි.

ප්‍ර: චන්ද්‍ර කුමාර මහත්මයා, ඔබතුමා නියෝජ්‍ය පොලිස්පතිවරයා නේ?

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: ඔබතුමා දිගටම ලංකාවේ හිටියාද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: අසනීප තත්ත්වයක් මොනවා හරි තිබෙනවාද?

උ: නැහැ. ස්වාමීනි.

ප්‍ර: දැනටත් නැහැ නේද?

උ: නැහැ.

ප්‍ර: ඔබතුමා හරියට කකුල් ගස්සන නිසා ඇහුවේ මම. හොඳට ඉන්න, සන්සුන්ව.

උ: පළමුවැනි වතාව ස්වාමීනි.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මොකක්ද කිව්වේ?

උ: මේ වාගේ ප්‍රකාශයක් දෙන්නේ පළමුවැනි වතාවට, ස්වාමීනි.

ප්‍ර: මොන වාගේ ප්‍රකාශයක්ද?

උ: මේ වාගේ කොමිෂන් සභාවක් ඉදිරියේ.

ප්‍ර: සාක්ෂි දීලා නැද්ද කලින්?

උ: කොමිෂන් සභාවක් ඉදිරියේ දීලා නැහැ. ස්වාමීනි.

ප්‍ර: උසාවි වල සාක්ෂි දීලා තිබෙනවාද?

උ: එහෙමයි. ස්වාමීනි.

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ප්‍ර: දැන් මහත්මයා සන්සුන්ව ඉඳගෙන, එහෙ මෙහ දහලන්නේ නැතුව සාක්ෂි දෙන්න ඕනෑ.

උ: එහෙමයි. ස්වාමීනි.

ප්‍ර: මහත්මයා දැන් මේ ගරු කමිටුවට කිව්වා නේ, තමුන්ගේ අද මතයක්, නාඳුනන කුවක්කුකාරයෙක් වෙඩි නිබ්බෙ කියලා?

උ: එහෙමයි, ස්වාමීනි.

In the face of repeated questions as to the way in which SI Maduranga and PS Upul received gunshot injuries, this witness has consistently maintained the same position, i.e. the position that they received injuries from the gunfire by an unknown person. He has admitted that when he called the Respondent IGP to inform this incident after he received information from ASP Neville de Silva, the incident was within the knowledge of the Respondent IGP at that time. Thus, it has been established before this Committee of Inquiry positively by evidence that this witness was kept in the dark by the others in the hierarchy who knew about this incident well before the dawn on 31-12-2023.

At one point of time, this witness has stated that ASP Neville de Silva called him when ASP Neville de Silva was still on the highway on his journey to Weligama. However, according to both ASP Neville de Silva and the Respondent IGP, ASP Neville de Silva had reached Weligama before 6.00 am. It is on that basis that the learned Additional Solicitor General has suggested to this witness that he was giving false evidence before the Committee. When confronted with this, DIG Jagath Chandra Kumara has later admitted that it was false. The relevant portion of this evidence would reflect this position:

ප්‍ර: එතකොට තමුන්ට අඩු ගානේ නෙවිල් සිල්වා මාතරට යනවා කියලාවත් කියලා ගියේ නැහැ? හරිද? තමුන්ට කථා කළේ 9.30ට 10.00 ට විතර එහේ ඉඳන් නේ? මාතර ඉඳන්?

උ: අතරමඟ යන ගමන්.

ප්‍ර: මම තමුන්ට යෝජනා කරනවා සම්පූර්ණ අසත්‍යයක් මේ කමිටුව හමුවේ කියන්නේ කියලා? නෙවිල් සිල්වා උදේ 6 වෙනකොට වැලිගම සිටියා කියලා?

උ: යන ගමන් කියලා තමයි මට දැනුම් දුන්නේ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: අතරමඟ යනවා නම් 9.30 වෙනකම් නෙවිල් සිල්වා ඔතැනට ගිහිල්ලා නැහැ? ඒක හරි නේ?

උ: ඒක දන්නේ නැහැ.

ප්‍ර: දන්නේ නැහැ නොවෙයි, මහත්මයා O/Levelවත් pass ඇති නේ?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්මයා දැන ගත්තේ 9.30ට නම්, නෙවිල් සිල්වා කියනවා නම් අතරමඟදී තමයි මේ call දෙන්නේ කියලා, 9.30 වෙනකම් නෙවිල් සිල්වා එතැනට ගිහිල්ලා නැහැ?

උ: ඔව්.

ප්‍ර: ඒක තේරෙනවාද?

උ: ඒක තේරෙනවා.

ප්‍ර: මම දන්නේ නැහැ කියන්නේ මොකක්ද? පේරුණාද?

උ: තේරුණා.

ප්‍ර: මම දන්නේ නැහැ කිව්වේ අසත්‍යයක්ද?

උ: එහෙමයි ස්වාමිනි.

ප්‍ර: ඇයි අසත්‍ය ප්‍රකාශ කළේ?

උ: ඒක මට හරියට නිශ්චිත නැති වුණ නිසා.

ප්‍ර: මම මුලදීත් කිව්වා ඔය වැඩේ කරන්න එන්න එපා.

උ: එහෙමයි ස්වාමීනි. සමාවෙන්න ස්වාමිනී.

ප්‍ර: ප්‍රශ්නයක් ඇහුවාම ඒක තේරුම් අරගෙන හරි උත්තරය දෙන්න. ඕක පොඩි ළමයකුට තේරෙන්නේ නැද්ද? නෙවිල් සිල්වා අතරමඟදී call කළා නම්, මහත්මයාට call එක ආවේ 9.30 ට නම්, 9.30 වෙනකම් නෙවිල් සිල්වා එතැනට ගිහිල්ලා නැහැ? දන්නේ නැහැ කියන්නේ මොකක්ද? ඒකත් දන්නේ නැත්නම් මහත්මයා මම දන්නේ නැහැ, කොහොම රජයේ සේවයේ ඉන්නවාද කියලා.

උ: නැහැ ස්වාමීනි මම කිව්වේ 6 වෙන කොට එතැන සිටියාද කියන එක දන්නේ නැහැ කියලා.

ප්‍ර: ඒක ඇහුවේ පස්සේ මහත්මයා.

උ: එහෙමයි ස්වාමීනි.

When asked about the evidence of alteration of the Outward Document Register, DIG Jagath Chandra Kumara has stated that he has no knowledge about those alterations. Even when the Additional Solicitor General showed him the Register **P-75**, he does not admit it is wrong nor explains how it has happened. His evidence in this regard is reproduced below:

ප්‍ර: මේ register එක අනුව යවලා තිබෙන්නේ කවදද?

උ: ඒක ගැන දැනීමක් නැහැ ස්වාමීනී. 01.01 කියලා සඳහන් වෙන්නේ.

ප්‍ර: 2024.01.01?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: පොලිස් සැරයන් උපුල් මැරුණේ කවදද?

උ: 31 පාන්දර.

ප්‍ර: මැරණට පස්සේ නේද මේක යවලා තිබෙන්නේ මහත්මයාගේ කාර්යාලයෙන්?

උ: දිනය අනුව 01.01 යවලා තිබෙන්නේ කාර්යාලයෙන්.

ප්‍ර: ඒක මහත්මයාට ප්‍රශ්නයක් නැද්ද?

උ: මම දන්නේ නැහැ ස්වාමීනී, කොයි වෙලේද යැව්වේ කියලා. මම අත්සන් කරලා ඒක දාලා තිබෙනවා. නිසි අවසරය තිබෙනවා. මම දන්නේ නැහැ. කාර්යාලයේ ලේඛන.

ප්‍ර: මහත්මයාගේ කාර්යාලයනේ?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: මහත්මයා යටතේ ඉන්න නිලධාරියෙක් නේ?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: ඒක මහත්මයාට ප්‍රශ්නයක් නැද්ද?

උ: ස්වාමීනී, මේකේ ලේඛනගත වෙනවට වඩා, නිසි අවසරය නිසි පරිදි ලබා ගෙන තිබෙන එක පිළිබඳව තමයි අපි අවධානය යොමු කරන්නේ. ලේඛනවල කුමක් සඳහන් වුණත් මෙතැන අවසරය හරි කියලා මම පිළිගන්නවා.

ප්‍ර: 01 වැනිදා මහත්මයාගේ නිර්දේශය ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිවරයාට ගියා නම්, 30 වැනිදා යන්නේ කොහොමද? කොහේද තිබුණේ නිසි අවසරයක්?

උ: මා දන්නා තරමින් මේක 29ම ගිහිල්ලා තිබෙනවා ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිතුමාට.

ප්‍ර: එහෙම නම් මේ ලේඛනය වැරදියිනේ?

උ: නිසි අවසරය ලබා ගත්තා කියලා දන්නවා.

ප්‍ර: මේ ලේඛනයේ තිබෙන සටහන ගැන මම අහන්නේ. මහත්මයා තමයි කියන්නේ නිසි අවසරය සහිතව කියලා?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: මහත්මයාගේ කාර්යාලයේ ඔය ලිපි ලේඛන නඩත්තු කරන්නේත් ආණ්ඩුවේ වියදමින්?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: 29 වැනිදා යවන්න ඕනෑ එක 01 වැනිදා මැරණට පස්සේ යවන්න පුළුවන්ද?

උ: බැහැ ස්වාමීනි.

ප්‍ර: එතකොට මේ සටහන අසත්‍ය සටහනක්ද?

උ: ඒක ඒ ලේඛනය භාර නිලධාරිගෙන් අහන්න ඕනෑ.

ප්‍ර: කවුරු යෙදුවත් මේ සටහන අසත්‍ය සටහනක්ද?

උ: අසත්‍යයයි. එදාට සටහන් කළාද කියලා මට දැනීමක් නැහැ.

ප්‍ර: කවදට සටහන් කළා කියලද?

උ: 01.01 දිනයේ සටහන් කළාද කියලා මට දැනීමක් නැහැ. ඒක සඳහන් වෙලා තිබෙනවා. ඒක වරදක්.

ප්‍ර: ඒක අසත්‍ය සටහනක්ද? නැත්නම් මහත්මයා කියන්නේ ඒක සත්‍ය සටහනක් කියලාද?

උ: ස්වාමීනී, ඒ ගැන මට කියන්න අපහසුයි. ඒක කුමන හේතුවක් නිසා එහෙම වුණාද කියන එක මම දන්නේ නැහැ.

ප්‍ර: හේතුව නොවෙයි මහත්මයා මම අහන්නේ. මම අහන්නේ ඒක සත්‍ය ද අසත්‍යයද කියලායි?

උ: මේ ලේඛනයේ සටහන් වෙලා තිබෙනවා ස්වාමීනි. 01.01 වෙනි දිනයේ කියලා.

ප්‍ර: සටහන් වෙලා තිබෙන බව ඇත්ත. ඒ සටහන් වෙලා තිබෙන එක සත්‍ය කරුණක්ද අසත්‍ය කරුණක්ද?

උ: ඒක ඒ නිලධාරියාගෙන් අහන්න ඕනෑ. සටහන් වෙලා තිබෙනවා. ඒක අසත්‍ය කරුණක්.

ප්‍ර: මහත්මයාගෙත් වගකීමක් තිබෙනවාද මහත්මයාගේ office එකේ දේවල් නිසියාකාරව ඉටු කරන්න?

උ: තිබෙනවා.

ප්‍ර: DIG විධියට මේක මහත්මයාට බරපතළ කාරණයක්ද එහෙම නැත්නම් එච්චර බරපතළ නැති කාරණයක්ද?

උ: ඒක එච්චරම බරපතළ නැහැ. අපි නිසි පරිදි අවසරය දීලා තිබෙන නිසා ඒක ප්‍රමාද වෙනවා.සමහර වෙලාවට වාචිකවත් අපි අවසර දෙනවා. ඒක එච්චරම බරපතළ දෙයක් හැටියට මම සලකන්නේ නැහැ.

ප්‍ර: මහත්මයාට ආවා නේ reward application එක?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: මහත්මයා කිව්වනේ පිට වීමේ සටහන්, අනෙකුත් ලේඛන ගෙනැල්ලා පරීක්ෂා කර බලලා සෑහීමකට පත් වුණාට පස්සෙ තමයි ඒක අත්සන් කළේ කියලා?

උ: එහෙමයි ස්වාමීනී.

ප්‍ර: ඒකට මේකේ අදාළත්වයක් තිබෙනවාද නැද්ද?

උ: එහෙම දෙයක් මට අනාවරණය වුණේ නැහැ ස්වාමීනී. ලේඛන පරීක්ෂා කරන කොට.

ප්‍ර: මේ ලේඛනය තිබුණේ කාගේ භාරයේද?

උ: මගේ කාර්යාලයේ ලිපිකරු භාරයේ.

ප්‍ර: අනාවරණය වෙන්නේ මහත්මයා බැලුවොත් නේ?

උ: එහෙමයි.

ප්‍ර: මහත්මයා බැලුවද?

උ: මම ඒක බැලුවේ නැහැ.

ප්‍ර: පස්සේ හරි බැලුවාද?

උ: නැහැ. ස්වාමීනි.

ප්‍ර: මහත්මයා, පොලීසියේ නිලධාරියෙක් මැරුණා නේ?

උ: එහෙමයි.

ප්‍ර: වෙඩි තැබීමකින්?

උ: එහෙමයි ස්වාමීනි.

ප්‍ර: ඊට පස්සේවත් බැලුවේ නැද්ද ඔය අනුමැතිය මහත්මයාගේ කාර්යාලයෙන් ගිහිල්ලා තිබෙන්නේ යන කොට මේ ඉගාල්ලන්ට ගිහිල්ලා තිබෙනවාද නැද්ද කියලා?

උ: මේ සම්බන්ධව මම දැනුවත් වෙලා හිටියේ නැහැ. වැරදි දිනයක් සඳහන් වෙලා කියලා මම දැනුවත් වෙලා හිටියේ නැහැ. මම අත්සන් කළා. අත්සන් කරලා ලබා ගන්නවා.

ප්‍ර: නිවැරදි දිනයක් සටහන් වෙලා කියලා ද, වැරදි දිනයක් සටහන් වෙලා කියලාද?

උ: වැරදි දිනයක් සටහන් වෙලා කියලා මම දැනුවත් වෙලා හිටියේ නැහැ.

ප්‍ර: දැන් නේ මහත්මයා දන්නේ ?

උ: දැන් දන්නේ, ස්වාමීනි.

ප්‍ර: මහත්මයා දැන් දන්නේ මහත්මයාගේ කාර්යාලයෙන් වෙච්ච දේවල්?

උ: එහෙමයි.

ප්‍ර: අද 2025 ජූනි මාසේ 24 වැන් දා තමයි මහත්මයා මේක දන්නේ?

උ: එහෙමයි.

ප්‍ර: මෙකේ අයව සටහනක් දාන්න හේතුවක් තිබෙනවාද, කවුරු හරි දාපු නිලධාරියෙක්?

උ: මම දන්නා තරමින් එහෙම නැහැ. ස්වාමීනි.

ප්‍ර: සාමාන්‍ය වශයෙන් මෙකේ දමන දිනය ඔය ලේඛනය යවනු ලබන දිනය නේද?

උ: ඒක වෙනස් වෙන්න පුළුවන්. අත්සන් කරන දිනය සහ යවනු ලබන දිනය වෙනස් වෙන්න පුළුවන්, ලේඛන අනුව.

ප්‍ර: ලේඛනයේ අත්සන් කිරීමක් ගැන නොවෙයි මම අහන්නේ. අත්සන් කළා හරි, නැතුව හරි, නිර්දේශ කළා හරි නැතුව හරි. නිර්දේශ නොකරත් යවන්න පුළුවන් නේ?

උ: ඔව් ස්වාමීනි.

ප්‍ර: නිර්දේශ කිරීම අනිවාර්ය නැහැනේ, ලියුමක් යවන්න?

උ: නැහැ.

ප්‍ර: ප්‍රතික්ෂේප කරලා හරි, භාර අරගෙන හරි යවනු ලබන ලේඛනය ගැන අපි කථා කරන්නේ. ඒ ලිපියේ තිබෙන අන්තර්ගතය ගැන නොවෙයි?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: සාමාන්‍ය තත්ත්වය යටතේ ලේඛනයක් යම් කිසි දිනයක යැව්වා කියලා සටහන් වනවා නම්, ඒකෙන් මහත්මයා පිළිගන්නවාද ඒ දිනයේ තමයි මහත්මයාගේ කාර්යාලයෙන් ඔය ලේඛනය යැව්වේ කියලා. වෙන අයගේ කාර්යාල ගැන නොවෙයි අහන්නේ?

උ: ලේඛනයට අනුව ඒ දිනයේ තමයි කියලා පිළිගන්නවා.

ප්‍ර: ඔය register එකට අනුව ජනවාරි 01 වැනි දා නම් ඔය ලේඛනය යවලා තිබෙන්නේ ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිවරයාට ඕක 29 වැනි දා අත්සන් කරන්න බැහැ කියන එක මහත්මයා පිළිගන්නවාද?

උ: 01 වැනි දා ගියොත් අත්සන් කරන්න බැහැ, ස්වාමීනි.

ප්‍ර: ඒක අදාළ කාරණයක් ද මේ න්‍යායය නිර්දේශ කරන්න, එහෙම නැත්නම් අදාළ නැති කරුණක්ද?

උ: ලොකු අදාළත්වයක් නැහැ, ස්වාමීනි.

Referring to the recommendation he has made on the reward voucher, DIG Jagath Chandra Kumara has stated as follows:

ප්‍ර: බලන්න, වවුචරයේ පිටුපස තිබෙනවා, තැගි අරමුදලේ වවුචරය. ඒක බලන්න, ඔබතුමා ඒක අත්සන් කර තිබෙනවාද කියලා?

උ: මේකේ මට අත්සන් කරන්න නැහැ. Covering letter එක පමණයි අත්සන් කර තිබෙන්නේ.

ප්‍ර: බලන්න මහත්මයා එකේ දාලා තිබෙන විස්තරය හරිද කියලා. ඔය තැගි වවුචරය ආවාට පස්සෙද ඔබතුමා ආවරණ ලිපිය හදන්නේ?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: එතකොට මහත්මයා ඉස්සෙල්ලා තැගි වවුචරයෙන් තමයි මේ ක්‍රියාවලිය ආරම්භ වෙන්නේ. හරිද?

උ: එහෙමයි.

ප්‍ර: ඔබතුමා ආවරණ ලිපියට පදනම් කර ගත්තේ මොන කරුණුද ?

උ: ස්වාමීනි, ඒක අපරාධ වාර්තා කොට්ඨාසයේ නිලධාරීන්ගේ එවනු ලබන වාර්තාවක් මත පදනම්ව.

ප්‍ර: මේ සිද්ධියට එහෙම වාර්තාවක් ගෙන්වා ගත්තාද?

උ: මේකට කොට්ඨාසයෙන් ත්‍යාග ඉල්ලුම් පත්‍රය එව්වා.

ප්‍ර: නැහැ. නැහැ. තමන්ගේ ලියුම හදන්න පදනම් කර ගත්තේ මොන කරුණු ද කියලා මම ඇහුවේ?

උ: කොළඹ අපරාධ කොට්ඨාසයේ අධ්‍යක්ෂවරයාගේ ලිපිය.

ප්‍ර: ඒ කියන්නේ, **P 5** කියන ලේඛනයද?

උ: එහෙමයි.

ප්‍ර: **P 5** කියන ලිපිය තමන් ඒ විධියටම copy කළාද?

උ: වෙනස් කරන්න දෙයක් නැහැ, ස්වාමීනි.

ප්‍ර: තමන් අධීක්ෂණ නිලධාරියා නේ. කොහේවත් ඉන්න අධ්‍යක්ෂවරයෙක් කියන දෙයක් තමන් පිළිගන්න ඕනෑද?

උ: ස්වාමීනි, මේ සම්බන්ධයෙන් දැනුවත් වෙලා තිබෙන්නේ ඒ විස්තරයේ තිබෙන ඒ ලියුම නිසා. ඒක තමයි මම උඩට forward කරන්නේ, මේකේ සඳහන් කරන කරුණු.

ප්‍ර: ඔබ ස්වාධීනව මේක හොයලා බලලාද?

උ: බලනවා, ස්වාමීනි.

ප්‍ර: කොහොමද එහෙම වෙන්නේ කියලා මම අහන්නේ?

උ: අධ්‍යක්ෂවරයාට කථා කරලා වැඩිදුර විස්තර ගන්නවා.

ප්‍ර: එතකොට එයා කොළඹට ඇවිල්ලාද ?

උ: දුරකථනයෙන් කථා කළේ. මම දන්නා විධියට එතකොට මාතර. දුරකථනයෙන් කථා කරලා විස්තර ගත්තා. ගලේ වෙල පොලීසිය යවලා මම විස්තර හොයා ගත්තා. ඒ වාගේම කරාපිටිය රෝහලෙන් මම විස්තර ලබා ගත්තා, ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයාගෙන් විමසීම් කරලා තමයි

මේ reward paper එක සාධාරණීකරණය කළේ. මම ඊට පස්සේ නියෝජ්‍ය පොලිස්පතිතුමාටත් මේක සඳහන් කළා.

ප්‍ර: ඔබතුමා මේ කමිටුවට මීට ඉස්සෙල්ලා කිව්වා නේද වැලිගමින් වෙඩි තියලා තමයි මේ කට්ටිය මැරුණේ කියලා?

උ: නාඳුනන සැකකරුවෙක්.

ප්‍ර: නැහැ, නැහැ, පසුව?

උ: නැහැ ස්වාමීනි.

ප්‍ර: මහත්මයා පසුව දැන ගත්තාද වැලිගම පොලීසියේ Army එකේ soldier කෙනෙක් වෙඩි තැබීමකින් මිය ගියා කියලා?

උ: එහෙම කථාවක් දැන ගත්තා, ස්වාමීනි.

ප්‍ර: කථාවක් මිසක් ස්ථිර නැහැ?

උ: ස්ථිර නැහැ. අධිකරණයේ නඩුවක් තිබෙන නිසා.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: කථාවක්?

උ: නැහැ, ස්වාමීනි මට දැනගන්න ලැබුණා.

ප්‍ර: කොහෙන්ද?

උ: කුමන හෝ කාරණාවකින්. මාධ්‍ය වලින් හරි මට දැන ගන්න ලැබුණා. මම දැනුවත් වෙලා හිටියේ.

ප්‍ර: මාධ්‍යවලින්?

උ: වැලිගම මූලස්ථාන පොලිස් පරීක්ෂකගේ වාර්තාවෙන් ඒ බව සඳහන් වුණා. ඒ දෛනික වාර්තාවේ සඳහන් වෙලා තිබෙන කරුණු තමයි.

ප්‍ර: මොකක්ද ඒකේ සඳහන් වුණේ?

උ: ඒකේ සඳහන් වුණා, වැලිගමින් ජංගම සංචාරයේ ගිය රථයක් මේ ස්ථානයට ඇවිල්ලා තිබෙනවා කියලා.

ප්‍ර: ඒක මහත්මයා රථයක් ආවා කියලා කිව්වාට මහත්මයා දැන ගත්තේ නැහැ මෝටර් සයිකලයකින් ආවාද, බස් එකකින්ද ආවාද, මොකකින් ආවාද කියලා?

උ: එහෙමයි, ස්වාමීනි.

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ප්‍ර: ඔබතුමා බලන්න, ඔබතුමාගේ ඔය ලිපියයි, තැගි වවුචරයේ විස්තරයයි හරිද කියලා. මම ඇහුවා නේ, අඩුපාඩුවක් තිබෙනවාද කියලා?

උ: නැහැ, ස්වාමීනි. මම අඩුපාඩුවක් දකින්නේ නැහැ.

The learned Additional Solicitor General in the face of the answers this witness has given to the questions asked as to how SI Maduranga and PS Upul received injuries, produced the notes made by SSP Pandula Weerasinghe in the OVB maintained at Weligama police station and got this witness to read the said notes. The following excerpt will demonstrate DIG Jagath Chandra Kumara's response in this regard:

ප්‍ර: ඔබ කිව්වානේ මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරි පණ්ඩුල වීරසිංහ මහත්මයාගෙන් කරුණු විමසලා මෙම සිද්ධිය ගැන දැනගත්තා කියලා?

උ: එහෙමයි.

ප්‍ර: දැන් ඔබට පණ්ඩුල වීරසිංහ මහත්මයාගේ සටහන පෙන්වනවා. (සාක්ෂිකරු එම ගමන් සටහන කියවා ගනී.) මහත්මයාට මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයාගේ මේ සටහන අනුව කියලා තිබෙනු දේ ඔබට තේරෙනවාද?

උ: එහෙමයි.

ප්‍ර: මොකක්ද ඔබගේ ඒ ගැන වටහා ගැනීම?

උ: ස්වාමිනි, දෙසැම්බර් 31 වෙනි දා අළුයම සිදු වූ සිදුවීම සම්බන්ධයෙන් ස්ථාන පරීක්ෂාවකින් පසුව මෙම ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා ඒ සටහන යොදලා තිබෙන්නේ. ඒ සිදුවුණු සිදුවීම සඳහන් කරලා තිබෙනවා.

ප්‍ර: මොකක්ද සඳහන් කරලා තිබෙන සිදුවීම?

උ: CCD විමර්ශන කණ්ඩායමක් වැලිගම W15 හෝටලය අසලට ඇවිල්ලා පුද්ගලයෙක් පරීක්ෂා කරන කොට සිදු වූ වෙඩි හුවමාරුවකින් පොලිස් නිලධාරියෙක් තුවාල වී කෙනෙකු මිය ගිය බවටත්, වැලිගම ජංගම සංචාරයේ යෙදී සිටියදී එම ස්ථානයට පැමිණ වෙඩි තැබීමක් සිදු කර ඇති බවටත් එම නිලධාරියා සඳහන් කරලා තිබෙනවා.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: වැලිගම ජංගම මුර සංචාරයෙන් වෙඩි තැබීමක් සිද්ධ වුණු බව මහත්මයා දැන්ද දැන ගත්තේ?

