



Contempt Petition No.2864 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 24.01.2025

Delivered on : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Contempt Petition No.2864 of 2024

J.Manohar Dass,

Petitioner

Vs.

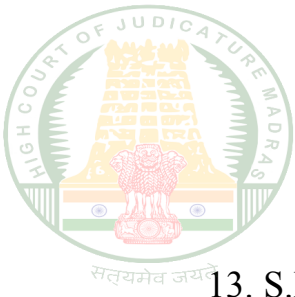
1. Komathi,
Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
Crime No.105 of 2020.
2. R.Shiva Prasad, IPS.,
Deputy Commissioner of Police,
K4 Police Station,
Anna Nagar, Chennai.
3. P.Kumar,
Deputy Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
4. G.UmaiyaI,
Deputy Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.



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5. G.Subbulakshmi,
Deputy Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
6. S.Ramesh Babu,
Assistant Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
7. M.G.Arun,
Assistant Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
8. R.Saravanan,
Assistant Commissioner of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
9. R.Gopalaguru,
Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
10. S.Rajeesh Babu,
Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
11. Chandrasekar, (L&O),
In-charge Crime,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.
12. Kameswari,
Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.



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13. S.Komathi,
Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai.

14. K.Uma Maheswari,
AWPS,(In-charge Crime),
K-10, Koyambedu Police Station,
Koyambedu, Chennai.

(R2 to R14 are impleaded as per the
order of this court dated 15.10.2024)

Respondents

Contempt Petition filed under Section 11 of Contempt of Court Act, 1971, to punish the respondents for willful disobedience of the orders passed by this Court in Crl.O.P No.3399 of 2022 dated 16.02.2022.

For petitioner : Mr.P.Kannan

For respondents : Mr.Hasan Mohammed Jinnah
State Public Prosecutor assisted by
Mr.S.Santhosh,
Government Advocate (Crl. Side)

ORDER

The Contempt petition has been filed seeking to punish the respondents for willful disobedience of the order passed by this Court in Crl.O.P.No.3399 of 2022 dated 16.02.2022. The said order directed the police to complete the investigation in Crime No.105 of 2020 and file a final report within two months.



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2. Brief facts of the case:-

i) A complaint came to be lodged by the petitioner on 01.02.2020 with the Commissioner of Police, Chennai, and the Deputy Commissioner of Police, Central Crime Branch, Chennai, requesting to initiate action against one Jayasingh Vasanth Ranjith, claimed to be a travel agent, and get refund of a sum of Rs.13,66,725/- from him, which was paid by the petitioner for getting VISA and tickets for 18 family members to perform a holy tour, as VISA could not be obtained and journey could not be performed.

ii) The said complaint dated 1.2.2020 was forwarded to the third respondent, Inspector of Police, K-10, Koyambedu Police Station, Chennai, which came to be registered on 28.02.2020, in Crime No.105 of 2020 against the said Jayasingh Vasanth Ranjit Singh for offence under Section 420 of IPC.

iii) Having found that except registration of an FIR, the matter had not been pursued by the police even after lapse of about 1-1/2 years, the petitioner was constrained to approach this Court by filing a petition in CrI.OP.No.3399 of 2022, seeking for a direction to the 3rd respondent, Inspector of Police K-10, Koyambedu, Police Station to conduct enquiry



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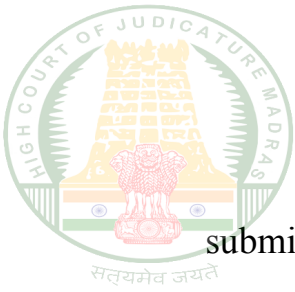
in Crime No.105 of 2020 dated 28.02.2020 and file a final report within a reasonable time.

iv) When the matter was taken up for hearing on 16.02.2022, this Court, recording the submission of the learned Government Advocate (Criminal Side) that the final report would be filed within a period of two months from that date, disposed the Criminal Original Petition with a direction to the respondents to complete the investigation and file the final report within a period of two months.

v) Again, having been frustrated with the non compliance of the order passed by this court even after the lapse of two years, the petitioner had sent a legal notice on 16.02.2024 to all the three respondents, which was received by the respondents on 17.02.2024. Since the respondents have not taken any steps even thereafter, the petitioner has once again knocked the doors of this court, by way of the present contempt petition.

