

FRANCE: A Canadian-Indian citizen wrongly detained for 2 months under suspicion of being a guru

In September, Jean-Luc Martin-Lagardette published an article about Neelam Makhija, 71, a retired Indo-Canadian engineer, who spent two months in prison and was held against his will in France for two and a half years under suspicion for being a 'guru'. HRWF has summarized this article, the full French version of it can be found [here](#).

CAP/Liberté de Conscience (09.10.2018) – Neelam Makhija, 71, is a Canadian citizen of Indian origin. As an engineer in third cycle electronics (MSEE) and holder of a master of business administration (MBA), he founded and directed for 23 years a company specialized in high-tech electronic projects in Canada. He retired in 2006, and has since spent his time between Toronto and Mumbai where his two daughters and grandchildren live.

Between 2010 and 2014, he made several visits to France to see his Canadian friend Cécile Tousignant, whom he has known since 2007. She is a life coach and meditation teacher inspired by an Indian master (in France and Quebec). She invited him to participate in three of her meditation courses lasting 2, 4 and 7 days respectively.

Gendarmerie raid

On November 24, 2014, Mr. Makhija was in Fontainebleau with a small group of 6-7 people, when a squad of gendarmerie arrived at 7 am at the private house where Cécile Tousignant was leading a meditation session. They arrested Ms. Tousignant and Mr. Makhija together with two other participants. They intervened following a notification to the Center against Mental Manipulation (CCMM) by the father of one of her former students.

The gendarmes, about twenty, were all armed and behaved as if they had come to save the participants from a serious and imminent danger.

Ms. Tousignant and Mr. Makhija were separated for one year without the right to any contact between each other.

After a few hours of interrogation without the presence of a lawyer, the designated translator explained briefly the accusations to Mr. Makhija. They claimed that he had allegedly «used fraudulent means to manipulate people's minds in a state of psychological subjection and to scam them. He had allegedly used mental techniques and created a mysterious Indian atmosphere to influence these people who were in a situation of weakness.» And he allegedly belonged to «the cult» of the guru (Indian spiritual master) Osho.

The defendants were kept in jail separately for eight weeks «because we were foreigners and the investigating judge was too busy to meet us,» says Neelam Makhija. «The gendarmes who arrested us told the prison authorities that we were part of the cult of Osho, the sex guru.» «Then the judge met me: she

wanted to know everything about me, my life, Osho, the Indian gurus and the Indian spirituality. For me, it was a shock because I was just a visitor! I did not have a client or work here. I do not even speak the French language. They said they had pages of criminal charges against me. But I was just a tourist for three weeks in France, with a return ticket to Bombay. I did not understand why they were criticizing my culture!»

Makhija was expected to return to his family in India within ten days. During his detention, he asked his assigned lawyer to contact his family, but his request was turned down. Once in prison, he had to wait for over two weeks before he could call his daughter: «My children and grandchildren were very worried about what could have happened to their 70-year old father. As I could not communicate with them, they thought I was sick or ...dead».

After spending nearly two months in prison, without due process before a court, where he could have defended himself, and after paying a deposit of 50,000 euros, Mr. Makhija was released but forbidden to leave the territory of France for two and a half years.

During this period, the investigating judge met him only once, on January 15, 2015. On January 26, he was out of prison. In March, the investigating judge questioned all the clients of Ms. Cécile Tousignant. They all declared that they had no problems with Neelam Makhija, and most of them said that they did not know him and did not give him any money.

Neelam's lawyer repeatedly but vainly tried to have the limits to his freedom of movement lifted.

The prosecutor abandons the charges

The trial finally took place on June 2, 2017, after a long process lasting 30 months. The prosecutor said he would abandon the charge of mentally manipulating people in a state of weakness due to the lack of evidence to support such an accusation. He recognized that the investigation judge had acted too zealously and that she used an inordinate amount of time to process the investigation. He also abandoned the money laundering charges due to the lack of evidence to support that Mr. Makhija received funds from Mrs. Tousignant.

The judges were eager to shorten this embarrassing affair. After the deliberation of less than one hour, they "whitewashed" the accused, and just sentenced him to a symbolic fine for giving advice to Cécile Tousignant regarding the the tax administration.

Neelam Makhija lost over € 600,000

According to Mr. Makhija, the amount of the financial damage due to this abusive prosecution exceeded € 600 000, but there were non-financial consequences as well, such as loss of reputation among his relatives, his community and his business partners.

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