උ: නැහැ ස්වාමිනි වැලිගම HQIගේ දෛනික වාර්තාවේ ඒක සඳහන් වෙලා තිබුණා.

ප්‍ර: CCD එකේ කට්ටියට වෙඩි වැදීම සම්බන්ධයෙන් ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා මොනවාද කියන්නේ?

උ: තුවාලකාරයෝ දෙන්නා රෝහල්ගත කරලා, එක් අයෙකු මිය ගිය සිද්ධිය කියනවා.

ප්‍ර: කාගේ වෙඩි පහරින් ද, කාගේ වෙඩි පහරක්ද වැදිලා තිබෙන්නේ?

උ: කවුද කියන එක කිව්වේ නැහැ.

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ප්‍ර: කියන්න ඕනෑ නැහැ මේකේ තිබෙනවානේ, ඔබතුමා මේක මෙච්චර වෙලා කියෙව්වානේ?

උ: ඒකේ වෙඩි තිබ්බේ කවුද කියන එක තිබුණේ නැහැ. මරණකරු මැරීමට වෙඩි තැබූ පුද්ගලයා සම්බන්ධව සඳහනක් නැහැ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මහත්මයාට අකුරු කියවන්න පුළුවන්ද?

උ: එහෙමයි.

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ප්‍ර: මහත්මයා දන්නවානේ CCD වැන් රථයේ වීදුරු වලට වෙඩි වැදිලා හානියක් වුණා කියලා?

උ: Damage කියලා දන්නවා.

ප්‍ර: කවුරුන් විසින් තැබූ වෙඩි පහරවලින්ද ඒ අලාභානි ඇති වුණේ, විශේෂයෙන්ම නිලධාරියෙක් මිය ගියේ සහ තව කෙනෙක් තුවාල වුණේ කියලා අවබෝධයක් දැන් තිබෙනවාද?

උ: මේ සටහනින් පස්සේ තිබෙනවා.

ප්‍ර: මොකක්ද තිබෙන අවබෝධය?

උ: ඒකේ ජංගම සංචාරයෙන් පැමිණි නිලධාරීනුත් වෙඩි තැබීමක් සිදු කරලා තිබෙනවා

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: තුවාල වෙලා තිබෙන්නේ කොහොමද? ජංගම සංචාරයේ වෙඩි පහර විලින් නේද CCD එකේ කට්ටියට වෙඩි තියලා තිබෙන්නේ?

උ: ඒ බව නිවැරදිව සඳහන් වෙලා තිබෙනවා මම දුටුවේ නැහැ ස්වාමීනි. මට සමහර ඒවා කියවා ගන්න-.

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(සාක්ෂිකරුට නැවත කියවා ගැනීම සඳහා පණ්ඩුල වීරසිංහ මහතාගේ සටහන ලබා දෙයි.)

ප්‍ර: ඔබතුමා ඔය කොටස ශබ්ද නගා කියවන්න?

(සාක්ෂිකරු එම කොටස ශබ්ද නඟා කියවයි)

ප්‍ර: ඒ කේ පැය කීයට ද තිබෙන්නේ?

උ: ඒකේ වේලාවක් සඳහන් වෙන්නේ නැහැ. ස්වාමීනි.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මේ වාර්තාව අනුව මොකක්ද වෙලා තිබෙන්නේ?

උ: මේ සටහනට අනුව වැලිගම පොලීසියේ ජංගම මුර සංචාරයේ ගිය රථයෙන් CCD එකේ නිලධාරීන් ගිය වාහනයට වෙඩි තැබීමක් සිදු කර තිබෙනවා කියලා සඳහන් වෙනවා.

ප්‍ර: නමුත්, මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිතුමා සාක්ෂිකරුට කිව්වේ ඒක නොවෙයි නේද?

උ: නැහැ. මේ සටහන දමන්නේ අටයි ගාණට. මම නවයයි ගාණට තමයි ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිට කථා කරන්නේ.

ප්‍ර: ඒ කියන්නේ මේ සටහන දැම්මාට පස්සේ ද?

උ: එහෙමයි, ස්වාමීනි. මේ සටහන නිලධාරි මහත්මා 8.10ට දාලා තිබෙන්නේ.

ප්‍ර: සාක්ෂිකරු මේක දැනගත්තේ උදේ 9.30ට විතර නේද?

උ: ඔව්.

ප්‍ර: මේක දැන ගත්තේ තැගි වවුචරය approve කරන වේලාවේදී ද? ඊට පස්සේ ද?

උ: ඊට කලින්, ස්වාමීනි.

ප්‍ර: කවදාද?

උ: 31 වැනි දා උදේ. මේ සිද්ධිය දැනුම් දුන්නාට පස්සේ ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිතුමාගේ උපදෙස් පරිදි මේ සිද්ධිය සම්බන්ධයෙන් මාතර SSPට කථා කරලා බලනවා. ඒ වෙලාවේ තමයි මට කිව්වේ මෙහෙම සිද්ධියක් වෙලා කියලා.

ප්‍ර: එතකොට මේ සටහන දාලා ඉවරයි නේද?

උ: එහෙමයි.

ප්‍ර: සාක්ෂිකරු මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයාට කථා කළේ 31 වැනි දා උදේ 9.30ට පස්සේ ද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මාතර ජ්‍යෙෂ්ඨ පොලිස් අධිකාරිවරයා මේ සටහන නිලධාරීන්ගේ ගමන් සටහන් පොතේ දමන්නේ 31 වැනි දා උදේ 8.10ට ද?

උ: ඔව්, ස්වාමීනි.

ප්‍ර: උදේ 8.10ට සටහන දාලා කියන්නේ CCD එකේ නිලධාරින්ට වෙඩි වැදුණේ වැලිගම පොලීසියේ ජංගම මුර සංචාරයේ යෙදිච්ච පොලිස් නිලධාරින් තියපු වෙඩි ප්‍රහාර වලින් කියලා?

උ: එහෙම කියන්නේ නැහැ, ස්වාමීනි.

ප්‍ර: මේ ඒ සටහන?

උ: සටහනේ එහෙම තිබෙනවා, ස්වාමීනි.

The note made by SSP Pandula Weerasinghe has been produced before this Committee of Inquiry marked **P-77**.

Thus, it is established before this Committee of Inquiry that the evidence of DIG Jagath Chandra Kumara with regard to the way SI Maduranga and PS Upul of the CCD received gunshot injuries is a piece of evidence not supported by any other witness who gave evidence before this Committee of Inquiry. The Committee notes that even the Respondent IGP's evidence does not support the stance taken up by this witness.

It is the position of this witness that to date he does not know that it was the firing of the Weligama police night mobile patrol which injured SI Maduranga and killed PS Upul. This could be gathered from the following questions and answers. The Committee thinks that it would be best to reproduce this part of DIG Jagath Chandra Kumara's evidence since it is self-explanatory and is capable of giving the correct perspective with regard to the quality of his evidence.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: දේශබන්දු මහත්මයා තමන්ට කිව්වාද, මොබයිල් එකෙන් තමයි මේ වෙඩි තැබීම කරලා තිබෙන්නේ කියලා?

උ: නැහැ, ස්වාමීනි.

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ප්‍ර: මගේ ප්‍රශ්නය ඒක නොවෙයි. ඔබතුමාගේ, CCD එකේ ආසන්නතම අධීක්ෂණ නිලධාරියා? ලොකු අයගෙන් ආසන්නතම අධීක්ෂණ නිලධාරියා?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: එතකොට, ඔබට උඩින් සිටින ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පති; වැඩ බලන පොලිස්පති සිද්ධිය දැනගෙනත් ඉවරයි.

උ: එහෙමයි.

ප්‍ර: ඔබ කථා කරන කල් දේශබන්දු මහත්මයා ඔබට කිව්වේත් නැහැ නේද?

උ: කිව්වේ නැහැ, ස්වාමීනි.

ප්‍ර: මගේ ප්‍රශ්නය මේකයි. එතකොට මහත්මයාට පුදුම හිතුණේ නැද්ද, මගේ ප්‍රධානියා මේක දැනගෙනත් ඇයි මට කිව්වේ නැත්තේ කියලා? අනිවාර්යයෙන්ම ඔබතුමාට කියන්න ඕනිනේ.

උ: ස්වාමීනි, විමර්ශන කණ්ඩායමට අවශ්‍ය උපදෙස් දීලා තිබුණා. මට කථා කළේ නැහැ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මහත්මයා, අනිත් අය සියලුමදෙනා උදේ 6 වෙනකොට ඕක දැනගෙන ඉවරයි. මහත්මයාට පුදුම නැද්ද, මහත්මයා අද වෙන කල් ඕක ගැන දන්නේ නැහැ කියන එක? ඒක ගැන මහත්මයාට පුදුම නැද්ද?

උ: 9.30 වෙනකොට මම දැන ගත්තා, ස්වාමීනි.

ප්‍ර: මොබයිල් එකෙන් වෙඩි තියලා මේ අය මැරුණා කියලා අනිත් කට්ටිය සියලු දෙනාම දැනගෙන ඉවරයි.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මහත්මයාට පුදුම නැද්ද, මහත්මයා දැන ගත්තේ අදයි කියන එක ගැන?

උ: මට දැනුම් නොදීම සම්බන්ධයෙන් ප්‍රශ්නයක් තිබෙනවා, ස්වාමීනි.

ප්‍ර: දැනුම් දීලා හරි, දැනුම් නොදී හරි අද වෙන කල් මහත්මයා දන්නේ නැහැනේ? දැනුම් දීම පැත්තකින් තියමුකෝ. මහත්මයා අද වෙනකල් දන්නේ නැහැ.

උ: කුමක් සම්බන්ධයෙන් ද, ස්වාමීනි.

ප්‍ර: මොබයිල් එකෙන් වෙඩි තියලා මේ මිනිහාව මැරුවා කියලා.

උ: දන්නේ නැහැ, ස්වාමීනි. අද වෙනකල් දන්නේ නැහැ.

ප්‍ර: මහත්මයාට අමතරව මේ රටේ තව කවුද නොදැනගෙන සිටියේ?

උ: ඒ සම්බන්ධයෙන් දන්නේ නැහැ. ස්වාමීනි.

ප්‍ර: ඔන්න ඔතන තමයි ප්‍රශ්නය. මේ රටේ සිටින වගකිව යුතු සහ අවශේෂ හැමෝම දන්නවා. නමුත්, CCD එක භාර නියෝජ්‍ය පොලිස්පතිවරයා දන්නේ නැහැ?

උ: පිළිතුරක් නැත.

It was in the light of the above, that the learned Additional Solicitor General had suggested to this witness that he was uttering deliberate falsehoods. The learned Additional Solicitor General has produced before this Committee the call details report of the Respondent IGP marked **P-78**. He drew the attention of this witness to the entry **P-78(A)** which showed that ASP Neville de Silva had called him at 4.50 am on 31-12-2023. The call records show that ASP Neville de Silva had also called him at 7.13 am on 31-12-2023. When confronted with this, this witness has responded in the following way:

පරීක්ෂණ කමිටුවෙන් :-

ප්‍ර: අලුයම 4.45ට Director (CCD) එකෙන් මහත්මයාට කෝල් එකක් ඇවිල්ලා කියලා record වෙලා තිබෙනවා.

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: මහත්මයා තත්පර 78 ක් කථා කරලා තිබෙනවා කියලා ටෙලිෆෝන් වාර්තාවේ තිබෙනවා. හරිද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඔය වෙලාවේදීත් CCD එකේ Director මහත්මයා ඔය සිද්ධිය සම්බන්ධයෙන් මහත්මයාට කියලා නැහැ?

උ: මට ඒ ගැන මතකයක් නැහැ, ස්වාමීනි.

ප්‍ර: මොකක්ද?

උ: මට නිශ්චිතව කියන්න බැහැ, කිව්වාද නැද්ද කියලා. මට මතක නැහැ, ස්වාමීනි.

ප්‍ර: කිව්වා නම් මහත්මයාට මතක හිටින්නා ඕනෑද?

උ: කිව්වා නම් මතක හිටින්න ඕනෑ.

ප්‍ර: ඒ නිසා වෙන්න ඇති මහත්මයා ස්ථිරවම කිව්වේ, 9.30ට තමයි මහත්මයා දැන ගත්තේ කියලා.

උ: ඔව්. මට මතකයේ තිබෙන්නේ ස්වාමීනි, ඒ වාගේ වෙලාවට කථා කළා කියලා වාගේ තමයි. ඉස්සර වෙලා කථා කරපු එක මට මතක නැහැ.

ප්‍ර: මම කලිනුත් ඇහුවා නේ මහත්මයා, මේ වාගේ සිද්ධි කීයකට මහත්මයා මුහුණ දීලා තිබෙනවාද කියලා.

උ: එකයි, ස්වාමීනි.

ප්‍ර: ඒක අවිස්සාවේල්ලේ සිද්ධිය නේ.

උ: එහෙමයි.

It is the position of this witness that ASP Neville de Silva had told him that he visited the scene of the crime. Although ASP Neville de Silva had briefed him about the scene of the crime, this witness's knowledge in that regard could be ascertained from the following question and answers:

ප්‍ර: එතකොට ඒ හෝටලයේ සාමාන්‍ය මිනිහෙකුගේ ගණනට වඩා උසින් තිබෙන බෝඩ්වලටයි, උඩ තට්ටුවේ කාමර වලටයි, ස්පා කාමරයට අරවාට මේවාට වෙඩි වැදිලා තිබුණා කියලා කිව්වාද, ASP මහත්මයා?

උ: නැහැ. එහෙම එකක් කිව්වේ නැහැ, ස්වාමීනි.

ප්‍ර: පණ්ඩුල මහත්මයා කිව්වේ නැහැ?

උ: කිව්වේ නැහැ.

ප්‍ර: නෙවිල් සිල්වා කිව්වාද? බලන්න ගියා කිව්වානේ නෙවිල් සිල්වා එතැනට?

උ: වෙඩි පහරවල් ඇතුළේ තිබෙනවා කියලා කිව්වා. කොහේද කියලා හරියට කිව්වේ නැහැ. කාමරවල ද, කොහේද කියලා කිව්වේ නැහැ.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: මහත්මයා දැන් මේ වෙනකොට දන්නවාද, වෙඩි පහරවල් තිබිච්ච තැන්?

උ: නැහැ, ස්වාමීනි.

ප්‍ර: හෝටලයේ කාමරයකට වෙඩි පහරවල් -

උ: බෝඩ් එකේ තිබුණා කියන එක දන්නවා, ස්වාමීනි.

ප්‍ර: කාමරයේ?

උ: කාමරයේ තිබුණු එක දන්නේ නැහැ. ස්වාමීනි.

ප්‍ර: තවම දන්නේ නැහැ?

උ: දන්නේ නැහැ. ස්වාමීනි.

ප්‍ර: තවම දන්නේ නැහැ?

උ: තවම දන්නේ නැහැ. මේ අවස්ථාවේ තමයි දන්නේ, ස්වාමීනි.

ප්‍ර: 2024.12.05 වෙන කල් දැනගෙන හිටියේ නැහැ. W15 හෝටලයේ කාමරයට වෙඩි වැදිලාය කියලා?

උ: නැහැ, ස්වාමීනි. දැනගෙන හිටියේ නැහැ.

ප්‍ර: මහත්මයා ජංගම මුර සංචාරයෙන් වෙඩි තිබ්බා කියලාත් දැනගෙන නැහැ නේ. තවම දන්නේ නැහැ නේ.

උ: එහෙමයි, ස්වාමීනි.

However, both the Respondent IGP as well as ASP Neville de Silva have told before this Committee that ASP Neville de Silva never visited the scene of the crime. Therefore, it is clear that the evidence given by DIG Jagath Chandra Kumara in this regard is false.

At the end of the cross-examination also, this witness has reiterated that even at that time, he does not understand that the CCD team had engaged in an illegal act. Thus, the Committee is convinced that the evidence given by DIG Jagath Chandra Kumara called on behalf of the Respondent IGP must be rejected as falsehood in its totality.

(27) Evidence of retired DIG Sumith Prasad Ranasinghe.

This witness was the Deputy Inspector General of Police in charge of the CID during the period 26-05-2022 to 07-01-2024. It was on the latter date that he retired from service. It was during this period that he was instrumental in having Nadun Chinthaka Wickramaratne alias *Harak Kata* brought to Sri Lanka from Madagascar. He has described how *Harak Kata* was brought to Sri Lanka. To his recollection, this was on or around 14-03-2023. *Harak Kata* was kept in the CID for about one and a half years on detention orders during which time the said suspect had made attempts to escape from custody. Director of the Terrorist Investigation Division SSP Prasanna Alwis had prepared an analysis of the telephone numbers which had some connection to *Harak Kata*. Later on, SSP Prasanna Alwis had told him that he had given the list of telephone numbers he had prepared to the Respondent IGP, ASP Neville de Silva and DIG Nishantha de Zoysa. Although this witness has not referred to the specified dates on which he got to know those facts, it is the evidence of this witness that he retired 07 days thereafter, i.e. on 07-01-2024. Thus, in all probability this witness may have referred to the meeting the Respondent IGP has had with the others on 29-12-2023.

Answering questions asked by the learned Additional Solicitor General during cross-examination, retired DIG Sumith Prasad Ranasinghe has stated that there was a rumour that some of the CID officers were corrupt. He had taken certain steps in that regard. It is his position that although he made inquiries, he as the DIG CID had not found any evidence to establish the presence of any corrupt officer or corrupt activities in the CID. According to the evidence of this witness, the contents of some of the rumours at that time were against him also. He does not give any specific information or occasions or incidents or evidence, to convince this Committee of Inquiry that there was a problem of the presence of corrupt officers or corrupt activities in the CID during his tenure.

On the other hand, he has admitted that there were very competent officers present in the CID at that time. He has also admitted that as the DIG CID, he was also responsible if there was a problem of corrupt officers or corrupt activities in the CID during his tenure.

The Respondent IGP would have taken steps to lead the evidence of this witness in order to attempt to establish that the CID was corrupt as at 29-12-2023. The Respondent IGP appears to have attempted to establish that fact as a justification for his action of taking out only a part of the investigation CID was carrying out against the persons around *Harak Kata* and assigning that to Acting Director CCD ASP Neville de Silva on 29-12-2023 with instructions only to focus the arrests in Weligama and its suburbs. However, what this witness has established before this Committee of Inquiry is the fact that the inquiries he had made at that

time as the DIG CID had not found any evidence to establish the presence of any corrupt officer or corrupt activities in the CID.

Although there was an incident of *Harak Kata* attempting to escape, it was established before this Committee of Inquiry that it was an incident where one CID officer had distributed among the other officers some sweets which were said to have contained some drowsy substance. It is also a fact that it was just one officer who was arrested in that regard.

The learned Additional Solicitor General has not sought to challenge the credibility of the evidence of retired DIG Sumith Prasad Ranasinghe. The Committee also does not have any reason to discredit the evidence of this witness. However, all what this witness has established before this Committee is the fact that the CID was not corrupt at that time. Therefore, the evidence of this witness serves to cut across the position taken in that regard by the Respondent IGP.

(28) Evidence of SSP Mayura Perera.

This witness functioned at the relevant time as the Director Police Highways Mobile Division. At around 3.15 am on 31-12-2023, he had received a call from SI Jayasekera, who was at Imaduwa entrance of the Southern Highway. SI Jayasekera had informed him that they had received a message from Galle Operations Room which had instructed them to stop a van which was escaping after a shooting incident. SI Jayasekera was referring to the message marked **P-21**. When this witness received this call from SI Jayasekera, the suspected van had not come to the Highway Entrance.

SI Jayasekera had again called him after the van arrived at Imaduwa Entrance of the Highway. At that time, DIG Nishantha de Zoysa also had called him and asked him to act as per instructions that would be given by SSP Matara Pandula Weerasinghe. Thereafter, this witness has called SSP Matara Pandula Weerasinghe who had informed this witness to hand over the persons in the van to HQI Weligama. Accordingly, the Highway officers at Imaduwa Highway Entrance had taken steps to hand over the van and the persons in their custody to HQI Weligama. At that time, two injured persons had also been dispatched to the hospital through *Suwaseriya* ambulance. He has stated that no senior officer had attempted to influence him in this regard.

Answering the questions asked by the learned Additional Solicitor General during cross-examination, SSP Mayura Perera has reiterated the same facts. He has also stated that he became aware that the alleged shooting incident took place in Weligama and SI Jayasekera had informed him about the receipt of the message with regard to this van before 3.10 am and before the van arrived at the Highway Entrance.

Further answering the questions posed to him by the learned Additional Solicitor General during cross-examination, SSP Mayura Perera has stated that he instructed SI Jayasekera to be armed with a T56 weapon as there were grounds to believe and expect that the suspected van was carrying an organized crime group. It is the evidence of this witness that after this message was received in the Main Operations Room in the Gelanigama Highway Entrance, it is conveyed to all exits and entrances of the Highway. After the revelation that there were injured persons in the van and that they were police officers, SI Jayasekera had kept this witness informed about that development too. His evidence in this regard is reproduced below:

ප්‍ර: ඔවුන්ව රඳවා ගෙන ඉද්දී එතැන හිටපු ඔබගේ අධිවේගී මාර්ගයේ හිටිය යම් පොලිස් නිලධාරියෙක් ඔබට කථා කළාද ?

උ: කථා කළා.

ප්‍ර: ඒ කවුද?

උ: උ.පො.ප. ජයසේකර.

ප්‍ර: එතකොට ජයසේකර ඔබට කොළඹ අපරාධ කොට්ඨාසයේ නිලධාරීන් කෙනෙක් දෙන්නෙක් තුවාල වෙලා ඉන්නවා කියලා, ඒ සිද්ධියේ විස්තර ඔක්කොම කිව්වාද?

උ: එහෙමයි, ස්වාමීනි.

ප්‍ර: ඒ වාගේම එතැන හිටිය එක නිලධාරියෙක් කිව්වාද, ඔවුන් පැමිණ තිබෙන්නේ IG මහත්මයාගේ වැඩකට, ඔවුන්ට ඉක්මනට කොළඹ යන්න ඕනෑ කියලා දැනුවත් කළා කියලා?

(සාක්ෂිකරු කල්පනා කරයි.)

උ: ඒ වාගේ මතකයක් තිබෙනවා.

Answering further, this witness has admitted that the officers at the Highway Entrance who took away the ignition key of the van and stopped the van from escaping by aiming a T56 weapon deserve to be rewarded.

The learned Additional Solicitor General has not attacked the credibility of this witness. The Committee also has no reason to disbelieve the evidence of this witness.

(29) Evidence of retired ASP Hettiarachchige Neville Virginton de Silva.

ASP Neville de Silva is the person who functioned as the Acting Director CCD as at the date the incident of shooting had occurred in Weligama on 31-12-2023. He has described how the Respondent IGP gave him instructions on 29-12-2023, to arrest the persons in the list attached to **R-2**. It is his evidence that he was asked to arrest the persons who had assisted *Harak Kata* to escape from custody of the CID after giving some sweets with a drowsy substance to the officers of the CID. This witness has also told the Committee that it was a police officer who had distributed those sweets to the others. It was his evidence that the Respondent IGP on 29-12-2023 gave him oral instructions to do continuous operations to arrest the 149 persons in the list attached to **R-2**. At that time, SSP Prasanna Alwis and DIG Nishantha de Zoysa were there with the Respondent IGP along with few other senior officers. It is his evidence that the Respondent IGP had instructed DIG Nishantha de Zoysa to provide assistance by way of providing intelligence information to facilitate the execution of this operation by him. This witness has categorically stated that the majority of the persons named in the list are persons residing in Weligama and its suburbs. This is an important factor and hence, the evidence provided by this witness in that regard is reproduced below:

ප්‍ර: ඔබතුමාට දළ වශයෙන් අවබෝධය තිබෙන විධියට ඔය 149 ක කණ්ඩායම ලංකාවේ කොයි ප්‍රදේශවලද සිටියේ?

උ: ස්වාමීනි, වැඩි වශයෙන් සිටියේ දකුණු පළාතේ. වැලිගම, මාතර, මිරිස්ස වාගේ ප්‍රදේශ වල තමයි වැඩි හරියක්ම සිටියේ. නමුත් සමහර ඒවා කොළඹ තිබෙන address තිබුණා.

ප්‍ර: ඔබතුමා දන්නා විධියට ඔය නඳුන් චින්තක චික්‍රමරත්න කියන සැකකරුගේ මව් ගම කොහේද?

උ: මාතර, මිදිගම ප්‍රදේශය තමයි ඔහුගේ මව් ගම වශයෙන් ඔහු පාවිච්චි කරන්නේ.

ප්‍ර: දැන් ඔය 149 න් කොච්චර ප්‍රමාණයක් ඒ ප්‍රදේශය ආශ්‍රිතව සිටියාද?

උ: වැඩි ප්‍රමාණයක්ම සිටියේ ඒ ප්‍රදේශවල ස්වාමීනි.

It is the evidence of this witness that in accordance with the instructions he had received from the Respondent IGP, he took steps to have the team led by IP Jayatilleke sent to Weligama area as the first step. It is his evidence that at that time OIC CCD, CI Anslem de Silva volunteered to go with a second team. It is then that this witness had told CI Anslem de Silva

not to go on the same date but to proceed to Weligama on 30-12-2023. However, this is not supported by CI Anslem de Silva's evidence. This is also not supported by the Respondent IGP's evidence as he takes the view that CI Anslem de Silva is a person who is physically unfit for such operations.

ASP Neville de Silva has also admitted that the jurisdiction of the CCD is limited to the Colombo District but the Inspector General of Police can instruct it to undertake any other investigation to be conducted outside the Colombo District. This witness has also stated that under normal circumstances, CCD officers are required to work in uniform. It is the evidence of this witness that although they can conduct operations in civil clothes, they are required to carry ID cards and identify themselves to the local police if such a need arises during the course of such operations. This witness has stressed the importance of this practice, particularly when such police officers in civil clothes carry weapons in an area outside their jurisdiction. This piece of evidence contains the view of ASP Neville de Silva who at that time held the post of Acting Director CCD. However, as has been demonstrated in this Report, suffice it to say at this juncture that ASP Neville de Silva's conduct after the failure of CI Anslem de Silva's team to identify themselves to Weligama night mobile patrol is not consonant with his thinking.