3. Chronology of events:-

When the contempt petition was listed on 03.10.2024, learned Government Advocate (Criminal Side), while conceding that the order passed by this court dated 16.2.2022 in CrI.O.P.No.3399 of 2022,



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submitted that after the order was passed by this court, the Station House

Officer at K-10, Koyambedu Police Station was transferred within a short span of time and subsequently, there were many transfers in that post.

4. On such submission, this Court had directed the learned Government Advocate (Criminal Side) to furnish the details of the Deputy Commissioners of Police, Assistant Commissioners of Police and Inspectors of Police, who were having jurisdiction and control over Koyambedu Police Station from 16.02.2022 till date.

5. Again, when the contempt petition was listed on 15.10.2024, as directed by this Court on 03.10.2024, the details of the police officials were furnished by the learned Government Advocate, which is extracted as under:-

LIST OF OFFICER DC's from 16.02.2022 to till date.

1	Tr.R.SHIVA PRASAD IPS (DC Anna Nagar)	01.02.2022 to 09.06.2022
2	Tr.P.KUMAR (DC Koyambedu)	13.06.2022 to 07.08.2023
3	Tmt.G.UMAIYAL (DC Koyambedu)	07.08.2023 to 09.08.2024
4	Tmt.G.SUBBULAKSHMI(DC Koyambedu)	10.08.2024 to till date



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LIST OF OFFICER AC KOYAMBEDU RANGE FROM 16.02.2022 to till date

1	Tr.S.RAMESH BABU	05.03.2021 to 28.10.2023
2	Tr.M.G.ARUN	28.10.2023 to 01.02.2024
3	Tr.R.SARAVANAN	01.02.2024 to till date

LIST OF INSPECTORS K10 PS CRIME FROM 16.02.2022 to till date

1	Tr.R.GOPALAGURU	08.01.2021 to 08.06.2022
2	Tr.S.RAJEESH BABU	12.06.2022 to 15.09.2022
3	Tr.CHANDRASEKAR(L&O) (Incharge Crime)	16.09.2022 to 26.01.2023
4	Tmt.KAMESWARI	31.01.2023 to 02.02.2024
5	Tmt.S.KOMATHI	18.02.2024 to 09.09.2024 ML
6	Tmt.K.UMA MAHESWARI Koyambedu AWPS (Incharge Crime)	09.09.2024 to till date

6. Thereupon, having observed the lapse on the part of the investigating agency for about four years on the ground of intermittent transfers of Inspectors of Police at Koyambedu Police Station, this Court by order dated 15.10.2024, had placed its discontent and directed for adopting a scheme for extending their fullest co-operation for the efficacy of criminal justice system by complying with the orders passed by this Court while impleading the police officials, who were in charge of Koyambedu Police Station from 16.2.2022 till 15.10.2024 and directing for their appearance in court.



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7. Thereafter, when the matter was listed on 05.11.2024, the

learned State Public Prosecutor submitted that other than two officers viz., Thiru P.Kumar, Deputy Commissioner of Police and Thiru S.Rajesh Babu, Inspector of Police, who were on medical leave, all the other officers were present before the Court and had admitted that there had been some lapses on the part of the officers due to frequent transfers. He further submitted that they were ready to file individual affidavits explaining the reason and tendering their apology for their lapses in not filing the Final Report in time. He also submitted that the Director General of Police, Chennai, had proposed to come out with a Standard Operating Procedure (SOP), by which, the Court's orders are to be followed in a time bound manner and thereby, he sought time to file the SOP before this Court. Thereby, this Court, while condoning the absence of two officers viz., Thiru P.Kumar, Deputy Commissioner of Police and Thiru.S.Rajesh Babu, Inspector of Police, had dispensed with the presence of all other officers and had directed the Inspector and the Assistant Commissioner of Police, Koyambedu, Chennai, alone to appear before the Court on the next date of hearing and adjourned the matter to 19.11.2024.

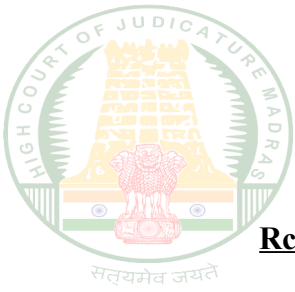


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8. **Systematic Reforms Proposed:-** On 17.12.2024, when the

matter was taken up for hearing, the learned State Public Prosecutor appearing for the respondents, had produced two circulars dated 04.11.2024 issued by the (1) Director General of Police/Head of the Police Force, Chennai and (2) Commissioner of Police, Greater Chennai Police, Chennai and a copy of Standard Operating Procedure(SOP) issued vide RC.No.197832/Court Cell/2017 dated 08.12.2024 by the Director General of Police/HoPF, Tamil Nadu and submitted that the Commissioner of Police, Greater Chennai Police, Chennai, had issued directions to all the Nodal Officers in the DGP Office/Office of the Commissioners of Police/ Superintendents of Police for strict adherence of the instructions in monitoring the Court cases at their level periodically through the High Court Automation Software and thereby, this Court, by an order dated 17.12.2024, had directed the learned State Public Prosecutor to furnish copies of various circulars referred in the Standard Operating Procedure and adjourned the matter to 20.12.2024

