



CrI.O.P.No.26016 of 2021

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M.NIRMAL KUMAR, J.

This Court, by order, dated 21.12.2021, dismissed this petition and directed the Inspector General of Police, under whose control the Investigating Officer is working, to take departmental action against the Investigating Officer and file an Action Taken Report. The relevant portion of the order is extracted hereunder:-

*“10.It is seen that the occurrence has taken place on 19.12.2021 and the FIR has been registered on 20.12.2021 and the respondent police did not take any steps to secure the accused. Even after directions of this Court also the Investigating Officer did not take any effective steps to arrest the accused, which shows lethargic attitude of the Investigating Officer. Further, it is to be noted that the petitioners/accused have filed the present petition seeking to consider their bail application, in the event of their surrenders, which means they are readily available in their local area. The Investigating Officer, with an intention to help the petitioners/accused to escape from the clutches of law, did not secure them. Further, there is a prima facie case*



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*made out for arresting the accused, the Investigating Officer neither care to Section 18~A of the Act nor the order of this Court dated 29.12.2021, for which, this Court highly condemn the Investigating Officer.*

*11. Therefore, the Inspector General of Police, under whose control the Investigating Officer is working, is directed to take departmental action against the Investigating Officer and file an Action Taken Report on the same before this Court preferably before the second week of January 2022.*

*List the matter in the second week of January 2022.”*

2. When the matter is taken up for hearing today, Action Taken Report has been submitted by the Inspector General Police, North Zone, Chennai, and the same is extracted as follows:-

*“In accordance with the order of the Court, a departmental enquiry was initiated against the respondent 1 and a show cause notice was issued seeking his explanation. The erring officer had submitted all the records pertaining to the case and the counter case along with the records of*



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*tracking report for securing the accused. He had also stated the difficulties in securing the accused was due to paucity of time and heavy rainfall in Chennai on 30.12.2021.*

*It is humbly submitted that the delay caused in executing the warrant by the erring office is neither wilful nor wanton. The investigating officer has handled the case properly from day one and only due to paucity of time the warrant was not executed.”*

3.From the report, it is seen that the direction of this Court on 31.12.2021 is complied with by the Inspector General of Police, North Zone, Chennai. It was also brought to the notice of this Court that the petitioners aggrieved against the orders, dated 29.12.2021 and 31.12.2021 passed by this Court in Crl.O.P.No.26016 of 2021, approached the Hon'ble Apex Court in S.L.P(Crl.)Nos.365-366 of 2022, wherein the Hon'ble Apex Court, vide order, dated 19.01.2022 had granted interim stay of the arrest of the petitioners.



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4.This Court satisfies on the Action Taken Report filed by the Inspector General of Police, North Zone, Chennai. Hence, no order is required to be passed in this petition further.

25.01.2022

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