Identifying **P-13** to **P-16**, ASP Neville de Silva has stated that he remembers recommending Police Form 439 on 29-12-2023 to enable CI Anslem de Silva's team to proceed to Weligama on 30-12-2023.

Between 2.45 am to 3.00 am on 31-12-2023, ASP Neville de Silva had received a call from IP Nishantha, who was a member of CI Anslem de Silva's team which went to Weligama. This witness has described the contents of this telephone conversation in the following terms:

ප්‍ර: මහත්මයා, 30 වැනිදා මධ්‍යම රාත්‍රිය පහුවෙලා කොයි වෙලාවක හරි මොකක් හෝ සිදුවීමක් සිදු වුණා කියලා ඔබතුමා දැන ගත්තාද? ඒක කාගෙන්ද දැන ගත්තේ?

උ: උතුමාණෙනි, මම 30 වැනිදා රාත්‍රී නින්දට ගියා. එසේ නින්දට ගියාට පස්සේ මගේ මතකයේ හැටියට පාන්දර 2.45 ත්, 3 ත් අතර කාලයේ මගේ දුරකථනය නාද වුණා. මම බැලුවා. බලනකොට IP නිශාන්ත කථා කරන්නේ. එතකොට IP නිශාන්ත මට එක පාරටම කිව්වා, "සර්, අපට වෙඩි වැදුණා. අපි ඉස්පිරිතාලෙකට යන ගමන් ඉන්නේ" කියලා. උතුමාණෙනි, ඇත්තටම මම හිතුවා, මේ කියන්නේ බොරුවක් කියලා. එතකොට මම කිව්වා, "නිශාන්ත, බොරු කියන්න එපා" කියලා. ඊට පස්සේ කිව්වා, "ඇත්ත සර්, අපි මිරිස්ස පැත්තේ ඉඳලා වැලිගම පැත්තට එද්දී ලොකු බෑග් එකක් කරේ දමාගත් පුද්ගලයෙක් පාර අයින දිගේ අනිත් පැත්තට යනවා දැක්කා, එයාව චෙක් කරන්න හිතාගෙන වාහනය slow කරද්දී එයා පැනලා දිව්වා.

දුවනවාත් එක්කම ඒ ගොල්ලන්ට වෙඩි ප්‍රහාර කිහිපයක් ආවා. ඒ නිසා අපේ හිටපු මධුරංගත් ඒ පැත්තට වෙඩි තිබ්බා. ඒ එක්කම අපි එතැනින් බැස්සේ නැහැ, අපේ තුවාලකාරයෝ ඉන්න නිසා ඒ එක්කම අපි ආවා. අපේ තුවාලකාරයෝ ඉන්න නිසා අපි රෝහලක් හොයාගෙන යන ගමන් කියලා මට කිව්වා. මම කිව්වා, ඉක්මනින් hospital එකකට යන්න කියලා. උතුමාණෙනි, නිලධාරින්ට වෙඩි වැදුණා කිව්වාම, ඇත්තටම ඒ වෙලාවේ මොකක්ද කරන්නේ කියලා හිතාගන්න බැරි වුණා. ඒ තත්ත්වයට මුහුණ දුන්නාම තමයි තේරෙන්නේ. පසුව මම ටික වෙලාවක් වාඩිවෙලා ඉඳලා ඉක්මනින්ම මගේ ආසන්නම රාජ්‍ය නිලධාරියා වෙන්නේ DIG Colombo. මම ඔහුට දුරකථන දුරකථන ඇමතුම් කිහිපයක් ගත්තා. නමුත් answer කළේ නැහැ. ඊට පස්සේ මම වැඩ බලන පොලිස්පතිතුමාටත් කිහිප වතාවක්ම ගත්තා. Answer කළේ නැහැ. ඒ උදේ පාන්දර නිසා වෙන්න ඇති. පසුව මම කල්පනා කරමින් ඉඳලා, මම කොළඹ අපරාධ කොට්ඨාසයේ ඉඳලා කිලෝ මීටර් 22 ක් ඇතින් නවගමුවේ ඉන්නේ. මම කොහොමත් දන්නවා, මට ඒ ප්‍රදේශයට යන්න වෙනවා කියලා. ඒ නිසා මම ෆෝන් එකත් අතේ කියාගෙන bathroom එකටත් ගිහිල්ලා සුදානම් වන ගමන්ම මට එක පාරටම සොයියා මහත්මයාට මතක් වුණා. මේ operation එකේ වැඩි කාර්ය භාරයක් ඔහුත් කළා. ඔහුට මම call එකක් අරගෙන කිව්වා, "සර්, මෙන්න මෙහෙම සිද්ධියක් ඇති වුණා. මෙන්න මෙහෙම කියනවා, පොලිස්පතිතමාට මේ පණිවුඩය දිලා මට උපදෙසක් අරන් දෙන්න මොකක්ද කරන්නේ කියලා." ම ඒ අතරතුර ලැහැස්ති වෙලා කොළඹ අපරාධ කොට්ඨාශයට එන්න පිටත් වුණා. මට 4 විතර වෙනකොට කොළඹ අපරාධ කොටට්ඨාසයට එන්න පුළුවන් වුණා. ඊට පස්සේ නිශාන්ත මහත්මයා මට call එකක් අරගෙන කිව්වා. "නෙවිල්, මම IGPට කිව්වා, ඔයා ටක්ගාලා යන්න" කියලා. ඊට පස්සේ මම CCD එකට ආවා, එනකොට ඒ වෙලාවේ හිටපු SI ලියනගේ හිටියා. මම SI ලියනගේට කථා කරලා කිව්වා, මෙහෙම සිද්ධියක් වෙලා තිබෙනවා, මගෙත් එක්ක යන්න ලැහැස්ති වෙන්න කියලා. එහෙම කියලා අරගොල්ලෝ අවුට් එක දාපු පොතගෙනැල්ලා මට පෙන්වන්න කියලා මේ කිව්වා. ඔහු unit one එකේ නිලධාරියෙක්, ඊට පස්සේ මම ඒ පොත බැලුවා. ඇන්ස්ලම් සිල්වා පැය 20.30ට ඒකේ අවුට් එක ආලා තිබෙනවා, ආවරණ අනුමැතියට යටත්ව යනවා කියලා. ඒ අවශ්‍ය සටහන දාලා තිබෙනවා. ඒ අනුව මම දැනගත්තා, මේක නිවැරදියි. සටහන දාලා තිබෙනවා කියලා. මම ඊට පස්සේ ටක් ගාලා highway එකෙන් මාතරට යන්න පිටත් වුණා.

ප්‍ර: නෙවිල් සිල්වා මහත්මයා, ඔබතුමා නෙවිල් ද සිල්වා නේද?

උ: එහෙමයි.

According to the evidence of ASP Neville de Silva, he had believed IP Nishantha's version of events.

ASP Neville de Silva has stated that the members of CI Anslem de Silva's team which went to Weligama upon his directions on 30-12-2023 has made a statement indicating that the shooting incident had happened in a different way than the one which was conveyed to him

in the morning of 31-12-2023, due to the fact that the learned Magistrate of Matara had pronounced the Order on 27-02-2025 to arrest them as suspects. According to this witness, CI Anslem de Silva's team members had made the statement containing this different version of events on 06-03-2025, after the learned Magistrate's Order on 27-02-2025.

Although this witness has stated that he was interested in ascertaining as what actually had happened in front of W15 hotel at Weligama during the shooting in the morning of 31-12-2023, the only action he had taken to verify the truth of the events narrated to him by CI Anslem de Silva's team members, during his tenure in office as Acting Director CCD until he left the CCD on 03-12-2024, was limited to getting that information from CI Anslem de Silva's team members themselves.

Although ASP Neville de Silva had stated that he ascertained the veracity of the version of events narrated to him by CI Anslem de Silva's team on 31-12-2023 from HQI Weligama, ASP Weligama and SSP Matara, all that he had got to know from them is the fact that SI Maduranga and PS Upul of the CCD were injured by firing which came from an unknown gunman. It is his evidence that during the whole of the day throughout 31-12-2023, what he gathered from whomsoever he had spoken with, during the day, was that SI Maduranga and PS Upul received gunshot injuries from bullets fired by an unknown gunman in front of W15 hotel. As has been mentioned before, the Committee observes that even the Respondent IGP after an initial attempt to say the same thing, later admitted that by 6.00 am on 31-12-2023, he got to know that it was Weligama night mobile patrol which fired at the escaping CCD van.

Upon being questioned further in this regard, ASP Neville de Silva has thereafter changed the version and admitted that he got to know that it was the Weligama police night mobile patrol which fired at the CCD officers. It is important to reproduce below, the way ASP Neville de Silva had answered this question:

ප්‍ර: ඊට වඩා වෙනස් කරුණක් මහත්මයා 31 වැනි දා දැන ගත්තාද?

උ: ඔව්. ඊට පස්සේ මට දැන ගන්න හම්බ වුණා මොබයිල් එකේ තියපු නිලධාරින්ගේ වෙඩි පහරවල් අපේ නිලධාරින්ට වැදිලා තිබෙනවා කියන එක.

ප්‍ර: කොයි වෙලාවේද දැන ගත්තේ?

උ: මම දැන ගත්තේ ස්වාමීනි,-

(සාක්ෂිකරු කල්පනා කරයි.)

ඔව්, මම හිතන්නේ, Postmortem එකෙන් පස්සේ.

Although this witness had initially attempted to state that the JMO conducting the post-mortem examination of PS Upul told him that it was Weligama police night mobile patrol which fired at the CCD officers, on being further questioned he withdrew that statement. Thereafter, he again changed the version and stated that it was something he believed at that time. He has also told the Committee that this is not the version of events that HQI Weligama had told him at that time. When **P-9** was shown to him, to show that SI Maduranga had not told anything about the arrival of the Weligama night mobile patrol jeep at W15 hotel at the time of shooting incident, this witness refrained from answering the question.

Although it is the evidence of ASP Neville de Silva that he was instructed by the Respondent IGP to ascertain the truth of the incident, he has admitted that he never visited the scene of the incident but only went to the Weligama police station. On being asked as to why he did not visit the scene of the crime, he has told the Committee that he refrained from doing that as there would be allegations of attempts to influence the ongoing investigations by Weligama police at that time. This assertion does not have any basis as it was the Weligama police station which carried out the investigations and it is to that place that ASP Neville de Silva had gone.

Although the Respondent IGP in his evidence had stated that he instructed ASP Neville de Silva to proceed to Weligama, make inquiries and report back to him about the way the incident had happened, the position taken up by this witness in the face of questioning about his changed versions is that he only intended to attend to the welfare of the injured persons and not to verify the truth of the incident, as the Weligama Police had already started an investigation into this matter. Then the question this Committee has to consider as to why ASP Neville de Silva all the way went to Weligama police station early in the morning and without any delay. ASP Neville de Silva knew by that time that the two injured CCD officers were taken to Karapitiya hospital. Therefore, there was no welfare need to be attended in Weligama. According to him he was careful in not influencing the ongoing investigation undertaken by Weligama Police. It is the Respondent IGP who instructed him to proceed to Weligama immediately and therefore he went with the authority of the Respondent IGP. Then, why did the Respondent IGP instruct ASP Neville de Silva to proceed to Weligama? The only thing that ASP Neville de Silva had done in Weligama is going to the Weligama police station and speaking to higher officers who were involved in further investigation in to this matter. According to ASP Neville de Silva, that is the very thing he wanted to avoid fearing the possible

allegations of interferences in the investigations. Thus, the corollary, according to ASP Neville de Silva is that one can rightly or wrongly presume that his immediate presence amongst investigators could be to influence and interfere with the ongoing investigations by Weligama Police. This presumption is more facilitated by the absence of any other explanation offered by ASP Neville de Silva as to his immediate presence there in Weligama by 6.00 am. Moreover, his evidence has suggested that he was not interested in making inquiries to find out as to how this incident had actually happened and report his findings back to the Respondent IGP. That was the exact instruction (according to the Respondent IGP's evidence), the Respondent IGP had given to ASP Neville de Silva.

ASP Neville de Silva has specifically stated before this Committee that the information within his knowledge about the way the shooting incident in the morning of 31-12-2023 had happened in front of W15 hotel at Weligama, did not include any information that it was the Weligama night mobile patrol jeep which had shot and injured SI Maduranga and PS Upul up until 03-12-2024 up to which date he continued to function as Acting Director CCD. This is a date which is almost a year after this incident of shooting. That is, for about one more year after the shooting incident ASP Neville de Silva did not know that it was the Weligama night mobile patrol jeep which had shot and injured SI Maduranga and PS Upul. It is his evidence that during that time also he neither entertained any suspicion to think in a different way nor received any different information in that regard.

This witness has stated in his evidence that he attempted to call DIG Colombo after he got to know the incident but failed.

Referring to the recommendation of the reward payable to killed PS Upul, it is the evidence of this witness that he recommended the reward voucher to pay a reward of Rs. 1.5 million to PS Upul on 31-12-2023 on the same basis as he accepted the version narrated to him by CI Anslem de Silva on that day. ASP Neville de Silva had only checked CI Anslem de Silva's out entry made at 8.30 pm on 30-12-2023 when he left the CCD office for Weligama. Admittedly, this witness had not even waited until CI Anslem de Silva makes his return entry to state that he returned to the station. The Committee notes that it is in the return entry that a police officer explains as to what had happened to the duties such officer had undertaken. Although ASP Neville de Silva was questioned seeking an explanation as to how he had formed a view that the CCD team led by CI Anslem de Silva indeed had engaged in an official duty, he gave the same answer, i.e. the fact that he had relied on what was told to him by CI Anslem de Silva. ASP Neville de Silva failed to explain to the satisfaction of the Committee as to the

presence of any basis upon which he had decided to recommend the reward voucher for the payment of Rs. 1.5 million to PS Upul. When confronted with the return entry he had made at 8.30 pm after his return to the CCD office, ASP Neville de Silva had to admit that he did not mention in the said entry placed in the OVB anything about an event of firing and injuring SI Maduranga and PS Upul by Weligama police night mobile patrol.

ASP Neville de Silva has categorically stated in his evidence that it is not for ascertaining the truth of this incident that the Respondent IGP had instructed him to proceed to Weligama, but to attend to the matters regarding the welfare of the injured person and the dead person. Thus, as admitted by this witness himself, his focus throughout the day on 31-12-2023 was to attend to the welfare relating to the person injured and the person killed. According to him, the Respondent IGP had never instructed him to ascertain the truth and report back to him about the actual way the shooting incident had happened in Weligama. He did not visit the crime scene and as a result he did not know anything about any special observation at the scene of the incident either in support or in opposition of the version given by CI Anslem de Silva's team about the way this incident had happened. According to him, the investigation was proceeding by the Weligama police station. The version which was within his knowledge was not the version within the knowledge of the Weligama police authorities. It was in the presence of those glaring, questionable circumstances that he hurriedly recommended to the Respondent IGP a payment of Rs. 1.5 million only to PS Upul of the CCD team. This witness does not explain any basis for his action but wants this Committee to believe him.

ASP Neville de Silva has denied receipt of any information about W15 hotel sent by DIG Nishantha de Zoysa. In the course of his evidence, ASP Neville de Silva makes a serious allegation against DIG Nishantha de Zoysa and attempted to show that as a motive upon which DIG Nishantha de Zoysa had given false evidence against him before this Committee.

This witness had admitted that a message under his hand was sent to a person named Hadi Mohomed Ismail Jamaldeen with regard to some investigation. He also has admitted that upon instructions of the Respondent IGP, he went to courts to ensure that justice was done to a lady who had complained against a Muslim person whose name he did not remember.

When asked about the alterations of the Outward Documents Register, he has denied giving instructions to alter such registers to SI Pulleperuma.

(30) Cross-examination of ASP Neville de Silva.

The learned Additional Solicitor General has cross-examined this witness during which many important points have been elicited for the consideration of this Committee. ASP Neville de Silva has re-iterated in the cross-examination as well, the fact that CI Anslem de Silva's team members at no time told him that their team members got shot as a result of the Weligama police night mobile patrol jeep opening fire at them. This witness in the cross-examination has categorically admitted that he did not take any step to send teams such as IP Jayatilleke's team on 29-12-2023 and CI Anslem de Silva's team on 30-12-2023, after this incident in order to carry out further investigations with regard to **R-2** or to carry out any other investigation with regard to the facts surrounding this incident. ASP Neville de Silva's evidence also shows clearly that the Respondent IGP has also not instructed him thereafter to take any step to continue the investigation with regard to **R-2** or to find out exactly what happened in the morning hours on 31-12-2023 in front of Weligama W15 hotel. This is the same position taken up by the Respondent IGP as well. When the learned Additional Solicitor General had asked as to why he did not pursue the rest of the investigation with regard to the one he had already commenced, this witness was unable to give reasons acceptable to the Committee.

This witness was asked as to whether it is natural for the following events to take place, namely: the event of the van carrying police officers attached to CCD on duty in Weligama coming under fire at the instance of the Weligama police night mobile patrol jeep; the event of the CCD van speeding away and escaping amidst firing by Weligama police night mobile patrol; the event of the CCD van traveling to a faraway place such as Imaduwa Highway Entrance after a lapse of time from the time of shooting incident; the event that the CCD team attempted to travel on the Highway in the direction of Colombo. However, ASP Neville de Silva has refrained from answering these questions.

When asked whether it is natural for the police officers on duty at Imaduwa Highway entrance to have forcefully prevented the van carrying the CCD team members including those with gunshot injuries from proceeding to Colombo through the Highway entrance if the CCD members were not suspected for any wrong doing, ASP Neville de Silva has admitted that it cannot be accepted as a natural course of event.

It is the position of this witness that since he did not get to know that it was Weligama police night mobile patrol jeep which fired at CCD's CI Anslem de Silva's team, he did not convey such information to the Respondent IGP in the morning when he called him on 31-12-2023.

This is drastically different to the position taken up by the Respondent IGP. To several other questions asked from this witness which are incidental to the said issue, ASP Neville de Silva has kept quiet.

It is the evidence of ASP Neville de Silva that he does not know that it was an upstairs room in W15 hotel which was damaged by gunfire of the CCD team. This witness, in the face of further questioning, unsuccessfully attempted to convince the Committee that the CCD officers could have mistakenly fired at an upstairs room in the course of aiming at an escaping suspect on the ground, in front of W15 hotel. The witness did not answer the question posed to him as to why, under such circumstances, he recommended the payment of Rs. 1.5 million to PS Upul. Later on, ASP Neville de Silva has admitted that it was wrong for him to recommend the payment of Rs. 1.5 million to PS Upul of the CCD as a reward, in the presence of such incriminating circumstances. This is a drastic turn-around from the positions ASP Neville de Silva had taken at early stages of his evidence.

When the learned Additional Solicitor General has asked as to why officers in CI Anslem de Silva's team did not use the official phones given to them by Sri Lanka police, ASP Neville de Silva kept quiet. When asked as to why some of the officers including SI Maduranga who was shot and PS Upul who was killed, had worn jackets when going to Weligama, ASP Neville de Silva has admitted that it is also not a natural course of event.

ASP Neville de Silva initially attempted to state that he did not observe signs of newly pasted stickers on the body of the CCD van, which was taken into custody and kept in the Weligama police station at the time he visited Weligama police station. However, when confronted with photographs of the van taken by SOCO officers of Matara produced before this Committee as **P-58(A)** and **P-58(B)**, this witness remained quiet without providing an answer. He later admitted that the fact that he did not observe such marks on the van is a lapse on his part. When this witness was confronted with the items of evidence which positively show that SI Maduranga and PS Upul received gunshot injuries in this shooting incident in the way narrated by CI Anslem de Silva and PCD Dulip Gihan Piyatissa, supported by Police Sergeant Ajith Sisira Kumara, Army Sergeant Ruchiranga, SI Jayasekera and Police Sergeant Wijewickrema of Imaduwa Highway Entrance, one by one as items, this witness found himself unable to explain any of those incriminating circumstances.

It is the observation of this Committee that even the Respondent IGP's evidence does not support the stance taken up by ASP Neville de Silva. The note made by SSP Pandula

Weerasinghe has been produced before this Committee of Inquiry marked **P-77**. Having regard to the contents in **P-77**, the Committee observes that ASP Neville de Silva's assertions are not supported by SSP Pandula Weerasinghe's notes. The Respondent IGP has not challenged the evidence of Police Sergeant Ajith Sisira Kumara and Army Sergeant Ruchiranga. However, their evidence does not support the versions ASP Neville de Silva has attempted to put forward before this Committee. The Respondent IGP has not challenged the evidence of SI Jayasekera and Police Sergeant Wijewickrema who were on duty at Imaduwa Highway Entrance on 31-12-2023. However, their evidence also does not support the versions ASP Neville de Silva wants this Committee to believe. The Committee of Inquiry for the foregoing reasons, concludes that ASP Neville de Silva has deliberately uttered falsehood before this Committee. Therefore, the Committee of Inquiry decides to reject ASP Neville de Silva's evidence in its totality as falsehood.

(31) Evidence of Thanesh Bernard Dias.

Mr. Thanesh Bernard Dias is the Senior Human Resources Manager of Sri Lanka Cricket. The learned Counsel for the Respondent IGP, through the evidence of this witness, sought to establish that there were no dealings between Sri Lanka Cricket and the Respondent IGP. However, the document this witness has produced marked **R-18** which is the letter dated 07-08-2021, the document marked **R-18(A)** which is the minute of the decision taken by Sri Lanka Cricket on 07-08-2021 and the Respondent IGP's response dated 05-11-2021 marked **R-19**, establish the following facts: Sri Lanka Cricket, on 07-08-2021, decided to engage the service of the Respondent IGP as a security consultant for payment of a sum of money specified therein; Sri Lanka Cricket sent the Respondent IGP a contract to enable the Respondent IGP to sign and accept this position; the Respondent IGP, by the letter dated 05-11-2021 (**R-19**), has declined to accept the post of security consultant.

This witness has confirmed that Sri Lanka Cricket had not paid any amount of money to the Respondent IGP in this regard as he had not accepted this post However, the Committee of Inquiry observes that the act of acceptance to be signed by the Respondent IGP was pending with the Respondent IGP for some time, i.e. the period from 07-08-2021 which is the date of **R-18** to 05-11-2021 which is the date of **R-19**. Thus, the Committee of Inquiry observes that the Senior Human Resources Manager of Sri Lanka Cricket Mr. Thanesh Bernard Dias has

established before this Committee that there was some dealing between Sri Lanka Cricket and the Respondent IGP to the above-mentioned extent.

(32) Evidence of Sudanthiththalapitiye Priyantha Jayatilleke Perera.

Mr. Priyantha Jayatilleke Perera functioned as the Chief Account of Sri Lanka Police in the Accounts section of the Police Headquarters. He has explained in detail, about some facts relating to payment of rewards to police officers out of the Police Reward Fund. It is his evidence that it is not within his powers to further investigate and check the correctness of any decision to pay a reward after the Inspector General of Police has approved the payment of such reward. The learned Additional Solicitor General, in the cross-examination of this witness, had not sought to discredit this witness.

With regard to the payment of the reward to PS Upul, the matter under inquiry before this Committee is whether the basis upon which the Respondent IGP had approved the payment of the said reward is lawful. Therefore, this witness's evidence would be of marginal value to the issue before this Committee of Inquiry.

With the conclusion of the evidence of the Chief Account of Sri Lanka Police Mr. Priyantha Jayatilleke Perera, the Respondent IGP marking the documents **R-1** to **R-19** concluded his case.

5. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO THE CHARGE NOS. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 AND CHARGE NOS. 13, 14, 15, 16 OF THE CHARGE SHEET:

The Committee of Inquiry, for the reasons set out in this report, has decided that the sequence of events which led to the incident of shooting which occurred in front of W15 hotel at Pelena, Weligama on 31-12-2023 during 2.20 am - 2.30 am, has occurred in the way narrated by CI Anslem de Silva before this Committee. As has been already mentioned in this report, the Committee has concluded that this evidence has been corroborated by many other witnesses. The Committee, when it summarized and analysed the evidence of those witnesses, has already shown how those other witnesses have corroborated the testimony of CI Anslem de Silva before this Committee.

The learned Additional Solicitor General has taken steps during the Inquiry to lead the evidence of 31 witnesses. Out of the said 31 witnesses, about 10 witnesses were called to give evidence to establish the fact that the Respondent Inspector General of Police had absconded without obeying the orders made by the Hon. Magistrate of Matara during the period commencing from 27-02-2025 to 19-03-2025.

The Respondent IGP also filed a list of witnesses. His list of witnesses contained 15 names. However, the learned Counsel for the Respondent Inspector General of Police led the evidence of only 07 witnesses before the Committee. Four of the witnesses called at the instance of the Respondent Inspector General of Police, namely retired DIG Sumith Prasad Ranasinghe, SSP Mayura Perera, the Senior Human Resources Manager of Sri Lanka Cricket Mr. Thanesh Bernard Dias and the Chief Account of Sri Lanka Police Mr. Priyantha Jayatilleke Perera did not establish any fact in favour of the Respondent IGP but established certain factual positions negating the positions the Respondent IGP had sought to take up before this Committee of Inquiry. The Committee of Inquiry has already given reasons for these conclusions when it was dealing with the summary and analysis of the evidence of these witnesses.

The Committee of Inquiry, for the reasons set out in this report, has decided to reject the evidence given by DIG Jagath Chandra Kumara and ASP Neville de Silva whose evidence was led on behalf of the Respondent IGP. Similarly, the Committee of Inquiry for the reasons it has set out in this report, has also decided to reject the positions taken up by the Respondent IGP which are contrary to the positions taken up by CI Anslem de Silva and the other witnesses who supported/corroborated CI Anslem de Silva's evidence before the Committee.

