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Man who killed two gets 9-year sentence

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DIANNE WOOD
RECORD STAFF

KITCHENER - Paul Alexander chose to use an SUV as a weapon when he ran over two men on a Waterloo street, a judge said yesterday as he sentenced Alexander to 9.3 years in prison.

The 23-year-old Toronto man has six years left to serve because of time spent in pre-trial custody.

Alexander mowed down the men on Dearborn Place, near the Revolution nightclub, after a confrontation between two groups of Sri Lankan men on Sept. 23, 2005. Chandrasegar (Chandru) Nagulasigamany, 21, and his brother, Soumiyan, 19, suffered massive trauma and internal injuries.

Justice Gerry Taylor accepted that Alexander was at least partly provoked by a large group of men who attacked him and a passenger in his rented SUV just before the killings. One man threw a wooden pallet at the SUV, shattering its rear window. Another man had blocked Alexander in so he couldn't move.

The judge agreed Alexander was just trying to escape in panic and fear when he drove over a curb to get away from his attackers. That's when he first struck Soumi.

His behaviour was fuelled by a combination of being provoked and being drunk, the judge said.

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But Taylor found it harder to accept that Alexander was still in a provoked state when he turned his SUV around at the dead end of Dearborn Place and headed back toward the group.

Soumi's brother and his friends had run out on the road to help Soumi.

Alexander could have driven right by them and left the area, the judge said. Instead he "drove directly at" Soumi, his brother and two other men.

"I can only conclude he intended to kill or at least seriously harm those four individuals," Taylor said.

Even after that, Alexander turned around yet again and took another run, narrowly missing three men on the lawn of Wit Manufacturing.

Alexander was originally charged with two counts of second-degree murder. But the Crown accepted pleas to manslaughter because provocation can reduce what would otherwise be considered murder to manslaughter. In this case, it caused Alexander to lose control, Crown prosecutor Mark Poland said.

But Taylor said the case came closer to being a murder than just negligence.

He prohibited Alexander from driving for 12 years.


"The community expects when the lives of young persons are taken as a result of violent acts, there will be severe consequences," the judge said.

Alexander had spent 20 months in pretrial custody and was given the usual two-for-one credit.

The victims' parents, who live in Scarborough, declined to make any comment before leaving Superior Court. They have no other children.

The problems began that night after the two groups attended a back-to-school party at the Revolution nightclub on Marsland Drive.

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Several people from each group were ejected, partly due to drunkenness.

Outside the club, a man in Alexander's SUV named Edwin Rasanayagam made a comment to Chandru and a heated exchange followed.

Alexander and several others in his SUV sped off. Alexander parked at the Dearborn Plaza, hoping to sleep off his intoxication and get away from the trouble.

As he left, he lightly bumped one man and almost hit several others.

Chandru's friends were angry at the way he reversed the SUV at them. According to Arikaran Kunaratnam, a University of Waterloo student and friend of Chandru's, they felt they'd been made to look foolish.

Eleven of them headed out to look for Alexander. That's when they attacked the SUV.

"This was a group enterprise to commit a criminal act," said Alexander's lawyer, Joseph Neuberger. "What possesses these groups to feel so insulted to commit these types of acts? Violence begets violence."

If the argument over some perceived insult had ended outside the club, "We wouldn't be here today," the lawyer added.

Rasanayagam was originally charged with two counts of second-degree murder as a party to the crime by aiding Alexander.

Poland said there was some evidence at the preliminary hearing that Rasanayagam had encouraged Alexander to run over people. But because a number of witnesses weren't credible, the Crown would have had a hard time proving that, so the charges were withdrawn, Poland said.

Arikaran Kunaratnam, who punched Rasanayagam, and Sutharsan Sriskandarajah, who hit Alexander through the window of the SUV, were not charged.

Barinder Bhargal threw the wooden pallet at the SUV.

Fenilkumar Patel threw a bat at the vehicle after it narrowly missed hitting him.

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