Thus, it has been established before the Committee of Inquiry that the Respondent IGP on 29-12-2023 having handed over the document **R-2** with only three letters written by him on it (i.e., FNA), gave verbal instructions to ASP Neville de Silva to send teams to Weligama which he claimed was for the arrest of those persons in the said list. ASP Neville de Silva sent IP Jayatilleke's team on the following day to Matara area. That team has arrested 11 suspects and came back to Colombo. ASP Neville de Silva then gave an illegal order to the team comprising CI Anslem de Silva, IP Dunusinghe, SI Maduranga and IP Nishantha in his office in the morning of 30-12-2023 to go to Weligama in the night and open fire at W15 hotel at Pelena. The evidence led before the Committee has revealed that CI Anslem de Silva's team went in the KDH van bearing No. WP PK 7225 belonging to Sri Lanka Police to execute this illegal mission without Police Form 439 being approved by the Respondent IGP as the SDIG in charge of the Western Province.

After CI Anslem de Silva's team went to Weligama, the team having waited for the traffic flow on the Galle Road to recede, around 2.20 am on 31-12-2023 has gone and stopped the van in front of W15 hotel. SI Maduranga in the CCD team having opened the rear left-side door of the van had opened fire at W15 hotel. It was at that time that Weligama police night mobile patrol jeep arrived there. When Police Sergeant Ajith Sisira Kumara got off the Weligama police jeep, (after it was parked it in front of the CCD van presumably to show to the persons inside the van that police jeep had arrived at the scene), the CCD team in the van sped away passing the police jeep and escaped. It was in that process that the Army Sergeant in Weligama night mobile patrol, namely Army Sergeant Ruchiranga, had opened fire at the escaping van carrying the CCD members. The van carrying CCD members was hit by gunfire from Weligama police night mobile patrol. Weligama police jeep gave a chase behind CCD van without success. The CCD van escaped even after it was shot. CCD van still proceeded with broken glasses, and most importantly with injured persons. It is established before the Committee of Inquiry that nobody knew the whereabouts of the CCD van for some duration until it reached Imaduwa Entrance of the Southern Highway at 3.10 am on 31-12-2023.

It is also established before the Committee of Inquiry that CI Anslem de Silva and some others in the team during the afore-said time contacted ASP Neville de Silva. Even ASP Neville de Silva in his evidence has confirmed this fact. It is ASP Neville de Silva's evidence that it was IP Nishantha who called him between 2.45 am – 3.00 am to inform him that the CCD team he sent to Weligama had come under fire.

Thus, going by the time, this was before the van carrying CCD team had decided to come to the Highway. It is CI Anslem de Silva's evidence that ASP Neville de Silva when contacted at that time, did not give any clear instruction to them as to what they must do next. Therefore, it is clear before the Committee that the first step ASP Neville de Silva had taken after the news with regard to the shooting incident was broken to him between 2.45 am - 3.00 am was to call the Respondent IGP. It was because ASP Neville de Silva did not succeed in getting connected to the Respondent IGP he sought the assistance of DIG Nishantha de Zoysa. Thereafter, it was DIG Nishantha de Zoysa who first informed the Respondent IGP and broke the news to him that the CCD team which went to Weligama had come under fire. It was around 3.30 am that DIG Nishantha de Zoysa had managed to contact the Respondent IGP. Thus, by the time the Respondent IGP had got to know the incident of shooting, the CCD van had come to Imaduwa Highway entrance. Thus, the reasonable inference that the Committee can draw from these facts is that the CCD team on its own decided to find its way to nearby Highway entrance to go to Karapitiya hospital concealing the injured persons in the van. The

CCD team was compelled to take this decision in the absence of any clear further instruction from ASP Neville de Silva.

It was in the above background that DIG Nishantha de Zoysa had broken the news of this incident to the Respondent IGP. The response which came from the Respondent IGP to DIG Nishantha de Zoysa, along with other facts, has established before this Committee that the Respondent IGP was never surprised that ASP Neville de Silva had sent this team. On the other hand, ASP Neville de Silva knew very well at that time that CCD team got shot when they were on an illegal mission. But ASP Neville de Silva did not think twice before contacting the Respondent IGP to break the news about the incident of shooting. What is this incident he wanted to convey to the Respondent IGP? It was a series of incidents namely: an incident of members in the CCD van firing at W15 hotel; an incident about members in the CCD van getting shot by Weligama Police night mobile patrol; an incident of the van carrying CCD members escaping from Weligama Police night mobile patrol; an incident of glasses of the van carrying CCD members being damaged and two CCD persons receiving gunshot injuries; an incident of one CCD member being in very critical condition. Nevertheless, ASP Neville de Silva had not thought twice before deciding to inform that the CCD members had engaged in all the afore-mentioned unlawful acts to the chief of Sri Lanka Police. i.e., the Respondent IGP. The evidence shows that ASP Neville de Silva had taken an unwavering effort to somehow bring all those unlawful acts to the notice of the Police Chief (the Respondent IGP) without any hesitation and as soon as possible. Indeed, at no time up until now, has the Respondent IGP found fault with, or criticized or taken any action against ASP Neville de Silva's action of sending CI Anslem de Silva's team to Weligama for this illegal mission. To the contrary, the Respondent IGP still defends the CCD team, ASP Neville de Silva and all those who had assisted to cover up this incident. This is not consistent with any hypothesis of innocence on the part of the Respondent IGP but a clear indication of his complicity in the shooting incident undertaken by CCD team.

It has been established before this Committee that it was the Respondent IGP who had directed ASP Neville de Silva to immediately proceed to Weligama. Thus, by around 6.00 am on 31-12-2023, ASP Neville de Silva was there in Weligama police station. The Committee has described in this Report what ASP Neville de Silva had done in Weligama police station, having gone there with directions from the Respondent IGP. The photograph of the CCD van taken by SOCO officers in Matara Division is a classic example. ASP Neville de Silva, who went to Weligama with instructions from the Respondent IGP to find out what exactly happened and

report the finding back to the Respondent IGP, had done absolutely nothing in Weligama police station. Why? Because he already knew what actually had happened.

But there is one result of ASP Neville de Silva's visit to Weligama. Despite Police Sergeant Ajith Sisira Kumara and Army Sergeant Ruchiranga giving statements to OIC Crimes Branch Weligama police station by 6.00 am on 31-12-2023 at the crime scene itself, Weligama police station did nothing. All what HQI Weligama did was going to Imaduwa Highway entrance, taking charge of the CCD officers including CI Anslem de Silva, bringing them to Weligama police station and releasing them from custody. By this time the Respondent IGP was following the developments through his agent ASP Neville de Silva who was in Weligama. However much the Respondent IGP sought to insist that Weligama police station had conducted an investigation under the direction of SSP Matara, what they had done is quite the opposite. By that time the Respondent IGP's agent ASP Neville de Silva was hand in hand with HQI Weligama. Is this not a clear indication of the Respondent IGP's interference in the investigations? If so, does it not indicate any complicity of the Respondent IGP in the shooting incident by CCD members? These facts are not consistent with any hypothesis of innocence on the part of the Respondent IGP.

It is the Respondent IGP who was instrumental in granting a promotion and awarding a reward to PS Upul who was killed in this shooting incident within 02 days from the incident. The Respondent IGP was in a mighty hurry to ensure the said granting of a promotion and approving a reward to PS Upul. The process is now found to be illegal by any yard stick. In the light of those factors, the only irresistible inference beyond reasonable doubt which the Committee of Inquiry can draw, is the fact that ASP Neville de Silva's action of sending CI Anslem de Silva's team to Weligama to execute an illegal mission has been done at the instance of the Respondent IGP. On the evidence led, and on the factual positions proved, it is the only irresistible inference this Committee can draw and it is drawn to the exclusion of any other hypothesis of innocence of the Respondent IGP. In other words, the inferences which this Committee of Inquiry has drawn are not consistent with any hypothesis of innocence of the Respondent IGP.

The Committee of Inquiry, for the reasons set out in this report, has concluded that the Respondent IGP has illegally approved the reward of Rs. 1.5 million to Police Sergeant Upul. A promotion has also been granted to Police Sergeant Upul at the instance of the Respondent IGP. Indeed, if PS Upul were alive, he should now have stood as a suspect in the Matara Magistrate's court case. This is particularly so, as all members of the CCD team led by CI

Anslem de Silva, without exception, now stand as suspects in that case. Thus, as has already been mentioned above, the inferences this Committee can draw from the illegal award of the reward made to PS Upul by the Respondent IGP is also not consistent with the innocence of the Respondent IGP. This is particularly so because the Respondent IGP has deliberately not taken any action against anyone, even when the National Police Commission queried from him about this incident referring to an article published in one of the national newspapers. The Respondent IGP's reply to the National Police Commission is that the CCD officers have not committed any wrong. This was almost two months after the incident.

It has been established before the Committee of Inquiry that the Respondent IGP did not take any steps to have this investigated by any independent unit of Sri Lanka Police. The explanations the Respondent IGP has given in that regard, in the minds of this Committee, are reasons which deserve to be rejected by all fair-minded citizens. The Committee of Inquiry regrets its inability to accept those reasons as excuses.

The Committee in this Report has also referred to the fact that the Respondent IGP, in response to the questions posed to him, has admitted that in the circumstances of this case, one cannot definitely conclude as to what really had happened in front of W15 hotel. Nevertheless, he had immediately proceeded to approve a reward of Rs. 1.5 million to Police Sergeant Upul on a false basis that Police Sergeant Upul was killed by an unknown gunman. The Committee of Inquiry observes that this is a position, the Respondent IGP could not defend before this Committee.

The Respondent IGP has not challenged the evidence given by the officers who were on duty at Imaduwa Entrance of Southern Highway. According to their evidence, the person who identified himself as IP Nishantha had told them something to the effect that it was with the blessings of the Inspector General of Police at that time that they came to that area for a mission. Section 9 (d) of the Removal of Officers (Procedure) Act No. 05 of 2002 permits this Committee of Inquiry to admit evidence notwithstanding the provisions of the Evidence Ordinance.

Even SSP Mayura Perera who was called to give evidence on behalf of the Respondent IGP confirmed this position, i.e. SSP Mayura Perera in his evidence confirmed that Imaduwa Highway entrance officers told him something to that effect. It was the Respondent IGP who called SSP Mayura Perera to give evidence on his behalf.

The evidence shows that it was the person identified as IP Nishantha who had told that to Imaduwa Highway entrance officers. IP Nishantha has left the country and hence cannot be called to give evidence before this Committee. Therefore, the Committee of Inquiry does not wish to purely act on the truth of that statement. However, the fact remains that such a statement was made by a member of that team when the CCD van was stopped at Imaduwa Highway entrance. As has been mentioned before, this is also confirmed by the Respondent IGP's witness SSP Mayura Perera. Thus, the fact that such a statement has been made to the police officers on duty at Imaduwa highway entrance has been established before the Committee of Inquiry. However, the Committee will not rely on the truth of that statement.

For the foregoing reasons, the Committee of Inquiry concludes that it was the Respondent IGP who had spearheaded the questionable, illegal act of shooting undertaken by CI Anslem de Silva's team on 31-12-2023 between 2.20 am - 2.30 am through ASP Neville de Silva. Therefore, the Committee of Inquiry finds the Respondent IGP guilty of Charge Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and Charge Nos. 13, 14, 15, 16 in the Charge Sheet.

6. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO THE CHARGE NO. 11 AND CHARGE NO. 12 OF THE CHARGE SHEET:

The Respondent IGP was first informed about this incident of shooting around 3.30 am on 31-12-2023. The CCD van carrying CI Anslem de Silva's team with injured persons had reached Imaduwa Highway entrance around 3.10 am. Thus, there is no positive evidence revealed before this Committee to establish that the Respondent IGP has instructed CI Anslem de Silva's team to proceed to travel to Colombo carrying injured persons.

Moreover, as has already been mentioned above, this Committee of Inquiry has taken the view that the reasonable inference the Committee can draw from the proven facts is that the CCD team on its own had decided to find its way to nearby Highway entrance to go to Karapitiya hospital concealing the injured persons in the van. This Committee of Inquiry has also taken the view that the CCD team was compelled to take this decision in the absence any clear further instruction from ASP Neville de Silva as ASP Neville de Silva had not been successful by that time in contacting the Respondent IGP.

In the light of the above background facts and the conclusions reached by this Committee, the Committee of Inquiry proceeds to find the Respondent IGP not guilty of Charge No. 11 and Charge No. 12 in the Charge Sheet.

7. SUMMARY AND EVALUATION OF EVIDENCE RELATING TO CHARGE NOS. 17, 18 AND 19 OF THE CHARGE SHEET:

The Charge Nos. 17, 18 and 19 in the Charge Sheet served on the Respondent IGP are charges based on the allegation that the Respondent being the Inspector-General of Police of the country went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in case No. BR/6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants in that case. This was during the period commencing from the date the Hon. Magistrate of Matara delivered the order in case No. BR/6314/2023 on 27-02-2025 up to the date on which the Respondent IGP surrendered before the Magistrate's Court of Matara on 19-03-2025. The Committee of Inquiry would now propose to deal with these charges. In doing so it will first summarize and evaluate the evidence produced before the Committee of Inquiry in that regard.

(1) Evidence of PCD 80188 Hewa Kolombage Prasad.

This witness is the Police Constable Driver who worked for the Respondent IGP for a period of approximately five years until the time the Respondent IGP left his Hokandara home on 28-02-2025. In the morning of 28-02-2025, as usual PCD Prasad washed the Toyota Prado jeep used by the Respondent IGP at that time and around 10.30 am the Respondent IGP came and got into the rear seat of the jeep. Police Constable Mahesh Udara who usually accompany the Respondent IGP when he used to travel, got into the front seat of the jeep. PCD Prasad was directed by the Respondent IGP to drive the jeep and park it in front of the Laughs Supermarket at Koswatta Junction. It was there that the Respondent IGP got off the jeep and went behind it. At that time the Personal Security Officer Mahesh Udara had also alighted from his seat in the front of the jeep as the Respondent IGP had got out of the vehicle.

When the Respondent IGP got off the Toyota Prado Jeep, he told PCD Prasad to drive forward and keep the vehicle near *Uthuwankanda,* a place according to PCD Prasad, is about four kilometers away. PCD Prasad had waited there near *Uthuwankanda,* for about one and a half

hours, keeping the vehicle there. Thereafter, as there was no further instruction coming from anybody, PCD Prasad had driven the jeep back to the Respondent IGP's Hokandara house and parked it there. After the vehicle was parked, when he checked the rear seat as he usually does after the vehicle comes home, PCD Prasad had found the pistol used by the Respondent IGP under the arm rest of the rear seat of the jeep. PCD Prasad had taken the pistol and handed it over to another security officer called Chrishan Shantha who was at the Respondent IGP's Hokandara house.

When the Respondent IGP was getting off the Prado jeep, PCD Prasad had seen another jeep, just like Respondent IGP's friend Suranga's jeep, coming from behind and parking behind PCD Prasad's jeep.

PCD Prasad later learnt that the pistol which he collected from the rear seat of the jeep after he came to Hokandara house (after dropping off the Respondent IGP on 28-02-2025), was found wrapped in clothes inside a washing machine in the Respondent IGP's Hokandara residence compound. PCD Prasad also had met Police Constable Mahesh Udara in the evening on 28-02-2025. PCD Prasad had waited in Hokandara house of the Respondent IGP for about twelve more days from 28-02-2025 until the authorities had instructed him to report back to the Ministerial Security Division. That is the unit to which PCD Prasad was attached to, at that time.

Giving further evidence, PCD Prasad had stated before this Committee of Inquiry that the Respondent IGP had left his official pistol in the vehicle in this manner for the first time.

Answering the questions asked by the learned Counsel for the Respondent IGP during the cross-examination, PCD Prasad has stated before this Committee that the Respondent IGP did not instruct him to take a different route than the usual route taken by him. PCD Prasad has also stated that he did not feel that the Respondent IGP was fleeing.

The learned Counsel for the Respondent IGP has not questioned this witness at length. Perusal of the questions asked by the learned Counsel for the Respondent IGP shows that he has not sought to discredit this witness. He has never suggested that this witness was giving false evidence before the Committee of Inquiry. Indeed, PCD Prasad is an officer who had worked for five years for the Respondent IGP. The Respondent IGP was appointed as the Acting IGP on 29-11-2023 and was made the IGP on 26-02-2024. Therefore, it is clear that the PCD Prasad was a person who had worked for the Respondent IGP even before his appointment as the Acting IGP. Having regard to the above circumstances the Committee of Inquiry has

no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to act upon this evidence for its final decision.

(2) Evidence of PC 91484 Kandappa Hettige Mahesh Udara.

Police Constable Mahesh Udara functioned as one of the Personal Security Officers of the Respondent IGP and hence travelled in the Toyota Prado jeep in the front seat when the Respondent IGP left his Hokandra house in the morning of 28-02-2025. That is the vehicle driven by PCD Prasad. The vehicle at that time had only three passengers, i.e. PCD Prasad as the driver, PC Mahesh Udara as the Personal Security Officer and the Respondent IGP on the left rear seat. PC Mahesh Udara also confirms the fact that the jeep was stopped in front of Laughs filling station Supermarket situated at Koswatta Junction at which point the Respondent IGP had got off the jeep.

At the time of leaving Hokandara home and when PC Mahesh Udara was asked by the Respondent IGP to accompany him in the jeep in the morning hours, PC Mahesh Udara had told the Respondent IGP that he was not properly dressed. This was because he only wore a track bottom and a T-shirt. The Respondent IGP had then told PC Mahesh Udara to come in that way and PC Mahesh Udara went with the Respondent IGP wearing a track bottom and a T-shirt which was his attire when he was at home.

As the Respondent IGP got off the jeep at Koswatta Junction, PC Mahesh Udara also as usual, got off the vehicle as soon as possible. To his recollection, the Respondent IGP was dressed in a T-shirt and a trouser or a track bottom. The Respondent IGP carrying a bag, got in and sat in the rear seat of Suranga's vehicle. Therefore, PC Mahesh Udara also got into the same jeep and sat in the front seat to accompany the Respondent IGP as usual. Suranga's vehicle had then taken a U-turn from there and it was at that time that the Respondent IGP had asked PC Mahesh Udara as to why he also had got into that jeep. It seems that the Respondent IGP had found fault with PC Mahesh Udara for getting into the vehicle without his permission to do so. It is the position of PC Mahesh Udara that although he was not specifically instructed to get into the vehicle, he merely did what he usually does. This was because he was the Personal Security Officer of the Respondent IGP. Soon thereafter, Suranga's jeep stopped by the side of the road and the Respondent IGP has instructed PC Mahesh Udara to get off the vehicle and go back home. Suranga's jeep carrying the Respondent IGP had travelled on. Thereafter, PC Mahesh Udara had got into a passing by three-wheeler and came to the

residence of the Respondent IGP at Hokandara. In the evening of 28-02-2025 he had learnt that a Court order had been given to arrest the Respondent IGP.

Answering the questions asked by the learned Counsel for the Respondent IGP in cross-examination, PC Mahesh Udara has stated before this Committee that the Respondent IGP did not instruct him to take a different route than the usual route taken by him and he did not feel that the Respondent IGP was fleeing.

The learned Counsel for the Respondent IGP has not questioned this witness at length. Perusal of the questions asked by the learned Counsel for the Respondent IGP shows that he has not sought to discredit this witness. He has never suggested that this witness was giving false evidence before the Committee of Inquiry. Indeed, PC Mahesh Udara is one of the personal security officers attached to the Respondent IGP. Having regard to the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to accept PC Mahesh Udara's evidence as truthful evidence and act upon this evidence for its final decision.

(3) Evidence of OIC CID CI Balasooriya Mohotti Appuhamilage Sampath Kumara Senaratne.

CI Senaratne is the Officer in Charge of the CID. It is his evidence that he was directed by the Acting IGP to conduct a search of Hokandara residence of the Respondent IGP on 28-02-2025. This was with a view to give effect to the Order made by the Hon. Magistrate of Matara on 27-02-2025. The said Order was produced before this Committee, marked **P-1**. Accordingly, around 10.00 pm on 28-02-2025, along with a team of police officers CI Senaratne had caused a search of the Respondent IGP's Hokandara residence. It was at that time that CI Senaratne had found the official pistol issued to the Respondent IGP (CZ 85 BCAL9LUGER bearing No. E 8751) wrapped in clothes inside a washing machine which was placed in a section appeared to have been used as accommodation by the security officers of the Respondent IGP at his Hokandara house.

It is the evidence of CI Senaratne that he searched many places during the time period commencing from 28-02-2025 to 19-03-2025. CI Senaratne had deployed several teams of police officers and attempted to locate the Respondent IGP. This he had done with a view of giving effect to the Order made by the Hon. Magistrate of Matara on 27-02-2025. It was CI

Senaratne's team which had found the official pistol used by the Respondent IGP at the time, with a magazine containing twelve cartridges in it. The pistol was found wrapped in clothes inside a washing machine. CI Senaratne has stated that there were no signs that the said washing machine was in use at that time.

CI Senaratne has caused a search of the ancestral house of the Respondent IGP in Giriulla also in the night of the same day, i.e. 28-02-2025. However, CI Senaratne did not find anybody residing in that house at that time. CI Senaratne had observed no signs of any person living in that house. As CI Senaratne had gone in the night, he had not seen any light burning inside or outside that house.

Answering the questions of the learned Counsel for the Respondent IGP in cross-examination, CI Senaratne has stated that he did not go into the Respondent IGP's ancestral house compound as the gate was locked with a chain and a padlock. He has stated before this Committee that yet another team of officers was deployed to carry out the surveillance around the Respondent IGP's ancestral house in Giriulla. That was in order to find a clue with regard to the movements of the Respondent IGP. CI Senaratne had taken these steps with a view of giving effect to the Order made by the Hon. Magistrate of Matara.

The learned Counsel for the Respondent IGP has suggested to this witness that he had tried to arrest the Respondent IGP without having a warrant issued by the Magistrate in his possession. Then CI Senaratne has replied that it was the Hon. Magistrate himself who had ordered to arrest and produce the Respondent IGP in his Order pronounced on 27-02-2025. The learned Counsel for the Respondent IGP had asked few more things such as: the fact that the Hon. Magistrate's order was to cause the arrest of the Respondent IGP after informing both the Acting IGP and the Hon. Attorney General; the fact that the Court of Appeal case pending, etc. However, either those questions or the answers provided by the witness to those questions did not affect the position taken by this witness. They also have not affected the credibility of CI Senaratne's evidence either. Although the learned Counsel for the Respondent IGP has cross-examined CI Senaratne by asking him various types of questions, the position the Respondent IGP has taken during the cross-examination though not clear, could best be gathered by the following questions, the learned Counsel for the Respondent IGP has posed to this witness:

ප්‍ර: මහත්මයා කොටුවිල පොලිස් ස්ථානයේ ඉන්න නිලධාරියෙක් ද, එතන ගේට්ටුව ගාවදි එතුමාව අත්අඩංගුවට ගන්න පුළුවන්කමක් තිබෙනවා නේද බලාගෙන හිටිය නම්. ඔබේ නිලධාරීන් එතන හිටිය නම් ඔයාට ඇරෙස්ට් කරන්න පුළුවන් නේද එයාව නිරීක්ෂණය කලා නම්?

උ: මගේ නිලධාරින් එතන හිටියේ නැහැ.

ප්‍ර: මම කියන්නේ සීඅයිඩී එකේ නිලධාරින් ගේට්ටුව ඉස්සරහ හිටිය නම් අත්අඩංගුවට ගැනීමේ හැකියාවක් තිබුනා නේද. 18 වෙනිදා වරෙන්තුවක් තිබුනා නේද. 19 ඇරෙස් කරන්න තිබුනා නේද. හිටිය නම් ගන්න තිබුනේ මොනවද කියන්න. හිටිය නම් අත්අඩංගුවට ගන්න පුළුවන් කියලා මම ඔබට යෝජනා කරනවා. නිලධාරින් දාලා හිටියා නම් අත් අඩංගුවට ගත හැකිව තිබුනා කියලා මම යෝජනා කරනවා?

උ: 19 වෙනිදා එතුමා උසාවියට එන බව අපිට කියලා තිබුනා නම් අපි දාන්න ඕනේ නැහැ.

ප්‍ර: තමුන්ගේ දෙපාර්තමේන්තුවේ හිටිය ප්‍රධානියා නිසා පොලිස් නිලධාරින් කව්රුවත් මේ පුද්ගලයාව අත්අඩංගුවට ගන්න ඉදිරිපත් වුනේ නැහැ කියලා මම කියනවා?

උ: මම දන්නේ නැහැ.

ප්‍ර: ඔබතුමාගේ රෑන්ක් එක මොකක්ද?

උ: ප්‍රධාන පොලිස් පරීක්ෂක.

ප්‍ර: ඔබතුමාවත් මේ පුද්ගලයාව අත් අඩංගුවට ගන්න තරම් ප්‍රමාණවත් උත්සාහයක් දැරුවා කියලා X1 වාර්තාව අනුව පේන්නේ නැහැ කියලා මම කියනවා?

උ: පිලිගන්නේ නැහැ.

ප්‍ර: ඒ වගේම මම කියා සිටිනවා පහලම පොලිස් නිලධාරියාගේ සිට ඉහලම පොලිස් නිලධාරියා දක්වා දේශබන්දු මහත්මයාව අත්අඩංගුවට ගන්න කල යුතු මට්ටමේ උනන්දුවකින් කටයුතු කෙරුවේ නැහැ කියලා මම යෝජනා කරනවා?

උ: පිලිගන්නේ නැහැ.

Answering the questions asked by the learned ASG in re-examination, CI Senaratne has confirmed before this Committee that neither he nor any of his team members nor anybody else could find the Respondent IGP despite deployment of many teams for many days for that purpose. CI Senaratne has also testified before this Committee that the CID was compelled to bear a huge expense as many officers had to travel to distant places in their attempt to locate and arrest the Respondent IGP during this period.

Having regard to the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to accept CI Senaratne's evidence as truthful evidence and act upon this evidence for its final decision.

(4) Evidence of SI Rajapaksha Arachchilage Mahinda Rajapaksha.

SI Mahinda Rajapaksha being an officer who is qualified in the affairs pertaining to digital forensic analysis, had gone to the place where the Respondent IGP had got off from his Toyota Prado jeep and thereafter got into his friend Suranga's jeep in front of Laughs filling Station Supermarket at Koswatta Junction. SI Mahinda Rajapaksha has gone to that place on 27-03-2025 and examined the CCTV fixed in Laughs filling station. When it was replayed SI Mahinda Rajapaksha has found the event of arrival of two jeeps; two persons getting off from one jeep; and two persons getting into another jeep, recorded in the said CCTV footage. As the camera was fixed at a place somewhat away from where the said jeeps parked, SI Mahinda Rajapaksha had not been able to identify all the persons in that CCTV footage. Although SI Mahinda Rajapaksha was unable to identify the presence of the Respondent IGP there, he has identified the Personal Security Officer attached to the Respondent IGP Mahesh Udara in the said video as one of the two persons getting off and walking to the other jeep which was there at that time. SI Mahinda Rajapaksha has examined this CCTV footage at a time which is after the Respondent IGP surrendered to Matara Magistrate's Court.

The learned Counsel for the Respondent IGP has not questioned SI Mahinda Rajapaksha at length. Perusal of the questions asked by the learned Counsel for the Respondent IGP shows that he has not sought to discredit this witness. The learned Counsel for the Respondent IGP has never suggested that this witness was giving false evidence before the Committee of Inquiry. Indeed, SI Mahinda Rajapaksha did his part of the job even after the Respondent IGP surrendered to Matara Magistrate's Court. He in fact did not identify the Respondent IGP in the CCTV. As has been already mentioned above, the Respondent IGP has not challenged the evidence of his Driver PCD Prasad and the evidence of his Personal security officer Mahesh Udara. Those two witnesses stated before this Committee, the same thing. Having regard to the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to accept SI Mahinda Rajapaksha's evidence as truthful evidence and act upon this evidence for its final decision.

(5) Evidence of CI Henadeerage Lalitha Suminda Gunasekera.

CI Gunasekera giving evidence before the Committee of Inquiry, has identified and produced the affidavit he has affirmed on 09-06-2025 and produced it before this Committee of Inquiry. His statement with the attachment marked **X1** thereto, has set out the details of the officers deployed under his direction to carry out operations to arrest the Respondent IGP CI Suminda Gunasekera has also attached to his affidavit, the copies of the notes made by the officers deployed under his direction. In the course of these operations, CI Suminda Gunasekera has caused eight different places at eight different localities, searched for the purpose arresting the Respondent IGP. The list of those places is found attached to **X1**. Detailed reports and detailed notes made by the officers deployed by him are also attached to CI Gunasekera's affidavit.

The questions asked by the learned Counsel for the Respondent IGP shows that he had taken up the following positions which is reflected in the following questions.

ප්‍ර: මම යෝජනාවක් වශයෙන් කරන්නේ. පිළිගන්නවා නම් පිළිගන්න. ගොඩක් බලලා තියෙන්නේ පන්සල් සහ ආරනා ?

උ: මම බලපු ස්ථාන 8 න් 4 ක් විහාරස්ථාන. 4 ක් ගොඩනැගිලි සහ වෙනත් ලිපිනයන් බව පිළිගන්නවා.

ප්‍ර: ඇත්තටම මේ කිසිම දෙයක් එතුමාගේ පුද්ගලික ජීවිතයට සම්බන්ධ නැති ස්ථාන තමයි මේ පරීක්ෂා කර තියෙන්නේ කියලා මම යෝජනා කරනවා. පිළිගන්නවා නම් පිළිගන්න. නැත්නම් නැහැ කියන්න ?

උ: මම එහෙම පිළිගන්නේ නැහැ ස්වාමීනි. මෙයට හේතුව වුනේ මම මේ සඳහා සහභාගිවුනේ මෙම අධිකරණ නියෝගය ලබාදුන් පෙබරවාරි 27 ත් වෙනිදායින් පසුව මාර්තු මාසයේ 07 වෙනිදා. ඒ කියන්නේ ඒ වෙන කොට මාදාය මඟින් ප්‍රචාරය කරලා විවිධ ක්‍රමවේදයන් ඔස්සේ තොරතුරු ලැබෙමින් පැවතුනා අපරාධ පරීක්ෂණ දෙපාර්තමේන්තුව වෙත. ඒ අනුව ලැබෙන තොරතුරු මත තමයි මෙම පරීක්ෂා කිරීම සිදු කළේ.

The above questions asked from this witness by the learned counsel for the Respondent IGP tend to suggest to CI Suminda Gunasekera of the CID that the Respondent IGP hid himself so well and therefore the CID officers with all their force could not find the place where the Respondent IGP was hiding. Subject to the above, the perusal of the questions asked by the learned Counsel for the Respondent IGP shows that he has not sought to discredit this witness. The learned Counsel for the Respondent IGP has not taken up a position that this witness was giving false evidence before the Committee of Inquiry. The Respondent IGP in his evidence has admitted that he kept away from the places where he normally resides. Having regard to

the above circumstances, the Committee of Inquiry has no reason to disbelieve the evidence of this witness. Therefore, the Committee of Inquiry decides to accept the evidence given by CI Suminda Gunasekera of the CID as truthful evidence and act upon this evidence for its final decision.

(6) Evidence of ASP Batugedara Appuhamilage Vikum Kumara Weerasekera.

ASP Weerasekera is the head of the Crimes Intelligence Unit of the CID. He has identified and produced the affidavit he has signed on 31-05-2025 and produced the same before the Committee of Inquiry. Attached to his affidavit dated 31-05-2025 are details of the officers deployed by him for surveillance duty at various places and the notes made by them. This list contains 48 police officers while number of places ASP Weerasekera's teams had searched and carried out surveillances is 51. These operations were carried out during the period commencing from 28-02-2025 to 20-03-2025.

The position taken up by the learned Counsel for the Respondent IGP could be gathered by the following suggestions he has made to this witness.

ප්‍ර: ඒ කියන්නේ ඔබේ ආවේක්ෂණ කරපු නිළධාරින්, ඔබට මේ ආවේක්ෂනය හා විමර්ෂනය කරන්න කියලා දීපු අය හොඳට දැන ගෙන ඉදලා තියෙනවා රිට් නඩුවක් දේශබන්ධු මහත්තයාගේ තියෙනවා කියලා නේද?

උ: මේ නඩුව පැවැත්වෙන දින නිලධාරින් කන්ඩායම් කීපයක් යොමු කලා මේ පාර්ශ්වය සඳහා පැමිණෙන අය සම්බන්ධයෙන් ආවේක්ෂණයට. ඒ අවස්ථාවේදී තමා මේ පුද්ගලයා අපිට අනාවරණය වුනේ. ඒ අනුව ඔහු සම්බන්ධයෙන් ආවේක්ෂණය සිදු කලා.

ප්‍ර: ඒ මහත්තයාගෙන් කෙලින්ම අහන්න තිබුනානේ ප්‍රකාශයක් සටහන් කරලා කොහේද දේශබන්දු මහත්තයා ඉන්නේ කියලා? ඒක කරලා නැහැ කියලා මම යෝජනා කරනවා ?

උ: එහෙමයි ප්‍රකාශයක් සටහන් කර නැහැ.

ප්‍ර: ඒ වගේම 20 ඉන්නේ ?..... (කියවා සිටී) එහෙම ලිපිනයක් ඔබ ආවේක්ෂනය කලා ද?

උ: ඔව්.

ප්‍ර: මෙතන ඉන්නවානේ නීතිඥ මහත්තයාත් ඉන්නවා, එයාගේ කාර්යාලයේ වැඩ කරන නීතිඥයෝ නොඩන අයත් ඉන්කවා ඒ ගොල්ලන්ගෙන් මේ දේශබන්දු මෙතනට එනවාද කියලා ප්‍රකාශයක් සටහන් කරන්න තිබුනානේ?

උ: බුද්ධි අංශ නිලධාරින්ට යොමු කරපු නිලධාරීන්ට පැහැදිලි කර දුන්නේ ප්‍රකාශ සටහන් කිරීමක් නොවේ. ඒ ගොල්ලන්ට මෙම ස්ථානයට පැමිණීම පිටවීම හෝ වෙනත් සම්බන්ධතාවයක් ගොඩ නැගීම සම්බන්ධයෙන් තොරතුරු බලලා දැනුම් දෙන්න තමා දැනුවත් කලේ.

ප්‍ර: මම දැන් ඔබට යෝජනාවක් කරනවා ඔය චිතරක් නොවේ අර එතුමා අභියාචනාධිකරණයට ඉදිරිපත් කරපු දිවුරුම් ප්‍රකාශය සහතික කරපු නිතිඥ මහත්තයාගේ කාර්යාලයටත් ඔය නිලධාරීන් ගියානේ පොලිස් නිළධාරින් CID එකේ ?

උ: එහෙමයි.

ප්‍ර: හැබැයි ප්‍රකාශයක් සටහන් කලේ නැහැනේ?

උ: නැහැ

ප්‍ර: එතුමාට දිගටම නිතිඥ සහාය ලබාදිපු තවත් කොළඹ ප්‍රදේශයේ ඉන්න නිතිඥවරු 03 දෙනෙක්ගේ ගෙදරටත් ගිහිල්ලා ආවේක්ෂණ කටයුතු කලා කියලා කියා සිටිනවා ?

උ: ගෙවල් ආසන්නයේ

ප්‍ර: හැබැයි ඒ එක නිතිඥ මහත්තයෙක්ගෙ වත් ප්‍රකාශයන් සටහන් කර ගත්තේ නැහැ කියලා මම යෝජනා කර සිටිනවා.

උ: ප්‍රකාශ සටහන් කිරීම මේ රාජකාරියේ කොටසක් නොවේ.

ප්‍ර: මම කියා සිටිනවා ඒ වෙලාවේ ඔබතුමාට නිතිඥවරුන්ගෙන් ප්‍රශ්න අහන්න එපා. තොරතුරු ගන්න එපා කියලා ඔබතුමන්ලට උපදෙස් ලැබී තිබුනා වැඩ බලන පොලිස්පතිතුමාගෙන් කියලා මම යෝජනා කරනවා ?

උ: ඒ සම්බන්ධයෙන් මා දැනුවත් නැහැ.

ප්‍ර: මම කියා සිටිනවා අවංකවම ඔබ ඇතුළු සී අයි ඩී නිලධාරින්ට මෙයා ඉන්න තැන ගැන දැන ගැනීමට අවශ්‍යතාවයක් තිබුනා නම් ඕනෑ තරම් හැකියාව තිබුනා මම යෝජනා කරපු ආකාරයට විමසීම් කලා නම් කියලා?

උ: පිළිගන්නේ නැහැ

ප්‍ර: ඒ කොටස ඉෂ්ඨ කරන්නේ නැතිව ඔබතුමා මෙතනට ඇවිල්ලා ඔහු සැඟව සිටියා කියලා සාක්ෂි ලබා දෙනවා කියලා ? ඔබගේ රාජකාරිය හරියටම කරන්නේ නැතිව ඒ දුර්වලකම මැද්දේ සිට ඔහු සැඟව සිටියා කියලා ඔබ සාක්ෂි දෙනවා කියලා යෝජනා කරනවා ?

උ: පිළිගන්නේ නැහැ. මගේ රාජකාරිය මට උපදෙස් ලබා දුන්නේ පුද්ගලයන් හමු වී ප්‍රකාශ සටහන් කිරීම වත්, ඔවුන් හමුවෙලා තොරතුරු ගැනීමවත් නොවේ අවට සිට මේ තොරතුරු

ආවෙක්ෂණය කරලා සාර්ථක තොරතුරක් ලැබුනොත් අදාල විමර්ෂණ කණ්ඩායමක් වෙත යොමු කිරීම? ඒ නිසා මා පිළිගන්නේ නැහැ.

The suggestions made to this witness by the learned Counsel for the Respondent IGP still remain suggestions. Whatever the meaning of the suggestions he has made to this witness, the fact remains that the Respondent IGP could not be found by anyone despite a large number of police officers being deployed for that purpose. Having regard to those circumstances the Committee of Inquiry has no reason to disbelieve the evidence of ASP Weerasekera. He is an officer who has merely carried out his duties in his official capacity in March this year. Therefore, the Committee of Inquiry decides to accept ASP Weerasekera's evidence as truthful evidence and act upon this evidence for its final decision.

(7) Evidence of CI Pasgama Vidanalage Asoka Shelton Karunathillaka.

CI Karunathillaka is the head of the CID investigation team which took over the investigation into this shooting incident that occurred at Weligama on 31-12-2023 from Weligama police station. Upon instructions of the Acting IGP SDIG Priyantha Weerasuriya, his team has taken over the investigation on 14-10-2024. Upon the Hon. Magistrate of Matara pronouncing the Order pursuant to the inquest on 27-02-2025, CI Karunathillaka has immediately taken steps to keep both the Acting IGP and the Hon. Attorney General informed of the impending arrest of the Respondent IGP in the morning itself on 28-02-2025. This was done in writing. According to CI Karunathillaka, the search for the Respondent IGP had commenced from 28-02-205 with the deployment of many officers from the CID. However, none of the teams deployed had found any breakthrough which would have led to find the whereabouts of the Respondent IGP.

Fearing that the Respondent IGP would travel abroad, leaving the country, CI Karunathillaka has taken steps to obtain a Court order restraining the Respondent IGP from leaving the country. It is on 01-03-2025 that this witness has obtained a travel ban to prevent the Respondent IGP from leaving the country. Thereafter, on 11-03-2025, CI Karunathillaka has reported the unsuccessful attempts made to arrest the Respondent IGP, to the Hon. Magistrate of Matara. It. was on the said report filed by CI Karunathillaka that the Hon. Magistrate of Matara had then issued an open warrant on 11-03-2025 for the immediate arrest of the Respondent IGP. CI Karunathillaka has produced his affidavit dated 31-05-2025 before this Committee of Inquiry to which the report he made to the Magistrate's Court of Matara on

11-03-2025 seeking an open warrant has also been annexed marked as **X1**. CI Karunathilaka has also annexed the open warrant issued by the Hon. Magistrate of Matara to his affidavit marked **X2**.

It is the evidence of CI Karunathillaka that during the investigations, no evidence transpired even to indicate that it was a person who stayed in front of W15 hotel who had fired at the CCD officers in the morning of 31-12-2023. It is his evidence that the Weligama OIC Crimes and the other officers had not taken any meaningful step to cause any further investigation in that regard. It is also the evidence of this witness that no officer in Matara Division has so far ever conducted any investigation directed to find out details about the so-called unknown gunman who is said to have fired at the CCD officers on 31-12-2023. CI Karunathilaka has found that although the HQI Weligama has taken the CCD officers in the van into his custody at Imaduwa Highway entrance, all of them had been released after recording their statements and no action in that regard had been taken thereafter.

The questions asked from CI Karunathilaka by the learned Counsel for the Respondent IGP have not shaken his evidence in whatever the manner. The Committee finds that many of the questions asked from CI Karunathilaka by the learned Counsel for the Respondent IGP in this instance are irrelevant. The suggestions made to this witness by the learned Counsel for the Respondent IGP are as follows.

ප්‍ර: හැම එකේම කියලා තියෙනවා ඉන්ටඩික් කරලායි ඇවිත් තියෙන්නේ කියලා ඇන්සලම්ගේ එක කියවන්න, දුලිප්ගේ එක කියවන්න, නොදන්න විදිහට කතා කරන්න ඒපා. ඒ.එස්.පි ලත් ඇවිත් කියනවා දන්නේ නැහැ කියලා, මම කාගෙන් අහන්නද මේක? මගේ සේවාදායකයාට සාධාරණයක් වෙන් ඕන ? මම කියනවා ඔබතුමාට ඒ ගොල්ලන්ට රස්සාවල් නැති වෙලා වැටුපත් නැති වෙලා ඒ අසරණ තත්වය උඩ දිපු ප්‍රකාශ තමා ඔබතුමා ලග තියෙන්නේ කියලා?

උ: මම ඒක පිළිගන්නේ නැහැ. .....

...

ප්‍ර: ඔබතුමා දන්නවා නේද යම්කිසි මනුස්සයෙක් ඒ ලිපිනයේ ඉන්වාද නැද්ද කියන එක රජයේ නිලධාරියෙක් ගෙන් ගන්න පුළුවන් වැදගත්ම තහවුරු කිරීම ග්‍රාම නිලධාරිවරයාගේ ප්‍රකාශයක් සටහන් කරන්න ඕන ? ඔබ ගංගානි පෙදෙසට අදාල හෝකන්දර, උතුර ග්‍රාමනිලධාරී වසමේ ග්‍රාම නිලධාරිවරයාගේ ප්‍රකාශයක් සටහන් කලාද මේකට ඉස්සෙල්ලා ?

උ: මෙම දේශබන්දු මහත්තයාව අත්අඩංගුවට ගන්න කියලා නියෝගයක් ලැබුනාට පස්සේ අධිකරණයෙන් ඒ සම්බන්ධයෙන් අපරාධ පරීක්ෂන දෙපාර්තමේන්තුවේ අධ්‍යක්ෂතුමිය විසින්

කණ්ඩායම් කීපයක් පත් කලා ස්වාමීනි. ඒ අනුව තමා කලින් සඳහන් කල නිලධාරීන් විමර්ෂන වලට යොමු කලේ. නමුත් මට ඒ සම්බන්ධයෙන් කටයුතු කිරීමට හැකියාවක් ලැබුනේ නැහැ. අනිත් නිලධාරීන් ඒ සම්බන්ධයෙන් ක්‍රියා කරන්න ඇති.

ප්‍ර: ඔබතුමා වගකීම් පවරන්න එපා ජේෂ්ඨ මහත්මයා? ඔබතුමා කැදෙව්වා ද නැද්ද කියලා මම අහන්නේ ? CID නිලධාරියෙක් තමන් කරපු දෙපාර්තමේන්තුවේ වගකීම ගන්න ? මට උත්තරය දෙන්න ? මම මුතුමාල මැඩම්ව ගෙන්න ද ප්‍රශ්න අහන්න?

උ: මේ සම්බන්ධව විමර්ෂනය කරන්න කන්ඩායම් කීපයක් පත් කලා. දේශබන්දු මහත්මයා ඉන්න තැන් හොයන්න එතුමාගේ පදිංචි ලිපිනයන් හොයන්න, එතුමාගේ දේපල කොහෙද තියෙන්නේ හොයන්න වෙනම නිලධාරි කොටසක් පත් කලා. එතුමා සම්බන්ධයෙන් හොයන්න වෙනම නිලධාරීන් කොටසක් පත් කලා මගේ රාජකාරිය වුනේ ප්‍රධාන විමර්ෂනය සහ මේ අධිකරණ කටයුතු තමා මම කලේ.

ප්‍ර: ඔබතුමාගේ කරපු කාර්යය බලද්දී ඔබතුමා ග්‍රාමනිලධාරී වාර්තාවක් සටහන් කරලා නැහැ කියලා මම කියනවා?

උ: නිවස පරීක්ෂා කලා ස්වාමීනි. නිවසේ සිටියේ නැහැ.

ප්‍ර: ඔහු පදිංචියේ ඉන්නවාද නැද්ද කියන එක ගත්තේ නැහැ කියලා මම ඔබට යෝජන කරනවා?

උ: විමර්ෂණ වලදී අනාවරණය වුනා එම ලිපිනය ඔහුට අයත් එකක් නෙමේ කියලා. හාමුදුරු කෙනෙක්ට අයත් ඉඩමක් කියලා තමා අනාවරණය වුනේ.

ප්‍ර: පොලිස් දෙපාර්තමේන්තුවේ තියෙනවා තෙන්නකෝන් මුදියන්සේලාගේ වංශාලංකාර දේශ බන්දු තෙන්නකොන් කියලා මහත්තයෙක් පොලිසියට බැදුනා කියලා ෆයිල් එකක් තියෙනවාද පොලිස්පතිතුමා යටතේ තියෙන මානව සම්පත් හා කළමනා කරණ අංශයේ ?

උ: ඒ මා කලිනුත් සඳහන් කලේ ඒකයි එම කටයුතු සම්බන්ධයෙන් වෙනම නිලධාරියෙක් පත්කර තිබුනේ.

ප්‍ර: ඒකේ සඳහන් වෙන ලිපිනය ගැන ඔබතුමා බැලුවේ නැහැ?

උ: ඒ කොටස් විමර්ෂණය කරන්න වෙනම නිලධාරියෙක් පත්කලා. ඔහුගේ දේපල සම්බන්ධයෙන් හොයන්න, ඔහු පදිංචි ස්ථාන හොයන්න, වෙනම කණ්ඩායමක් පත් කර තිබුනේ.

ප්‍ර: ඒ අනුව ගිහිල්ලා ඔබතුමාගේ ඔය කවුරු හරි පත් කරපු නිලධාරියෙක් ඒ ගිරිඋල්ල ප්‍රදේශයේ ග්‍රාමනිලධාරි වසමෙන් ගිහිල්ලා ඔය ලිපිනයේ දේශ බන්දු මහත්තයා ඉන්නවාද නැද්ද කියලා පදිංචිය තහවුරු කරගැනීමේ ප්‍රකාශයක් සටහන් කර ගෙන නැහැ කියලා මම යෝජනා කරනවා?

උ: මට මතක නැහැ ස්වාමීනි. නමුත් ඒ ස්ථානය පරීක්ෂා කලා නිලධාරීන්.

(8) Evidence of ASP Abeysekera Gamlathge Yasas Swarna Keerthisinghe.

ASP Swarna Keerthisinghe functions as an ASP attached to the CID. He was in-charge of conducting operations to track, locate and arrest the Respondent IGP after the Hon. Magistrate of Matara made order on 27-02-2025 for the arrest of the Respondent IGP. ASP Swarna Keerthisinghe has conducted these operations between the period 08-03-2025 to 18-03-2025. He has produced the affidavit signed by him marked **P-80** attaching the details of the places at which he had caused the searches, the places he had caused the surveillances in order to arrest the Respondent IGP.

ASP Swarna Keerthisinghe had deployed thirty officers under him in three groups and searched many places. Nugegoda, Hokandara, Gampaha, Nittambuwa, Giriulla, Bopitiya, and Chilaw are some of the areas where he had conducted search operations. ASP Swarna Keerthisinghe was also instrumental in conducting surveillances around the ancestral home of the Respondent IGP situated in Giriulla. It is his evidence that the CID had to bear lot of expenses for these operations. This witness has stated in his evidence that despite the above attempts, none of his teams could find the Respondent IGP during that period.

Answering the questions asked by the learned Counsel for the Respondent IGP in cross-examination, ASP Swarna Keerthisinghe has maintained the same positions he has taken during the evidence-in-chief. Thus, the cross-examination has only resulted in giving a second opportunity for this witness to re-iterate the facts this witness has already narrated in his evidence-in-chief.

Questions asked from ASP Swarna Keerthisinghe by the learned Counsel for the Respondent IGP such as: the question as to whether he obtained a search warrant; the question as to whether he checked the service record of the Respondent IGP to ascertain the address of his permanent residence; the question as to whether he recorded statements from the people around the places over which he had conducted surveillances, have not brought out any matter that this Committee of Inquiry could have considered in favour of the Respondent IGP. The suggestions made to this witness by the learned Counsel for the Respondent IGP could be seen from the following two excerpts.

ප්‍ර: මම මේ ඔබතුමාට දෝෂාරෝපණය කරනවා නොවෙයි. දැන් ඔය "තොරතුරු දුන්නා, තොරතුරු දුන්නා" කියලා කියනවානේ? ඒ තොරතුරු දුන් මිනිස්සු පෞද්ගලික තරහක් මත දෙන තොරතුරුද නැද්ද කියලාවත් අඩු ගානේ තහවුරු කර ගන්න ඕනෑ නේද? එහෙම එකක් තිබෙනවානේ, ඔබතුමා ඉහළ නිලධාරියෙක්නේ?

උ: පැහැදිලි නැහැ.

ප්‍ර: යම් කිසි පෞද්ගලික තොරතුරු දුන්නා කියලානේ මේ කියන්නේ. ඒ දීපු තොරතුරු දේශබන්දු මහත්තයා සම්බන්ධයෙන් හරි, වෙනත් පුද්ගලයෙක් සම්බන්ධයෙන් හරි තිබෙන තරහක් මත දීපු තොරතුරක්ද?

උ: නැහැ.

ප්‍ර: ඒක තහවුරු කර ගත්තාද?

උ: නැහැ, අපට අවශ්‍යතාව තිබුණේ දේශබන්දු තෙන්නකෝන් මහත්තයා අත්අඩංගුවට ගැනීමයි විමර්ශනය තුළින්; වෙන සිද්ධියක් නොවෙයි.

ප්‍ර: මම කියන්නේ ඒ තොරතුරක තිබෙන ක්‍රෙඩිබිලිටි, සම්මාණනීයත්වයවත් තහවුරු කර ගන්නේ නැතිව ඔහේ අරගෙන ගිහිල්ලා කියලා මම මේ කියන්නේ, තමන්ගේ ආවේක්ෂණය?

උ: ප්‍රතික්ෂේප කරනවා.

ප්‍ර: එහෙම නැත්නම් එකම නිලධාරීන් දෙන්නෙක්, -මාර්තු 10 ගැන කියන්නේ- කොහුවල, මාලබේ, ගිරිඋල්ල, කිරුළපන, නිට්ටඹුව, කෝට්ටේ මෙහෙම පාර දිගට දේශබන්දු මහත්තයා ඉන්නවා කියලාද බල බලා ගියේ?

උ: නැහැ.

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ප්‍ර: මේ නිලධාරියා අහවල් ස්ථානයට යනවා, මේ නිලධාරියා අහවල් තැනට යනවා, යන්නේ කුමන කරුණක් මතද? දැන් අතිරේක සොලිසිටර් ජෙනරාල් මහත්තයා අහනකොට ඔබතුමා කිව්වා වාහනයකින් යන්නේ, කෑමට වියදම් යනවා, අතිරේක බටා අනුමත කරනවා කියලා. එහෙම කරන්න ඉස්සෙල්ලා මේ කරන දේ ප්‍රයෝජනවත් කාර්යයක් කියලා තහවුරු කර ගත්තේ නැද්ද?

උ: විමර්ශන නිලධාරීන් එක්ක සාකච්ඡා කරලා තමයි අදාළ ලිපිනයන්වලට යොමු වෙන්නේ, ඔවුන්ට විශ්වාසයක් තිබෙන, විශ්වාසදායක තොරතුරු අනුව තමයි ඔය කියන ලිපිනයන් පරීක්ෂා කරලා, ආවේක්ෂණ රාජකාරි කරලා, විමර්ශනය සිදු කළේ.

ප්‍ර: මහත්තයා කොයියම්ම වෙලාවකවත් නීතීඥ මහත්වරු ඉන්න ප්‍රදේශ ගැන, දේශබන්දු මහත්තයා ඇසුරු කළ, නඩු කියපු නීතීඥ මහත්වරු පිළිබඳව ආවේක්ෂණයක් කළේ නැද්ද?

උ: නැහැ.

ප්‍ර: ඔබතුමා ඒ මහත්තයා පෙනී හිටපු අධිකරණවලට, ඒ මහත්තයා එනවාද නැද්ද කියලා විමර්ශන කළේ නැද්ද?

උ: නැහැ.

ප්‍ර: ඒ අනුව මම මහත්තයාට යොජනා කරනවා තමුන් ඒ මහත්තයාගේ ග්‍රාම නිලධාරිගෙන් ප්‍රකාශයක් සටහන් කර ගත්තේ නැහැ කියලා? පදිංචි ස්ථාන දෙකේම ග්‍රාම නිලධාරීන්ගෙන් ප්‍රකාශ සටහන් කර ගත්තේ නැහැ?

උ: නැහැ.

ප්‍ර: මම කියා සිටිනවා තමුන් පෞද්ගලිකව මැදිහත් වෙලා අම්මාගෙන්, අක්කාගෙන්, අයියාගෙන්, බිරිඳගෙන කියන අයගෙන් තමුන් ප්‍රකාශ සටහන් කර ගත්තේ නැහැ කියලා?

උ: ඔව්, මම ප්‍රකාශ සටහන් කර ගත්තේ නැහැ.

ප්‍ර: ඒ වාගේම ඒ මහත්තයාගේ නිවාස දෙක වෙච්ච, ගිරිඋල්ලේ පිහිටි නිවසත්, ගංගානි ප්‍රදේශයේ තිබෙන නිවසත් ඇතුළට ගිහිල්ලා පරීක්ෂා කරලා බැලුවේ නැහැ කියලා මම කියනවා?

උ: මගේ කණ්ඩායම කළේ නැහැ.

ප්‍ර: ඒ වාගේම මම තමුන්ට කියනවා, මේ මහත්තයා 19වෙනි දා පෙනී සිටියානේ, 19වෙනි දා උසාවියට ගියානේ?

උ: එහෙමයි.

ප්‍ර: ඒ 19වෙනි දා යනකොට උසාවියට යනතුරු ඔය කිසිම නිලධාරියෙක් ඔහුව අත්අඩංගුවට ගන්න කටයුතු කළෙත් නැහැ කියලා මම යෝජනා කරනවා?

උ: අත්අඩංගුවට ගත්තේ නැහැ.

ප්‍ර: ඔබතුමාට මම ටිකක් සරල විධියට කියනවා, හිටපු පොලිස්පතිතුමා නිසා ඔබතුමාගේ නිලධාරීන් උනන්දුවෙන් මොහුව අත්අඩංගුවට ගන්න කටයුතු කරලා නැහැ කියලා මම යෝජනා කරනවා?

උ: පිළිගන්නේ නැහැ.

(9) The evidence of Acting IGP, SDIG Weerasooriya Liyana Arachchige Saman Priyantha.

The Acting IGP in the course of his evidence has also stated that a 0.38 special Arminius revolver had been issued to Mr. Deshabandu Tennakoon when he was a probationary ASP from the Central armoury on 09-04-1999. Again on 07-01-2000 ASP Deshabandu Tennakoon had handed over the said revolver to the Central Armoury and on the same day, a 9 mm CZ 85 pistol bearing No. E8751 has been issued to Mr. Deshabandu Tennakoon from the Central Armoury. It is this 9 mm pistol which was found wrapped in clothes and placed in an abandoned washing machine with 10 rounds of ammunition by the police officer who searched his house at No. 76/6A, 7th Lane, Gangani Gardens, Hokandara East. It is the evidence of the Acting IGP that any police officer who has been issued with a weapon is expected and required to keep such weapon in his possession in a responsible manner. The rules applicable to any police officer with regard to the possession of a weapon, according to this witness, is also applicable to the Respondent IGP as well.

The Acting IGP in the course of his evidence has produced the documents, marked **P-32**, **P-33** and **P-34**. These documents have established the fact that a large number of police officers including officers from the Special Task Force had been deployed for providing security for the Respondent IGP. This contingent of security detail attached to the Respondent IGP was there even when the Respondent IGP admittedly left his Hokandara home in the morning of 28-02-2025.

The Acting IGP continuing to give evidence before the Committee, has stated that on 27-02-2025 itself, he was kept informed of the order made by the Hon. Magistrate of Matara who had directed the arrest of the Respondent IGP Mr. Deshabandu Tennakoon. Thereafter the Acting IGP has taken steps to have several teams deployed to arrest the Respondent IGP. However, the Respondent IGP by that time had left his home and could not be found by the police teams deployed for his arrest by the Acting IGP. It is upon this development that the Acting IGP has instructed the Police Media Spokesman, SSP Buddhika Manatunga to call for

public assistance to locate the Respondent IGP through the issuance of a media statement. The Acting IGP has also chaired a conference on 06-03-2025 which was attended by SDIGs in-charge of all provinces to discuss as to what measures Police should take to cause the arrest of the Respondent IGP. This conference was an online conference. The Acting IGP has produced the minutes of this conference held with seventeen SDIG's of all provinces on 06-03-2025, marked **P-35**. Subsequently, the Acting IGP also has taken steps to write **P-36**, **P-37** and **P-38** respectively to the Director of State Intelligence Service, the DIG Police Special Branch, the Director Western province Intelligence Division, instructing them to take all steps to collect information and cause the arrest of the Respondent IGP. The Acting IGP has written these letters subsequent to the conference he had held with the SDIG's of provinces on 06-03-2025. The letters **P-36**, **P-37** and **P-38** are dated 09-03-2025 and signed by the Acting IGP. However, no police officer of any branch of Sri Lanka Police has been able to find the Respondent IGP up until the time the Respondent IGP had surrendered himself to the Magistrate's Court of Matara on 19-03-2025.

In the course of his evidence, the Acting IGP has clearly stated that the action of the Respondent IGP to go into hiding; the action of the Respondent IGP not ordering an independent investigation into this incident in the first place and also the failure on the part of the Respondent IGP to obey the orders made by the Hon. Magistrate of Matara have all brought Sri Lanka Police into disrepute as a whole. It is his evidence that the Respondent IGP's hiding to avoid being arrested is not at all acceptable and hence unbecoming of the IGP of the country.

It would be appropriate at this juncture for the Committee to reproduce the following part taken from the cross-examination of the Acting IGP which is self-explanatory:

ප්‍ර: මම කියනවා මේ ඉන්න දේශබන්දු මහතාගේ නැෂනල් අයි. ඩී එක තිබෙනවා නේ? ඒකේ තිබෙනවා මහගෙදර ලිපිනය ? අන්න ඒ ලිපිනයේ ඔය ආවේක්ෂණ කරපු අය ගිහිල්ලා විමර්ශනය කලේ නැහැ කියලා පිළිගන්නවාද නැද්ද ? ගිරිඋල්ලේ?

උ: මට ලැබුනු තොරතුරු අනුව ගිරිඋල්ල, අම්පිටිය මේ හෝකන්දර පොලිස්පති නිල නිවස ඒ හැම එකක්ම පොලිස් පරීක්ෂාවට ලක් වුනා.

ප්‍ර: දැන් ඔබතුමා කියන දේ නෙවෙයි?

උ: හෝමාගම පරීක්ෂාවට ලක් වෙන්න වුනෙත් හෝමාගම නිවසේ ගෙදර විවෘත කරලා දුන්නා අපි එතුමාගේ බිරිඳට එන්න කියලා. ඒ බිරිඳගේ පරීක්ෂාව යටතේ ඒ සිද්ධිය වුනේ. එතකොට එක කාමරයක්

වහලා තිබුනා. පර්මනාන්ටම වහලා තිබුණා. ඒක ඇරියේ නැහැ හෝ කන්දර දැනට පදිංචි නිවස. අපි කිව්වා ඒ සම්බන්ධයෙන් විවෘතකරලා දෙන්න කියලා. මම හිතන්නේ විමර්ශන නිලධාරීන් විශේෂයෙන්ම අපරාධ පරීක්ෂණ දෙපාර්තමේන්තුවේ ඒ සම්බන්ධයෙන් මැදිහත් වෙලා ඊට පස්සේ අපි ඒ අවශ්‍ය බලය යොදලා විවෘත කලා. එදින තමයි ඒ පිස්ටල් එක අවි හා උණ්ඩ ඒ පරීක්ෂණයෙන් තමයි හම්බ වෙන්නේ ස්වාමිනි. ඒ කාමරේ නෙවෙයි වෙනත් තැනක තිබිලා වොෂින් මැෂින් එක ඇතුළේ තිබිලා තමයි හම්බ වෙන්නේ.

ප්‍ර: දැන් මම කියනවා අර මේ ඔය මහගෙදර සහ ගංගානි පෙදෙසේ තිබෙන නිවසටයි ඔබතුමා සර්ච් වොරන්ට් ගත්තේ නැහැ කියලා අධිකරණයෙන් ?

උ: සර්ච් වොරන්ට් අවශ්‍ය වෙන්නේ නැහැ ස්වාමිනි.

ප්‍ර: ස්ථානීය පරීක්ෂණය සඳහා?

උ: සැකකරුවෙක් සැඟවිලා ඉන්න අධිකරණ නියෝගයක් තිබෙනවා.

ප්‍ර: ස්ථානයකට ඇතුළු වෙන්න සෝදිසි වරෙන්තුවක් ඕන. පුද්ගලයෙකු අත්අඩංගුවට ගන්න අත් අඩංගුවට ගැනීමේ වරෙන්තුවක් ඕන?

උ: එහෙම එකක් නැහැ ස්වාමිනි.

ප්‍ර: පොලිස්පතිතුමා හැටියට කියන්නේ ඕනම කෙනෙකුගේ ගෙදරට ඔබට ඇතුළුවෙන්න පුලුවන් කියලද?

උ: පුලුවන්. අපිට අධිකරණ නියෝගයක් තිබෙනවා මෙයා අධිකරණ නියෝගයෙන් පැනලා ගිහිල්ලා ඉන්නවා. අපිට ආපහු සර්ච් වොරන්ට් ඕන නැහැ ස්වාමීනි. ශ්‍රී ලංකා නීතියට අනුව අපි පොලිසියට එහෙම ගන්න ගියොත් පොලිසියට නිවාස පරීක්ෂාවක් කරන්න ඕන නැහැ. මත්ද්‍රව්‍ය තිබෙනවා නම් ඕනෑම වෙලාවක පරීක්ෂා කරන්න පුලුවන්. ගිනි අවි තිබෙනවා නම් පරීක්ෂා කරන්න පුලුවන්. එතකොට පුපුරණ ද්‍රව්‍ය තිබෙනවා නම් ඕනෑම වෙලාවක පුලුවන් ඕනෑම අවස්ථාවක සෝදිසි වරෙන්තු අවශ්‍ය වෙන්නේ නැහැ ස්වාමිනි.

ප්‍ර: අර ගිරි උල්ලේ මහ ගෙදර නැෂනල් අයි.ඩී. එකේ තිබෙන ගෙදරට ගිහිල්ලා ඔය කියන කාල පරිච්ඡේදයේ එක වතාවක් හරි ගිහිල්ලා හෙව්වද?

උ: ඒ සම්බන්ධයෙන් විමර්ශන නිලධාරීන්ගෙන් තමයි දීර්ඝ ලෙස සිද්ධිය මට පෞද්ගලිකව මතක නැහැ. මොකද මම ඒ සම්බන්ධයෙන් අතෙන්ට ගියාද මෙතෙන්ට ගියාද කියලා මම විමසීම් කරන්නේ නැහැ. ඒ විමර්ශන නිලධාරීන්ගෙන් අධ්‍යක්ෂවරයාගෙන් තමයි ඒ සම්බන්ධව විමසීම් කළ යුතු වෙන්නේ. මට දැනුම්දුන් පරිදි ඒ හැම ස්ථානයක්ම පරීක්ෂාවට ලක්කලා කියන එක තමයි මට ජ්‍යෙෂ්ඨ නියෝජ්‍ය පොලිස්පතිතුමා මට ප්‍රකාශ කරලා තිබෙන්නේ. මට නැවත එහෙම පරීක්ෂා කළාද කියලා හරස් පරීක්ෂාවක් කරලා පෞද්ගලිකව මම වෙන කෙනෙක් දාල පරීක්ෂාවක් සිදු කරන්නේ නැහැ.

ප්‍ර: මම කියනවා 901/1 මත්තේගම, බෝපිටිය කියන එකට කිසිම අවස්ථාවක ගියේ නැහැ කියලා. ඒක නිලධාරිනුත් දන්නවා ඒක නිසා මම කියන්නේ. වෙනම ගන්න පුලුවන් අපිට. මම ඔබතුමා කිව්ව නිසා කියන්නේ ඒ නිවසට කිසිම අවස්ථාවක ගියේ නැහැ කියලා?

උ: මට ලිපිනයන් සම්බන්ධයෙන් මතක නැහැ. උගත් නීතීඥතුමා අහන්නේ අහවල් තැන මම හැංගිලා හිටියා. හැබැයි මම හිටිය තැන හොයා ගත්තේ නැහැනේ කියන එකනේ. ඒ සම්බන්ධයෙන් මම හිතන්නේ පොලිස්පතිවරයා විදියට එහෙම හැංගිලා ඉන්න තැන මාව හොයාගත්තද කියලා අහන එක මේ විනිශ්චය සභාවටත් කරන මම හිතන්නේ ඒ වගේ අපහාසයක් ස්වාමිනි.

The Committee of Inquiry has already given reasons as to why it has decided to accept the evidence of the Acting IGP. For the reasons already set out before, this Committee has decided to accept the afore-mentioned evidence of Acting IGP, SDIG Priyantha Weerasuriya also.

(10) Evidence of SSP Kumara Buddhika Manatunga.

SSP Buddhika Manatunga functioned as the Police Media Spokesman since December 2024 to 30-06-2025. It is his evidence that he, as the Police Media Spokesman, plays the role of coordinating with all main media institutions to disseminate information relevant to Sri Lanka Police to general public. Having formed a WhatsApp group and email group of all main media institutions, SSP Buddhika Manatunga has taken steps to arrange and summon media personnel to conduct press conferences in the Police Media Division. According to him, over 100 officers work under him in the Police Media Division which has an operation room working round the clock. These officers monitor news telecasts in all main TV channels, read all main newspapers, engage actively in social media groups, both to gather information from the society for an against Sri Lanka Police and to pass relevant information to the society through those channels. It is in that process that SSP Buddhika Manatunga's officers take steps to inform the positions, actions taken, etc. by Sri Lanka Police to the people of the country. The Police Media Division functions under the direct supervision of the IGP.

Through the above monitoring process, SSP Buddhika Manatunga had learnt that the Order of the learned Magistrate of Matara pronounced on 27-02-2025 was given wide publicity throughout the country. Few days thereafter, number of media personnel had started contacting him on regular basis seeking information as to why Sri Lanka Police had not been successful in arresting and producing the Respondent IGP complying with the Order dated 27-02-2025 pronounced by the Magistrate's Court of Matara. SSP Buddhika Manatunga therefore,

consulted the Acting IGP SDIG Priyantha Weerasuriya who had instructed him to convene a media conference and proceed to call for public assistance from the general public requesting them to provide any information which could lead to the arrest of the Respondent IGP. SSP Buddhika Manatunga had conducted this media conference on 06-03-2025. In the said Media conference, SSP Buddhika Manatunga has conveyed to the general public of the country about the steps Sri Lanka Police had taken to locate and arrest the Respondent IGP. It is his evidence that the fact that the Respondent IGP had gone into hiding subsequent to the Order dated 27-02-2025 pronounced by the Hon. Magistrate of Matara was widely publicized in all media which led the persons from media institutions contacting him to gather more details about the steps and the position of Sri Lanka Police. It is also the evidence of this witness that the members of the general public and the media personnel had even proceeded to pass adverse remarks in social media stating therein statements such as 'Sri Lanka Police is the only police in the world which is looking for its IGP to be arrested'.

SSP Buddhika Manatunga has produced before this Committee, the affidavit he has signed on 31-05-2025, marked **P-81**.

Although SSP Buddhika Manatunga was ready to play the media conference recorded on 06-03-2025, the learned Counsel for the Respondent IGP objected to that move. In the presence of the said objection and also in view of the fact that the SSP Buddhika Manatunga himself has given evidence being physically present before the Committee of Inquiry regarding the said press conference, the Committee of Inquiry decided to refrain itself from allowing the proposed recording of the media conference re-played before the Committee.

SSP Buddhika Manatunga having gone through the various posts in social media and the other news items published in the country to which he is privy in his official capacity, has clearly stated in his evidence before this Committee that the conduct of the Respondent IGP in hiding from police to escape from being arrested, had certainly brought disrepute to Sri Lanka Police in the minds of general public. It is also his evidence that these acts of Respondent IGP going into hiding in order to escape the arrest, has caused disrepute to the office of the IGP as well. SSP Buddhika Manatunga has also stated in his evidence that the confidence that the general public had placed in Sri Lanka Police was also damaged and breached through the Respondent IGP's action of going into hiding.

SSP Buddhika Manatunga has also stated that the decision to call for public help through the Media conference held on 06-03-2025 was taken with the concurrence of the Acting IGP.

Indeed, the Acting IGP SDIG Priyantha Weerasuriya in his evidence confirmed and corroborated this position.

SSP Buddhika Manatunga in the course of his evidence has also produced a written media statement released on the same day, i.e. 01-06-2025. This was marked **P-82**. According to SSP Buddhika Manatunga, the contents of the written media statement is also on the same lines of the contents of the electronically transmitted media conference.

Although the learned Counsel for the Respondent IGP has cross-examined this witness, the said cross-examination has only brought this witness a second opportunity to re-iterate whatever he had stated in his evidence-in-chief. The cross-examination has not elicited anything which this Committee could have considered in favour of the Respondent IGP. When answering the questions asked by the learned Counsel for the Respondent IGP, SSP Buddhika Manatunga has revealed that in the course of the media conference conducted on 06-03-2025, he has even warned the general public that police will have to act under section 209 of the Penal Code in the event anyone assists the Respondent IGP to hide or conceal himself.

During the cross-examination SSP Buddhika Manatunga has also stated that in social media such as Facebook whenever there is some comment against Sri Lanka Police, he took steps to place the position of Sri Lanka Police by way of a comment posted in that social media forum. It is his evidence that by studying all this information he took the view that Sri Lanka Police has been disgraced by the actions of the Respondent IGP going into hiding to escape the arrest. The following suggestion made by the learned Counsel for the Respondent IGP and the answers provided by this witness would be worth being reproduced.

ප්‍ර: මම ඔබතුමාට යෝජනා කරනවා, ඔබතුමා බොහොම පෞද්ගලික වෛරයකින්, තරහකින් යුක්තව දේශබන්ධු තෙන්නකෝන්ට විරුද්ධව comment කරපු, ලියපු කෙනෙක් කියලා. පිළිගන්නවා නම් පිළිගන්න?

උ: ස්වාමීනි, කිසිසේත්ම නැහැ. මොකද, මගේ වෘත්තීය ජීවිතයේ එතුමා මට සැහෙන උපකාර කරපු කෙනෙක්. එතුමා සම්බන්ධයෙන් මගේ හිත ඇතුලේ කිසිම තරහක් නැහැ. මොකද, ඒ කාලයේ තිබුණු conference වලදී පවා මම හොඳින් වැඩ කරනවා කියා එතුමා මාව අගය කළා. මගේ වෘත්තියේ ඉන්න ජ්‍යෙෂ්ඨම නිලධාරියා එහෙම කරනකොට ඒක මගේ හදවතට දැනුණා. අද දක්වාම මට එතුමා සම්බන්ධයෙන් කිසිසේත් පුද්ගලික වෛරයක් නැහැ. මට සමාවෙන්න. ඇත්තටම මට මේ වෙලාවේ මුහුණ දිගන්නත් බැරි මට්ටමක මම හිටියේ. මට පුද්ගලික වෛරයක් නැහැ. නමුත්, මම වෙච්ච දේ ගැන සත්‍ය කියනවා නම්, මම දැන් ඉන්න තනතුර පොලිස් මාධ්‍ය ප්‍රකාශක නම් ස්වාමීනි, මම ඒ ක්‍රියාවලිය කළ යුතුයි. නමුත්, පුද්ගලික

වශයෙන් ගත්තොත් සහ වෘත්තීය වශයෙනුත් ඒ කාලයේ එතුමා මට උපකාර කළා. මට කිසිම පළිගැනීමේ අවශ්‍යතාවක් නැහැ.

ප්‍ර: අද දවසේ පොලිස් මාධ්‍ය ප්‍රකාශකවරයා හැටියට නොවෙයි ඔබතුමා මේ කමිටුව ඉස්සරහා පෙනී සිටින්නේ?

උ: ස්වාමීනි, මම මේ අද සාක්ෂි ලබා දීම සිද්ධ කරන්නේ මාධ්‍ය ප්‍රකාශකවරයා වශයෙන් මම ඉදිරිපත් කළ කරුණු සම්බන්ධයෙන්.

When the learned Counsel for the Respondent IGP had asked SSP Buddhika Manatunga whether he conducted a survey before he concluded that Sri Lanka Police was disgraced, it is the following answer that he has given.

ප්‍ර: මහත්තයා ඔබතුමාගේ අතේ මහජන සමීක්ෂණයක් කරලා තිබෙනවාද, -you are a lawyer. ඒ නිසා අහන්නේ - මහජන සමීක්ෂණයක් කරලා මහජන මත විමසුමක් ඔබතුමාගේ අතේ තිබුණාද ඒ ප්‍රකාශය කරන වෙලාවේ? මම අහන්නේ, I am talking about a document. එහෙම එකක් අතේ තිබිලාද ඒ ප්‍රකාශය කළේ කියලා මම අහන්නේ ?

උ: කිසිසේත්ම මත විමසුමක් කරලා අපකීර්තියක් කියන එක මැනීමට ප්‍රායෝගිකව හැකියාවක් නැහැ. නමුත් අපට කෙනෙක් කථා කරන විධියට සහ යම්කිසි කෙනෙක්, එක සිදුවීමක් ගැන පුද්ගලයෝ 1,000 ක් comment කරන කොට 900 ක් කියනවා නම් " මේ බලන්න. මේක ඔය ගොල්ලන්ට ලජ්ජාවක්, ඇයි ඔය ගොල්ල මේක කරනානේ " කියලා ක්‍රියන කොට ඒක 100 දෙනයි නම් කියන්නේ, " නැහැ ඒක හරි කියලා " -100 දෙනෙකුත් හිටිය නැති තරම් - " ඔය ගොල්ල බලන්න, ඔය ගොල්ලන්ට ඔයගොල්ලන්ගේ පොලිස්පතිතුමා සොයා ගන්න බැහැ. ලෝකයේ ඉන්න එකම පොලීසිය තමයි පොලිස්පතිව සොයන" කියලා කියන කොට ඒ හරහා සාමාන්‍ය බුද්ධියක් තිබෙන පුද්ගලයෙක් වශයෙන් මට හැඟෙනවා මේක අපට අපකීර්තියක් කියලා. සමාජයෙන් ආයෙත් මත විමසුමක් call කරලා, ඡන්ද විමසුමක් කරලා බලන්න දෙයක් නැහැ; ඒක සාමාන්‍ය දැනීම.

Finally, the learned Counsel for the Respondent IGP has suggested to this witness as follows:

ප්‍ර: මම කියනවා ඔබතුමා ඔය comments තිබෙනවා, මෙහෙම ආකල්පයක් තිබුණා කියලා තනිකරම කියන්නේ තමුන්ගේ පෞද්ගලික මතයක් කියලා, පොලීසියේ මතය ඕක නොවෙයි කියලා මම කියනවා? පිළිගන්නවා නම් පිළිගන්න, නැත්නම් නැහැ කියන්න.

උ: කිසිසේත්ම පිළිගන්නේ නැහැ. මොකද, මට මගේ පෞද්ගලික මතයක් ඉදිරිපත් කරන්න හැකියාවකුත් නැහැ. මම අර කිව්වා වාගේ මගේ ඔළුවට ඇත්තටම මුළු පොලීසියේම - මම කිව්වා වාගේ - විද්‍යුත්, social media හරහා තමයි යන්නේ. මට එතකොට මේක ඉතා හොඳින්

තේරෙනවා. මාධ්‍යවේදීන් සියලු දෙනාත් කථා කරන්නේ මට. එතකොට ඔවුන්ගේ අදහස් සියල්ල ප්‍රකාශ කරන්නේ මට. එතකොට මට තමයි මේක හොඳටම feel වෙන කෙනා.

....

ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරනවා, දේශබන්දු තෙන්නකෝන් මහතාට විරුද්ධව කරපු campaign වල සාක්ෂිකරුත් කොටස්කාරයෙක් කියලා? නමුත් ඒ සම්බන්ධයෙන් විවේචන කරපු නිලධාරියෙක් කියලාත් මම යෝජනා කරනවා?

උ: ස්වාමීනි. මම කලින් මේ සම්බන්ධයෙන් උත්තර දුන්නා. එතුමා සම්බන්ධයෙන් මගේ තිබෙන බැඳීම ගැනත් මම කිව්වා. මම ඒ සියල්ල ගැන කිව්වා. මම පොලීසියේ මාධ්‍ය ප්‍රකාශක හැටියට හිටපු කාලයේදී ඒවායින් තොරව තමයි මම කටයුතු කළ යුත්තේ. නමුත්, එතුමා සම්බන්ධයෙන් පෞද්ගලිකව මගේ තිබෙන කරුණ මම කිව්වා. එම නිසා කිසිසේත්ම මට පෞද්ගලික මට්ටමට යෑමට අවශ්‍යතාවක් තිබුණේ නැහැ. මම මුල් දවස්වල ඕකට comment නොකර හිටියේත් ඒ කරුණ මතත් පදනම් වෙලා. මේකට comment කිරීම කියන එකත් මට මුල් අවස්ථාවේදී comment කිරීමට යෑම කියන එකත් ඒක ලොකුවට ආයෙ ආයෙත් රට තුළ- මොකද, මම ප්‍රකාශයක් නිකුත් කළ ගමන් ඒක පොලීසියේ නිල ප්‍රකාශයක් බවට පත් වෙනවා. ඒ අනුව මේක අනවශ්‍ය ගැටුමකට යයි. තව තව අපට ගැටුමක් ඇති වෙයි කියන එක ගැනත් මට හිතුණා. වෙන එකක් තියා මුල් අවස්ථාවේදී මහජනතාවගේ සහාය පැතිය යුතුයි කියන තීරණය එන වෙලාවේදීත් මම නැවත වතාවක් වැඩබලන පොලිස්පතිතුමා එක්කත් කිව්වා, " සර් දැන් අපි අපේ පොලිස්පතිතුමා අත්අඩංගුවට ගන්න මහජනතාවගේ සහාය පතනවා " කියන එකත් ඒකත් තව කෙනෙක් තව පැත්තකින් හිතන්න පුළුවන් මේකත් අප කීර්තියක් නේද කියලා. ඒ මට්ටමට පොලිසිය පත් වුණා ද කියලා හිතන්න පුළුවන්. මම ඒ විධියට පැති ගණනාවක් ගැන හිතුවා. ඒ වෙලාවේ ජනතාවත් බලාගෙන ඉන්නවා මුකුත් කරන්නේ නැද්ද කියලා. ඒ නිසා තමයි අපි කිව්වේ, මහජනතාවත් දන්නවා නම් මේ ගැන අපට දැනුම් දෙන්න කියලා. කාටවත් මොහුව හංගාගෙන ඉන්නත් බැහැ. ඒ විධියට හංගාගෙන හිටියොත් අපි 209 වන වගන්තිය යටතේ කටයුතු කරනවා කියලාත් කිව්වා. මේ සියලු කටයුතු කළේ මම කිව්වා වාගේ පෞද්ගලික මට්ටමින් මට කිසිම අවශ්‍යතාවක් තිබුණේ නැහැ. නමුත්, මම වෘත්තීය වශයෙන් එය කළ යුතුයි. මොකද, මම නියෝජනය කරන්නේ පොලීසිය නම්, මහජනතාව සහ පොලිසිය අතර පාලම මම නම්, මම ඒක කළ යුතුයි

ප්‍ර: මම සාක්ෂිකරුට යෝජනා කරනවා, වැඩබලන පොලිස්පතිතුමාගේ වත් අවසර නැතිව social media සහ පෞද්ගලික campaign වල ඉඳගෙන පොලිසිය තමුන්ට දිලා නැති බලයක් පාවිච්චි කරලා comments සහ මත ප්‍රකාශ කිරීම දිගින් දිගටම කරපු නිලධාරියෙක් තමුන් කියලා?

උ: මම පිළිගන්නේ නැහැ. ස්වාමීනි.

With this witness, the learned Additional Solicitor General concluded calling his witnesses with regard to the charges other than charge Nos. 1-16. As has been stated before, the learned

Counsel for the Respondent IGP, had tendered to the Committee of Inquiry his list of witnesses containing fifteen names. However, only seven witnesses were called to give evidence on behalf of the Respondent IGP. This included the evidence of the Respondent IGP also. However, it is only the evidence of the Respondent IGP that would be relevant to explain the position taken up by him with regard to Charge Nos: 17, 18 and 19. Therefore, the Committee would now examine the Respondent IGP's position regarding Charge Nos: 17, 18 and 19.

8. THE POSITION TAKEN UP BY THE RESPONDENT IGP WITH REGARD TO CHARGE NOS: 17, 18 AND 19:

In the course of his evidence, it is the position of the Respondent IGP that he was informed in the evening of 27-02-2025 by a known person who works in courts in Matara area, that there was an order against him pronounced by the Magistrate's Court of Matara on 27-02-2025. The Respondent IGP also has clearly stated before this Committee that he knew that the next step would be his arrest by the CID. The Respondent IGP had met his lawyers in the night of 27-02-2025 itself and signed a proxy to enable them to file a writ application in the Court of Appeal in order to obtain an order from the Court of Appeal to prevent his arrest. It is his position that he received a certified copy of the Order dated 27-02-2025 pronounced by the Hon. Magistrate of Matara at about 4.00 pm on 03-03-2025. He had caused it to be given to his lawyers in the morning of 04-03-2025. The lawyers had told him that they can successfully argue a writ application on his behalf. According to his evidence, the writ application was filed on 07-03-2025, it was supported before the Court of Appeal on 10-03-2025 and put off for 12-03-2025. On 12-03-2025, the Court of Appeal has reserved its order for 17-03-2025. The Respondent IGP has got to know that the writ application filed on his behalf was dismissed by the Court of Appeal in its Order dated 17-03-2025. He has contacted his lawyers and arranged to appear before the Hon. Magistrate of Matara on 19-03-2025. It is on that basis that the Respondent IGP has taken up the position that he merely exercised a right given to him by law to challenge the Order of the learned Magistrate of Matara dated 27-02-2025 on the basis that the said Order of the Magistrate of Matara is wrong.

Responding to the questions asked by the learned Additional Solicitor General with regard to his keeping away from his residence at Hokandara during the time 28-02-2025 to 19-03-2025, the Respondent IGP had the following to say:

ප්‍ර: සාක්ෂිකරු, මේ මරණ පරීක්ෂණ නියෝගය ආවට පස්සේ ඔබතුමා හෝකන්දර නිවසින් පිටව ගියා?

උ: ඔව්, 28 වැනිදා.

ප්‍ර: 28 වැනිදා උදැසන ගියානේ?

උ: ඔව්, උදේ දහයහමාරට, එකොළහට විතර ගියා.

ප්‍ර: ඔබ ගිහිල්ලා කොස්වත්ත හන්දියෙන් බැහැලා මිත්‍රයෙකුගේ වාහනයක ගියා?

උ: ඔව්, ස්වාමීනි.

ප්‍ර: ඔබතුමා මුලින් ඒ ස්ථාවරය ගත්තේ නැහැනේ? ඒ කාරණය මුල් ප්‍රකාශයේ කළේ නැහැනේ?

උ: කවදාද, මම CID එකට ප්‍රකාශයක් දීලා තිබෙන්නේ. 24 වැනිදා වගේ දවසක නේද?

ප්‍ර: ඔබතුමා ප්‍රකාශ දෙකක් දුන්නා. ඔබ මුල් ප්‍රකාශයේ කිව්වේ, වාහනයෙන් ඇවිල්ලා කොස්වත්තෙන් බැහැලා ත්‍රිරෝද රථයකින් ගියා කියලා?

උ: ඔව්.

ප්‍ර: ඊට පස්සේ අපි ලාෆ් ආයතනයේ CCTV කැමරා පද්ධතියෙන් බැලුවාම සුරංග මහත්මයාගේ වාහනයෙන් ගිය බව දැන ගත්තා. ඔබ ඒක පිළිගත්තානේ?

උ: ඔව්. මම කිව්ව කාරණය සනාථ වෙලා තිබෙනවා. මම මගේ නිල රථයෙන් ඇවිල්ලා කොස්වත්ත හන්දියෙන් බැස්සා කියන කථාව මම බොරුවක් කියලා නැහැ. මම ඒ කථාව පිළිඅරගෙන තිබෙනවා.

ප්‍ර: ඔබගේ රියැදුරා මේ කමිටුවට සාක්ෂි දුන්නානේ. නේද?

උ: ඔව්, ස්වාමීනි.

<u>පරීක්ෂණ කමිටුවෙන් :-</u>

ප්‍ර: රියැදුරාගේ සාක්ෂිය පිළිබඳව මහත්මයාට ප්‍රශ්නයක් තිබෙනවාද?

උ: මට ගැටලුවක් නැහැ, ස්වාමීනි.

ප්‍ර: ඒ පුද්ගලයා කිව්වේ ඒ පුද්ගලයා දන්න දේවල්?

උ: ඔව්, ස්වාමීනි.

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ප්‍ර: ඒ පුද්ගලයා කිව්ව දේවල් සත්‍ය යයි නේද?

උ: ඔව්, ඒ පුද්ගලයා කිව්ව දේවල් සත්‍යයි. ඒ වාගේම මගෙත් එක්ක සමීපව ගමන් කරපු මගේ ආරක්ෂක නිලධාරියෙක් වශයෙන් සිටි කොස්තාඃල්වරයෙක් වන උදාර කියන පුද්ගලයාගේ ප්‍රකාශයත් සත්‍යයයි. ඒ ප්‍රකාශ දෙකේ මට හබ කරන්න දෙයක් නැහැ, ස්වාමීනි.

Thus, the Committee observes that the Respondent IGP has not sought to controvert the evidence provided by his Driver PCD Prasad and the evidence provided by his Personal Security Officer PC Mahesh Udara.

When asked whether he was hiding at his ancestral home in Giriulla, the Respondent IGP's response was as follows:

ප්‍ර: ඔව්, සහතික පිටපත. සහතික පිටපත ගන්න කල් ගියා. ඒක ලැබුණේ 3 වැනි දා. 7 වැනි දා දිවුරුම් ප්‍රකාශය අත්සන් කරලා දැම්මා කියලා කිව්වා නේ.

උ: ඔව්.

ප්‍ර: එතකල් ඔබතුමා හිටියේ ඔබතුමාගේ ගිරිඋල්ල නිවසේ?

උ: එහෙමයි.

ප්‍ර: ඔබ හැංගිලා හිටියේ?

උ: මගේ නිවසේ හැංගිලා ඉන්න අවශ්‍යතාවක් නැහැ.

ප්‍ර: ප්‍රසිද්ධියේ හිටියාද?

උ: ප්‍රසිද්ධියේ කියන්නේ මම නිවසේ ජීවත් වුණා. හැංගිලා හිටියා කියලා කිව්වාම මම ඒ ගෙදර කොහේ හරි මුල්ලකට වෙලා හැංගිලා දොර වහගෙන හිටියා නොවෙයි. මගේ නිවසේ කාලය ගත කරන කොට මම ඉන්න විධියක් තිබෙනවා. ඒ විධියට මම ඒ නිවසේ සිටියා.

ප්‍ර: ඒ හිටියේ කොහොමද?

උ: මම ගෙදර සාමාන්‍යයෙන් ඉන්න ආකාරයට. මම එදා ඉඳලා නිදා ගන්න කාමරයේ ඇඳේ නිදාගෙන, එදා ඉඳන් කෑම කාපු කෑම කාමරයේ කෑම කාලා හිටියා. ඒ ගෙදර මම හිටපු විධියක් තිබුණා. දොර වහගෙන ඇතුළට වෙලා රෙද්දක් පොරවා ගෙන හැංගිලා වාගේ අදහසක් එනවා හංගිලා ඉන්නවා කියන එකෙන්. එහෙම නැහැ. මම සාමාන්‍ය ස්වරූපයෙන් ඒ ගෙදර ජීවත් වුණා.

ප්‍ර: ඔබතුමා ඒ නිවසට ගියේ, කොළඹ ආවේ ත්‍රිරෝද රථ වලින් කියලා කිව්වාද?

උ: ඔව්.

ප්‍ර: ඔබතුමා එන ගමන් ත්‍රිරෝද රථ රියදුරන්ට වැඩිපුර මුදල් දීලා, ඔවුන්ගේ ජංගම දුරකථන වලින් තමුන්ට අවශ්‍ය නීති උපදෙස් ගන්න නීතිඥ මහත්වරුන්ට WhatsApp calls ගත්තා කියලා කිව්වාද?

උ: ප්‍රකාශ කළා.

ප්‍ර: ඔබතුමා මාතර මහෙස්ත්‍රාත් අධිකරණයට භාර වෙන්නේත් ත්‍රිරෝද රථයකින් කළුතර හරහා කියලා සඳහන් කළාද?

උ: ප්‍රකාශ කළා.

Having regard to all the circumstances of this case and the evidence led, it could be seen that the Respondent IGP has failed to adduce any acceptable reason as to why he kept away from his usual residences in Colombo where he has been regularly residing as at 28-02-2025. The Respondent IGP has admitted that he was living in his Hokandara house along with his wife and child. He has also admitted that Giriulla ancestral home was an abandoned house without even electricity. He has also told that his elderly mother was living with his sister. The Respondent IGP has admitted that he lived there at his Giriulla ancestral house in the night with the help of candle lights as the Electricity Board had disconnected the electricity supply to that house as the house was not in use for a long time.

The Respondent IGP has also admitted that he travelled in his friend Suranga's jeep a very short distance and thereafter travelled to his ancestral home in Giriulla in a three-wheeler alone without any security or any other person. It is his position that he spent the whole period in question in his Giriulla ancestral home. He has also stated that on several occasions he travelled alone to Colombo in three-wheelers, to attend to work such as for signing the proxy.

The Respondent IGP has stated before this Committee of Inquiry that he did not use any telephone during this time and that his ancestral house in Giriulla was full of dust; damaged by pests and was therefore not suitable for dwelling. The Respondent IGP has admitted in his evidence that he left his personal pistol in the jeep driven by Driver Prasad.

The following excerpt would show that the Respondent IGP knew the impending move to arrest him by the CID during this period. This excerpt is as follows:

ප්‍ර: 2025 මාර්තු 3 වැනිදා?

උ: ඔව්.

ප්‍ර: එතකොට ඊට පස්සේත්, 2025 මාර්තු 3 වැනිදායින් පස්සෙත් මහත්මයා දැනගෙන හිටියා. නියෝගයක් තිබෙනවා මහෙස්ත්‍රාත්තුමාගේ, ඒක නිසා පොලීසියෙන් කොයි වෙලාවක හරි අත්අඩංගුවට ගන්නවාය කියලා ඒක හරිද?

උ: නියෝගය කිව්වාට පස්සේ මහෙස්ත්‍රාත්වරයා මෙහෙම නියෝගයක් කරලා තිබෙනවායි කියලා මම දැන ගත්තා, ස්වාමීනි.

ප්‍ර: එතකොට මහත්මයා තේරුම් ගත්තාද, ඒ නියෝගය අනුව පොලීසියෙන්, නැත්නම් CID එකෙන් ක්‍රියා කරනවාය කියලා?

උ: ක්‍රියා කරන්න පුළුවන් කියලා මම දැන ගත්තා.

ප්‍ර: එතකොට ඉස්සර වෙලාම CID එකේ කට්ටිය එයි කියලා බලාපොරොත්තු වෙන්න පුළුවන්, ඔය හෝකන්දර නිවසට. හරිද?

උ: ඔව්.

ප්‍ර: මොකද, එතැන තමයි මහත්මයා හිටියේ?

උ: ඔව්.

ප්‍ර: එතැන මහත්මයා හිටියා නම්, CID එකෙන් ඇවිල්ලා අත් අඩංගුවට ගන්නවා. ඒක හරි නේ?

උ: වෙන්න පුළුවන්.

9. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO CHARGE NOS. 17, 18 OF THE CHARGE SHEET:

The Committee of Inquiry has already set out the reasons as to why it has decided to accept the evidence of the CID officers who attempted to locate and arrest the Respondent IGP. This was despite SSP Buddhika Manatunga holding a press conference on 06-03-2025 calling for public assistance to locate the Inspector General of the country.

The Respondent IGP, according to his own evidence, has taken lot of trouble and had undergone numerous hardships to locate himself in his otherwise abandoned ancestral house in Giriulla under dire circumstances. This is despite the fact that he regularly resided either in

his house in Hokandara or in the official bungalow assigned to the Inspector General of Police in Colombo.

His own driver PCD Prasad and his Personal Security Officer PC Mahesh Udara in their evidence have described the discreet way in which the Respondent IGP took to his heels and escaped undetected to avoid the impending arrest. When he did that, the Respondent IGP knew very well that the Hon. Magistrate of Matara, in his Order dated 27-02-2025, has ordered the CID to arrest him and produce him in court.

The CID is under the direct supervision of the Inspector General of Police. Moreover, the whole of Sri Lanka Police is under the guidance and supervision of the Inspector General of Police. Respondent is the Inspector General of Police of this country. Thus, evading arrest and going into hiding to prevent the CID from detecting him, is definitely not an action which anybody would expect the holder of the office of the Inspector General of Police of this country to engage in.

The general public undoubtedly has placed lot of confidence in the way Sri Lanka Police conducts its affairs. The police officers no doubt are required to set an example as law-abiding citizens. Only then can they compel the other citizens to abide by law.

Although there were several police officers named as suspects before Matara Magistrate's court case along with the Respondent IGP, there is no evidence that any one of them either evaded arrest or went into hiding. Thus, the members of the general public did not discredit them on that basis.

SSP Buddhika Manatunga's evidence revealed before this Committee of Inquiry how members of general public perceived the actions of the Respondent IGP who went into hiding since the date of Matara Magistrate's Court Order. The general public became aware through the wide publicity given to these developments. According to SSP Buddhika Manatunga, who headed the Police Media Division, Sri Lanka Police found it difficult to face the criticism coming from the members of public directed against the affairs of the Respondent IGP in this regard.

The Charge Nos. 17 and 18 have been presented on the basis that the Respondent IGP, being the Inspector General of Police, went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in case No. BR/6314/2023 on 27-02-2025 and the other orders incidental thereto, including the issuance of warrants in that case.

The learned counsel for the Respondent IGP produced before this Committee the Order of the Court of Appeal in CA Writ 168/2025 marked **R-6**. It is the Respondent IGP who is the petitioner in this case. The Court of Appeal pronounced its Order in that case on 17-03-2025. The Acting President of the Court of Appeal in that Order has held as follows:

> *"The principle of comply and complain is a well-established and globally recognized doctrine that upholds the integrity of the judicial system. It mandates that individuals must first comply with a Court order, even if they believe it to be unjust and then seek redress through proper legal avenues if they wish to challenge it.*
>
> *In this case, the Petitioner, as the head of the Police Department, is expected to set an example by adhering to the law. If he believes that the Magistrate's order is erroneous or unfair, the proper course of action is not to evade it but to challenge it through legal mechanisms. By refusing to comply and instead going into hiding, he undermines the very legal system he is duty bound to uphold. Such actions not only weaken public confidence in the judiciary but also set a dangerous precedent where individuals selectively follow Court orders based on their own interests.*
>
> *It is contended by the learned President's Counsel for the Petitioner, that before issuing the arrest order, no statement was recorded from the Petitioner. However, it is evident that when the Petitioner is actively evading arrest and remaining in hiding, it becomes impossible for the authorities to obtain such a statement from him. His deliberate absence obstructs the due process of law and he cannot now rely on this argument to challenge the arrest order while simultaneously avoiding lawful procedures."*

The Respondent IGP has not challenged the Order pronounced by the Court of Appeal on 17-03-2025. This fact has been recorded as an admission with the concurrence of the Respondent IGP on 28-05-2025 before the Committee. Therefore, the conclusion of the Court of Appeal remains valid.

It has been proved before this Committee that the Respondent IGP, in commencing to go into hiding to disobey the Order made by the Hon. Magistrate of Matara in case No. BR/6314/2023 on 27-02-2025, used his official driver PCD Prasad and his Personal Security Officer PC Mahesh Udara to transport him to his friend Suranga's jeep which in turn took him to an undisclosed location. The Acting IGP has already described before this Committee about the security contingent attached to the Respondent IGP at that time to protect him. The Respondent IGP

carried his pistol when left Hokandara house. He later abandoned it in the jeep. He left behind his security contingent unattended when he finally disappeared.

Having regard to the foregoing material, the Committee of Inquiry decides that the Respondent IGP is guilty of Charge Nos. 17 and 18 in the Charge Sheet.

10. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO CHARGE NO. 19 OF THE CHARGE SHEET:

As revealed from the evidence of SSP Buddhika Manatunga, the actions of the Respondent IGP who went into hiding after the Order pronounced on 27-02-2025 by the Hon. Magistrate of Matara undermined the due process of law in that case. The actions of the Respondent IGP no doubt also tarnished the image and reputation of Sri Lanka Police. It is Sri Lanka Police which is the primary institution in the country entrusted with the task of implementing law. The Committee of Inquiry takes the view that the aforesaid actions for which the Respondent IGP is responsible, has led to the erosion of public confidence reposed by the members of the public in Sri Lanka Police. In turn, it has also eroded the public confidence that the members of public have placed, in the administration of justice system of the country. The Committee of Inquiry sees no justification or excuse for the said actions by the Respondent IGP. The Committee rejects the excuse given by the Respondent IGP that he is entitled to evade arrest merely because he has filed a writ application in the Court of Appeal.

As has already been adverted to above, the learned counsel for the Respondent IGP has produced before this Committee the Order of the Court of Appeal in CA Writ 168/2025 marked **R- 6**. The Court of Appeal in its Order in that case has also proceeded to hold as follows:

> *"…. With this background, by analyzing the case at hand, we see that the Petitioner is not an ordinary citizen. He holds the highest rank within the Police force, serving as the Inspector General of Police (IGP), a position that casts upon him the duty to maintain law and order within the country. During his tenure as a Police Officer, the Petitioner may have produced numerous suspects and/or wrongdoers before Courts, adhering to Court orders. Unlike an ordinary citizen, he possesses a heightened awareness of the rule of law in this country.*

It is deeply concerning and regrettable that the head of the Police Department, who possesses extensive knowledge of the law and holds a position of great responsibility, is involved in a grievous offense and is actively evading arrest. His failure to cooperate with the Court order and his attempts to remain in hiding not only undermine the principles of justice but also tarnish the reputation of the Police Department. Such actions are unacceptable and diminish public trust in the very institution entrusted with upholding law and order. The Petitioner, who is entrusted with enforcing the law and tasked with setting an example for society, cannot be permitted to act as though he is above the law.

It is pertinent to note that the Police Department and the judiciary must operate with impartiality, free from any influence based on race, caste, religion, language, position, political beliefs or any ulterior motive. If these institutions fail to uphold fairness and equality in their actions, it will inevitably erode public confidence in the justice system and the administration of justice as a whole. Thus, maintaining integrity and impartiality is essential to preserving trust in these fundamental pillars of society. In my view, if these two institutions function without fear or favour and strictly adhere to the law of the land, it would significantly reduce crime by as much as 90% and thereby uphold the democratic process.

I further observe that if these two institutions fail to function effectively, the general public will inevitably lose confidence in them. As a result, people may resort to resolving disputes on their own, leading to a rise in lawlessness, thuggery, and the breakdown of law and order. This deterioration will give way to vigilantism, where individuals will take justice onto their own hands, ultimately undermining the very foundation of a lawful and democratic society."

As has already been mentioned before, the Respondent IGP has admitted that he has not challenged this Order. Therefore, the above conclusion of the Court of Appeal also remains valid.

For the foregoing reasons, the Committee of Inquiry finds the Respondent IGP guilty of Charge No. 19 in the Charge Sheet.

11. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO CHARGE NOS. 20, 21 OF THE CHARGE SHEET:

At the inception, the Respondent IGP in his Show Cause dated 28-05-2025 has brought to the notice of this Committee of Inquiry, the Order made by the Court of Appeal in CA/Writ/207/2023.

As per the Court of Appeal Judgment delivered on 26-06-2023, the Court of Appeal inter alia has made the following order:

> *"For the reasons set out above, a writ of prohibition is issued prohibiting preventing the Respondents and/or anyone and/or more of them from naming the Petitioner, a suspect in respect of incidents on 09.05.2022 and/or 09.07.2022 in the relevant proceedings in the Magistrate's Court."*

In view of the above order, and also in view of the remarks made by the Court of Appeal in the afore-said Judgment, the Committee of Inquiry did not think it fit to proceed on those charges. Therefore, the Committee of Inquiry makes no finding with regard to the Charge Nos. 20 and 21.

12. CONCLUSIONS ARRIVED AT BY THE COMMITTEE OF INQUIRY IN RELATION TO CHARGE NOS. 22, 23 OF THE CHARGE SHEET:

These two charges have been presented on the basis that the Respondent IGP, by committing one or more of the acts of misconduct and/or acts of gross abuse of power more fully set out in the other charges, has brought Sri Lanka Police into disrepute and thereby committed an act unbecoming of the Inspector General of Police of the country.

For the reasons set out in this Report, the Committee of Inquiry has found the Respondent IGP guilty of Charge Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18 and 19 of the Charge Sheet. The Committee is of the view that it does not need to give additional reasons to show how committing the acts set out in those charges by the person holding the highest office in Sri Lanka Police, which is entrusted with the primary task of maintaining law and order of the whole country, would bring disrepute to Sri Lanka Police. The Committee has already explained this aspect before.

The Committee, for the reasons set out in this Report, has concluded that CI Anslem de Silva's team went to Weligama to open fire at W15 hotel at the instance of the Respondent IGP. Nobody could ever even dream that the Inspector General of Police of the country would facilitate that kind of dangerous, illegal acts namely: the act of firing at a private hotel with a T56 weapon belonging to Sri Lanka Police; act of using a van belonging to Sri Lanka Police for that purpose; act of employing officers of Sri Lanka Police over whom he exercised command authority to engage in that illegal act of firing; act of damaging the said private hotel property of an undefended citizen and frightening him. Citizens of any country would not want an Inspector General in their Police with that kind of conduct. This is in addition to the Respondent IGP's subsequent acts of going in to hiding in the face of an order by the Magistrate's Court of Matara for his arrest. The Committee has already dealt with those aspects.

Accordingly, the Committee of Inquiry, for the reasons set out in this report, finds the Respondent IGP guilty of Charge Nos. 22 and 23 of the Charge Sheet.

13. CONCLUDING REMARKS.

The Committee of Inquiry for the reasons it has already given, has concluded that DIG Kapugamaralalage Jagath Chandra Kumara and Retired ASP Neville de Silva have given false evidence before this Committee. Furthermore, the Committee has found their conduct as Senior Police Officers in Sri Lanka Police questionable. In those circumstances, it is the view of the Committee of Inquiry that this is a fit matter which the National Police Commission should consider taking cognizance of in order to consider whether it should take any further action in that regard.

The Committee of Inquiry wishes to thank the Additional Solicitor General Dileepa Peeris PC, Deputy Solicitor General, Rajitha Perera who appeared to assist the Committee. It also thanks Mr. Rasika Sanjeewa Weerawickrama Attorney-at-Law and Ms. Kithmini Kaveesha Ruwanpura Attorney-at-Law who appeared for the Respondent IGP and assisted the Committee.

The Committee of Inquiry also wishes to thank: the Secretary General of Parliament Mrs. Kushani Anusha Rohanadheera; Mr. Hansa Abeyratne, Assistant Secretary General of Parliament who was present to assist the Committee of Inquiry as its Secretary; Ms. Nipunika Tennakoon Deputy Principal Officer of Parliament; Ms. Hansanee Munasinghe Parliamentary Officer who assisted the Committee of Inquiry immensely in its day to day work; all the

Hansard/Committee reporters who tirelessly worked for long days with the Committee; the staff of Parliament; the media personnel and all those who were present in the inquiry.

Justice P. Padman Surasena
Chairman of the Committee of Inquiry.

Justice (Retired) Neil Iddawela,

Lalith Ekanayake (Chairman) National Police Commission)

After the adjournment, the Committee of Inquiry convened itself again and pronounced its decision in the open Committee Room where the proceedings are conducted. The decision is as follows:

DECISION OF THE COMMITTEE OF INQUIRY ON THE PRELIMINARY OBJECTIONS RAISED ON BEHALF OF THE RESPONDENT INSPECTOR GENERAL OF POLICE ON 19-05-2025.

At the outset after the Charge Sheet was served on the Respondent Inspector General of Police (Respondent), Mr. Sanjeewa Weerawickrama Attorney-at-Law appearing for the Respondent Inspector General of Police sought permission from the Committee of Inquiry to raise some Preliminary Objections. The Committee of Inquiry having afforded him the requested opportunity proceeded to hear the submissions made by Mr. Sanjeewa Weerawickrama Attorney-at-Law appearing for the Respondent Inspector General of Police and also the submissions made by the learned Additional Solicitor General. Mr. Sanjeewa Weerawickrama Attorney-at-Law was thereafter again afforded another opportunity to respond to the submissions made by the leaned Additional Solicitor General. The Committee of Inquiry thereafter adjourned proceedings to enable it to deliberate on the points raised in the course of the afore-said hearing. It was thereafter that the Committee of Inquiry having considered the points raised by the learned counsel for both parties in their respective submissions unanimously pronounce this Order.

The learned Counsel appearing for the Respondent Inspector General of Police has raised three Preliminary Objections and two requests. The first preliminary objection raised by the learned Counsel for the respondent is based on Standing Order No. 91 (f) of the Parliament of the Democratic Socialist Republic of Sri Lanka (as amended up to 23rd November, 2022). The said Standing Order reads as follows:

91. Every member shall in speaking to any proposition under consideration of Parliament, strictly observe the following rules:-

(a) ...

(b) ...

(c) ...

(d) ...

(e) ...

(f) No Member shall refer in any motion or debate, to any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending. The Speaker or the Chair may direct any Member who speaks in violation of the rule against sub judice to resume his seat:

Provided that, the Speaker may allow such reference if he is of the opinion that there is no real and substantial danger or prejudice to the outcome of the judicial proceedings before court. (within sub judice rule).

It is the submission of the learned Counsel for the Respondent that the subject matters pertaining to the Charges set out in 1st to 21st Charges are based on the subject matters pertaining to proceedings pending before two Magistrate's Court cases namely Matara Magistrate Court Case No. B R 6314/2023 and Magistrate's Court Fort Case No. B 22046/2022.

As pointed out by the learned Additional Solicitor General, the Committee of Inquiry observes that Standing Order 91(f) of the Parliament comes under the heading "RULES FOR MEMBERS SPEAKING IN PARLIAMENT".

The Committee also observes that Standing Order 91 commences by stating "Every Member shall in speaking to any proposition under consideration of Parliament, strictly observe the following rules. That is common to all six sub clauses in Standing Order 91 [91(a) to 91(f)]. The Committee of Inquiry further observes that in particular, Standing Order 91(f) commences by stating, "No Member shall refer in any motion or debate, to any matter which is under adjudication by a court of law ....."

Having considered submissions made by both Mr. Sanjeewa Weerawickrama Attorney-at-Law and the learned Additional Solicitor General, and having also taken into consideration the wording and the content of Standing Order 91 as highlighted above, we are of the view that Standing Order 91 is clear enough to stand on by itself. It speaks for itself. The Committee of Inquiry is therefore of the view that Standing Order 91 is only applicable to the proceedings in the well of the Parliament when the Members of Parliament are involved as speakers. The Committee of Inquiry is of the view that Standing Order 91 is not meant to cover proceedings of this nature which is being conducted by a Committee of Inquiry comprising members who are not Members of Parliament.

The Committee of Inquiry further observes that even when the Members of Parliament want to refer in any matter which is under adjudication by a court of law or to any matter on which a judicial decision is pending, the proviso to Standing Order 91 has empowered the Hon. Speaker of Parliament to allow such reference if the Hon. Speaker is of the opinion that there is no real and substantial danger or prejudice to the outcome of the judicial proceedings before court.

Admittedly charges against the respondent have not been framed either in Matara Magistrate's Court Case No. B R 6314/2023 or in Fort Magistrate's Court Case No. B 22046/2022. If the charges are filed in those two criminal cases, the prosecution is duty-bound to prove such charges beyond reasonable doubt. On the other hand, when one looks at the charges from 1 to 21, these charges have been framed on the premise that the Respondent is alleged to have committed acts of misconduct within the meaning of Section 3 (d) and the acts of 'gross abuse of power of his office' iwithin the meaning Section 3 (e) of the Removal of Officers (Procedure) Act, No.5 of 2002. Therefore, the nature of the prospective charges in the two criminal cases (if such charges are framed against the Respondent), the outcome at the end of those two criminal cases are completely different from the nature of charges framed against the Respondent before this Committee of Inquiry and its outcome.

Moreover, there is a proceeding in terms of the provisions of law of the Removal of Officers (Procedure) Act, No.5 of 2002 which provides for the procedure to remove officials named in that Act. One of such official is Inspector General of Police. Thus, the Committee of Inquiry is of the view that its role before this Committee of Inquiry is a restricted one which would not involve finding the Respondent guilty of any criminal charge or acquitting the Respondent from any criminal charge. Such proceedings would require the prosecution to prove charges beyond reasonable doubt. This is not that kind of proceeding.Therefore, we cannot accept those two cases case as 'matters on which a judicial decision is pending'.

The second Preliminary Objection raised by the learned Counsel for the Respondent Inspector General of Police is that this Committee of Inquiry does not possess jurisdiction to adjudicate upon the charges framed against the Respondent as the Respondent is alleged to have committed those acts specified in those charges in his capacity as a Senior Deputy Inspector-General of Police of the Western Province and an Acting Inspector-General of Police.

It was the submission of the learned Counsel for Respondent that the Removal of Officers (Procedure) Act, No. 05 of 2002 does not provide for any procedure for removal of acting Inspector-General of Police, but only the Inspector-General of Police.

The learned Counsel for the Respondent Inspector General of Police further submitted that it is the Police Commission which has jurisdiction to adjudicate upon any misconduct alleged to have been committed by the Respondent in his capacity as a Senior Deputy Inspector General of Police. Learned Counsel for the Respondent advanced this argument on the basis that there is no provision in the Removal of Officers (Procedure) Act, No. 05 of 2002 for the Parliament to appoint a Committee of Inquiry to remove any officer below the Inspector-General of Police.

Having taken all the factual circumstances and the background of these charges, the Committee of Inquiry takes the view that these charges have not been framed against a Senior Deputy Inspector-General of Police or an Acting Inspector-General of Police. These charges have been framed fairly and squarely against the Inspector-General of Police of the country. The charges 1 to 20 read with the rest of the resolution passed by the Parliament on 08-04-2025 make it clear that the Respondent who presently holds the position of the Inspector-General of Police of the country had acted in the manner set out in the charges during the time he held office as Senior Deputy Inspector-General of Police in charge of Western Province and the Acting Inspector-General of Police. Therefore it is clear ,that the issue to be decided by the Commute of Inquiry is whether the Respondent who holds the Inspector-General of Police presently is liable to be found guilty of the charges of misconduct or abuse of his power as set out in these twenty three charges alleged to have been committed by him during the period mentioned therein.

Raising the third Preliminary Objection the leaned Counsel for the Respondent Inspector-General of Police submitted that this Committee of Inquiry cannot summon him as the Inspector-General of Police before it since the Supreme Court in the cases bearing No's. SC FR 67/2024, SC FR 68/2024, SC FR 71/2024, SC FR 72/2024, SC FR 75/2024, SC FR 79/2024, SC FR 80/2024, SC FR 82/2024, SC FR 84/2024, by the Order dated 24th July, 2024 produced by the learned Counsel for the Respondent marked '**R-1**' has restrained the Respondent from exercising the powers, functions and responsibility of the office of the Inspector-General of Police. The leaned Counsel for the Respondent further stated that the Supreme Court has made the said interim order to be valid until the final determination of those cases. It was on that basis that the the leaned Counsel for the Respondent sought to argue that the Respondent has ceased to exercise the powers, functions and responsibilities of the office of the Inspector-General of Police, and therefore the Committee of Inquiry cannot proceed with this inquiry against the Respondent Inspector-General of Police.

As pointed out by the learned Additional Solicitor General, even at present, the Respondent uses all the privileges and benefits of the office of the Inspector-General of Police. He even draws the salary of the Inspector-General of Police. The learned Counsel for the Respondent Inspector-General of Police has not controverted the above submission made by the learned Additional Solicitor General.

The Committee of Inquiry having studied and considered the Order dated 24th July, 2024 produced by the learned Counsel for the Respondent marked '**R-1**' takes the view that the Supreme Court has only restrained the Respondent from exercising powers, functions and responsibilities of the office of the Inspector-General of Police until the final determination of those cases. Thus, it is the view of the Committee of Inquiry that the said Order cannot be interpreted as having an effect of termination of the Respondent's service as the Inspector-General of Police. Moreover, the Parliament has appointed this Committee of Inquiry to adjudicate upon the charges framed against the Respondent because he is still holding the post of Inspector-General of Police.

Furthermore, we observe that the Order made by Supreme Court on 24th July, 2024 has called upon His Excellency the President to consider appointing a suitable person as the Acting Inspector-General of Police for the period of time during which the said interim order would be in operation. This also means and points to the fact that the Respondent is still holding the post of Inspector-General of Police.

For the above reasons, the Committee of Inquiry is of the view that there is no merit in the third Preliminary Objection based by the learned counsel for the Respondent. We are unable to accept the submissions made by the learned Counsel for the Respondent that this Committee of Inquiry cannot proceed with this inquiry against the Respondent Inspector-General of Police.

The learned Counsel for the Respondent in addition to raising the above three preliminary objections, has also put forward two applications to this Committee of Inquiry.

The first of the aforesaid applications is in the form of an objection for the presence of the learned Additional Solicitor General to assist this Committee of Inquiry. The learned Counsel for the Respondent raised this objection on behalf of his client on the basis that the learned Additional Solicitor General had made submissions in Matara Magistrate Court against the Respondent.

We have considered these submissions along with the submissions made by the learned Additional Solicitor General who had explained the matter before us. It is the Hon. Attorney General who has nominated two of his officers to assist this Committee of Inquiry. Thus, it is solely the Hon. Attorney General who has to decide on this nomination. Having considered the above submission, the Committee of Inquiry has no basis or any reason to deny or to reject the assistance rendered by the learned Additional Solicitor General on a mere basis that he had made certain submission in Matara Magistrate Court against the Respondent.

In any case, the power to make the final decision on the charges set out in the Resolution passed by Parliament on 08th April, 2025 is totally vested in the hands of the Committee of Inquiry and not in the hands of the Additional Solicitor General. What the learned Additional Solicitor General does here is only to assist the Committee of Inquiry. Therefore, the Committee of Inquiry is of the view that there is no merit in the said objection/application made by the learned Counsel for the Respondent.

The second of the aforesaid applications made by the learned Counsel for the Respondent is a request for permission for members of Inter-Parliamentary Union and members of Asian Parliamentary Assembly to be present before this Committee of Inquiry as observers. The Committee of Inquiry notes that there

is no such provision which the Committee of Inquiry must comply in the Removal of Officers (Procedure) Act, No. 05 of 2002. Furthermore, this Committee of Inquiry has not so far made any decision to prevent, restrict or stop any outsider coming and observing the proceedings. Indeed, as a matter of fact, the whole inquiry which Committee of Inquiry conducts todays before full of media personnel and it is not this Committee of Inquiry which selects or even invites any of the media persons who participated in today's proceedings to observe and record the proceedings here. Therefore, the Committee of Inquiry takes the view that there is no necessity for the Committee of Inquiry to entertain the above application made by the learned Counsel for the Respondent.

Moreover, the learned Counsel for the Respondent also brought to the attention of the Committee of Inquiry, the provisions of law set out in Section 9 (e) of the Removal of Officers (Procedure) Act, No.05 of 2002 which states as follows:

> "The committee shall have power to admit or exclude the public from such inquiry or investigation or any part thereof."

As has been mentioned before, suffice it to state here that the Committee of Inquiry has not made any order under that provision so far, to restrict anyone or to exclude any member of public from observing this inquiry. It must also be stated here that nevertheless since the proceedings take place within the precinct of Parliament, it would be necessary to honour and comply with the security measures, rules thereof and practices which the Parliament follows in that regard.

Thus, having considered all the material for the foregoing reasons, the Committee of Inquiry decides to overrule all three Preliminary Objections raised on behalf of the Respondent. Similarly, the Committee of Inquiry also decides that it is unable to entertain the two of the applications made by the learned Counsel for the Respondent.

In the above circumstance, the Committee of Inquiry decides to proceed with the rest of the inquiry.

Justice P. Padman Surasena
Chairman of the Committee of Inquiry.

Justice (Retired) Neil Iddawela,
Member of the Committee of Inquiry.

Lalith Ekanayake (Chairman, National Police Commission)
Ex Officio Member of the Committee of Inquiry.

To: The Inspector-General of Police, Mr. T.M.W. Deshabandu Tennakoon

CHARGES

Whereas, the Parliament on 08-04-2025 has passed a resolution to appoint a Committee of Inquiry in terms of Section 5 of the Removal of Officers (Procedure) Act, No. 05 of 2002, to remove you (Mr. T.M.W. Deshabandu Tennakoon), from the office of the Inspector-General of Police for misconduct and gross abuse of power of your office in terms of Sections 3(d) and 3(e) read with Section 5 of the said Act;

And whereas, a Committee of Inquiry in terms of Section 6 of the Removal of Officers (Procedure) Act, No. 05 of 2002 has been appointed to investigate and inquire into, the alleged grounds on which your removal from the office of the Inspector General of Police has been sought. Accordingly this Committee of Inquiry is required to make findings in respect of the alleged grounds of your removal from the said office and communicate such finding to the Hon. Speaker of Parliament;

And whereas, the said Committee of Inquiry by the Notice dated 07th May 2025, has given you notice of the inquiry it would conduct in that regard;

And therefore, you the Inspector-General of Police, Mr. T.M.W. Deshabandu Tennakoon is hereby directed to show cause before the said Committee as to why the said Committee of Inquiry should not make findings against you in respect of the alleged charges the particulars of which are more fully set out below:-

1. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused an armed team of Police officers belonging to the Colombo Crime Division consisting of eight members namely Chief Inspector Anslem De Silva, Inspector Mahesh Ruwan Dunusinghe, Inspector Jagath Nishantha, Sub Inspector Roshan Madhuranga, Police Sergeant 69480 Prasantha Kumara, Police Sergeant

57241 Maningamuwa Gedera Upul Chaminda Kumara, Police Constable 2204 Supun Priyashan, Police Constable Driver 89728 Duleep Gihan Piyatissa to be sent to Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

2. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused an armed team of Police officers belonging to the Colombo Crime Division consisting of eight members namely Chief Inspector Anslem De Silva, Inspector Mahesh Ruwan Dunusinghe, Inspector Jagath Nishantha, Sub Inspector Roshan Madhuranga, Police Sergeant 69480 Prasantha Kumara, Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara, Police Constable 2204 Supun Priyashan, Police Constable Driver 89728 Duleep Gihan Piyatissa to be sent to Pelena, Weligama in a surreptitious manner and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

3. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to use the Vehicle No: WP PK 7225 belonging to the Police, to go to Pelena, Weligama in a surreptitious manner to facilitate their engagement in an illegal activity or crime, namely to open fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

4. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to use the Vehicle No: WP PK 7225 belonging to the Police, to go to Pelena, Weligama in a surreptitious manner to

facilitate their engagement in an illegal activity or crime, namely, to open fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

5. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to engage in an illegal activity or crime, namely, to open fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

6. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, illegally caused the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members to engage in an illegal activity or crime, namely, to open fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

7. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that the said armed team of Police officers belonging to the Colombo Crime Division consisting of eight members had engaged in an illegal activity or crime, namely, opening fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner has failed to take any action in that regard and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

8. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that the said armed team of Police officers belonging to the

Colombo Crime Division consisting of eight members had engaged in an illegal activity or crime, namely, opening fire at W 15 Hotel at Pelena, Weligama in a surreptitious manner has failed to take any action in that regard and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

9. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two of the said armed team of Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has failed to take any action in that regard and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

10. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga, had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has failed to take any action in that regard and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

11. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has instructed the other members of the said armed team of Police officers to

surreptitiously return to Colombo without the injured being taken to the nearest hospital and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

12. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and as the Acting Inspector-General of Police, knowing very well that two armed Police officers belonging to the Colombo Crime Division, namely Police Sergeant 57241 Maningamuwa Gedera Upul Chaminda Kumara and Sub Inspector Roshan Madhuranga had received gun-shot injuries in the course of engaging in the aforesaid illegal activity or crime at Pelena, Weligama, has instructed the other members of the said armed team of Police officers to surreptitiously return to Colombo without the injured being taken to the nearest hospital and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

13. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely, to open fire at W 15 Hotel at Pelena, Weligama by aiding and abetting them and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

14. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely to open fire at W 15 Hotel at Pelena, Weligama by aiding and abetting them and thereby committed a gross abuse of powers of your office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

15. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police, conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime, namely, by aiding and abetting them to go to Pelena, Weligama and thereby committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

16. On or about 30-12-2023, you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province and Acting Inspector-General of Police conspired with the other members of the said armed team of Police officers belonging to the Colombo Crime Division and facilitated their engagement in an illegal activity or crime namely, by aiding and abetting them to go to Pelena, Weligama and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

17. During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants in that case, and thereby committed an act unbecoming and unsuitable to the office of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

18. During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police went into hiding by disobeying the Orders made by the Hon. Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants in that case, and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

19. During the period from 27-02-2025 to 19-03-2025, you being the Inspector-General of Police evaded arrest and failed to corporate with the Orders made by the Hon.

Magistrate of Matara in Case No. B R 6314/2023 on 27-02-2025 and the other orders incidental thereto including the issuance of warrants made from time to time by the Hon. Magistrate of Matara in that Case, and remained in hiding undermining the due process of law; tarnished the image and the reputation of the Police Department, which is the very institution entrusted with the task of upholding the rule of law, justice and law enforcement; caused the erosion of the public confidence in the Police Department and the administration of judicial system as a whole and thereby committed an act unbecoming and unsuitable to the office of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

20. On 09-05-2022 you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province had failed or omitted to act to prevent the commission of offences punishable under Sections 314, 316, 343, and 300 of the Penal Code by certain other persons namely: Liyanarachchige Nishantha Mendis, Suduwadewage Subash Jayashantha Fernando, Sinhara Amal Pushpakumara de Silva, Vithana Pathiranage Milan Sajith Jayathilaka, Kurugamage Sanath Nishantha Perera, Liyanage Abeyratne Suresh Priyasath alias Dan Priyasath, Wannakuwaduge Samanlal Fernando, Gamlath Jayantha Rohana, Liyanage Geethaka Perera, Jayamanna Kankanamlage Bandula Wijekumara, Pushpalal Kumarasiri, Amithananda Abeywickrema, Kompannage Mini Prashanthi Fonseka alias Welle Ramani, Asanka Nayaka Wijesinghe alias Satha Nalaka alias Arabi Wasantha, Kespalage Don Aruna Priyashantha, Ajantha Liyanage, Goniyamalige Supemsiri Aponso, Samarakkodi Jayalath Wasantha Sarojini Jayalath alias Handapangoda, Thelge Ariyadasa Peiris, Keerigama Pamunuwage Narendra Dulip Fernando, Kahandagamage Mahindaratne, Nishantha Chamin Upatissa Jayasinghe, Jhonston Fernando, Kuruppuarachchige Don Sajith Saranga, Ranabahu Mudiyanselage Thusitha Sampath Nanayakkara, Horanage Pradeep Shriyantha Fernando, Liyanage Shanaka Antony Fernando, Mahawattage Priyanath Mackenzy Fernando, Babina Hannadige Gayan Pushpakumara Peiris, Kapuwattagedera Prageeth Sujeewa Bandara, Kuruppu Mudiyanselage Lalith Udesh Madhubhanu, all being suspects in MC Fort Case No. B 22046/2022 and thereby

committed an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

21. On 09-05-2022 you, in your capacity as the Senior Deputy Inspector-General of Police of the Western Province had failed or omitted to act to prevent the commission of offences punishable under Sections 314, 316, 343, and 300 of the Penal Code by certain other persons namely: Liyanarachchige Nishantha Mendis, Suduwadewage Subash Jayashantha Fernando, Sinhara Amal Pushpakumara de Silva, Vithana Pathiranage Milan Sajith Jayathilaka, Kurugamage Sanath Nishantha Perera, Liyanage Abeyratne Suresh Priyasath alias Dan Priyasath, Wannakuwaduge Samanlal Fernando, Gamlath Jayantha Rohana, Liyanage Geethaka Perera, Jayamanna Kankanamlage Bandula Wijekumara, Pushpalal Kumarasiri, Amithananda Abeywickrema, Kompannage Mini Prashanthi Fonseka alias Welle Ramani, Asanka Nayaka Wijesinghe alias Satha Nalaka alias Arabi Wasantha, Kespalage Don Aruna Priyashantha, Ajantha Liyanage, Goniyamalige Supemsiri Aponso, Samarakkodi Jayalath Wasantha Sarojini Jayalath alias Handapangoda, Thelge Ariyadasa Peiris, Keerigama Pamunuwage Narendra Dulip Fernando, Kahandagamage Mahindaratne, Nishantha Chamin Upatissa Jayasinghe, Jhonston Fernando, Kuruppuarachchige Don Sajith Saranga, Ranabahu Mudiyanselage Thusitha Sampath Nanayakkara, Horanage Pradeep Shriyantha Fernando, Liyanage Shanaka Antony Fernando, Mahawattage Priyanath Mackenzy Fernando, Babina Hannadige Gayan Pushpakumara Peiris, Kapuwattagedera Prageeth Sujeewa Bandara, Kuruppu Mudiyanselage Lalith Udesh Madhubhanu, all being suspects in MC Fort Case No. B 22046/2022 and thereby committed a gross abuse of power of his office in terms of Section 3(e) of the Removal of Officers (Procedure) Act, No. 5 of 2002;

22. You, while holding the office as the Inspector-General of Police of the country, which is entrusted with the duty of maintaining law and order of the whole country, have, by committing one or more of the aforesaid acts of misconduct and/or acts of gross abuse of power brought the office of the Inspector-General of Police of the country and the Police Department to disrepute and thereby committed an act unbecoming

of the Inspector-General of Police which amounts to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002; and

23. You while holding the office as the Inspector-General of Police of the country being charged with extensive powers of varied nature, by committing one or more of the aforesaid acts of misconduct and/or acts of gross abuse of power did fall short of the high standard expected of a person who holds office as the Inspector-General of Police of the country and therefore have become unsuitable to hold office as the Inspector-General of Police of the country which has amounted to an act of misconduct in terms of Section 3(d) of the Removal of Officers (Procedure) Act, No. 5 of 2002,

You are hereby directed to tender your show cause in respect of the above charges by way of an affidavit to the said Committee of Inquiry before the date and time that would be specified by the Committee of Inquiry. You are also hereby given notice that further inquiry will be held on day to day basis until its conclusion.

Justice P. Padman Surasena
Chairman of the Committee of Inquiry

Justice (Retired) Neil Iddawela,
Member of the Committee of Inquiry

Lalith Ekanayake (Chairman, National Police Commission)
Ex-officio Member of the Committee of Inquiry

On this day of 19th May 2025.

- Copy of the Resolution passed by the Parliament on 08-04-2025 is attached herewith.