9. Circular in Rc.No.197832/Court Cell/2017 dated 04.11.2024 sent by the Office of the Director General of Police/Head of the Police Force, Chennai-600 004, reads thus:



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Rc.No.197832/Court Cell/2017

Office of the
Director General of Police/
Head of the Police Force,
Chennai-600 004

Dated : 04.11.2024

CIRCULAR MEMORANDUM

Sub:Police - Make use of the High Court Automation Software at Unit Headquarters and Sub-Divisional offices for follow-up of Time Bound Orders in the High Court and Supreme Court Cases — Instructions issued - Reg.

Ref: Chief Office Circular Memo in Rc.No. 33763/Court Cell/2014, and Order No. 23/2014, dated 23.06.2014;
2)Chief office Memo in RC.No.197832/Court Cell/2017 dated 31.05.2018;
3)Letter in Roc.No.61/HMJ/2024, dated 17.10.2024 of the State Public Prosecutor, High Court of Madras.

ADSP/Headquarters in Districts, DCP/Headquarters in Cities, Deputy Commandants for all TSP Battalions and DSP/Headquarters for all other Spl. Units were appointed as Nodal officers to follow the petitions filed before the Hon'ble High Court and Supreme Court, in the reference 1st cited above.

2)All the Nodal officers of the respective units are instructed in the reference 2nd cited, to ensure the entry of the petitions filed before the Hon'ble High Court of Madras, its bench at Madurai and Supreme Court of India, in the High Court Automation Software. Also, special attention shall be given for implementation of Time Bound Order by all the officers concerned.

3) It is proposed to conduct refresher training at all the range headquarters by the team members of the High Court Cell which is going to commence from 11th of November 2024. The training programme schedule is Enclosed herewith as Annexure. |

4.The unit officers and the Nodal Officers of their respective units are instructed to make use of the training by nominating suitable police officer from the district court cell team. Priority should be given to the Officer who has good knowledge of "High Court Automation Software".



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5) It is further instructed that the Deputy Commissioners of Police in the cities and the Superintendents of Police in the units shall conduct reviews of the implementation of Time bound orders of the Hon'ble High Courts and Supreme Court of India, once in a month. Further DIGsP/JCsOP/ACsOP/CsOP, as the case may be, shall review implementation of these orders on quarterly basis in order to avoid contempt of the Courts.

6) Receipt of this memorandum may be acknowledged.

Encl: As above

(Sd... D.-Shankar Jiwal)
Director General of Police /
Head of Police Force, Tamil Nadu

To

All Inspector General of Police in Zones
All Dy. Inspector General of Police in Ranges
All Commissioners of Police in Cities,
All Superintendents of Police in Districts,
All Commandants in TSP Battalions,
All Special Unit Officers.

//True Copy // Forwarded// By Order//

Sd/-

| Additional Superintendent of Police,
High Curt Cases Monitoring Cell

ANNEXURE

High Court Automation Software Refresher Training Schedule

Date	Place	Participants
11.11.2024	CPO, Salem	Salem Range & Salem City
12.11.2024	DPO, Villupuram	Villupuram Range
18.11.2024	CPO, Coimbatore City	Coimbatore Range & CBE, Tiruppur City
19.11.2024	DPO, Kancheepuram	Kancheepuram Range
22.11.2024	DPO, Vellore	Vellore Range
26.11.2024	DPO, Tirunelveli	Tirunelveli Range & TIN City
27.11.2024	CPO, Madurai City	Madurai, Dindigul Range & MDU City



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28.11.2024	DPO, Ramnad	Ramnad Range
09.12.2024	CPO, Trichy City	Trichy Range & Trichy City
10.12.2024	DPO, Thanjavur	Thanjavur Range
12.12.2024	CPO, Avadi City	Avadi City
13.12.2024	CPO, Tambaram City	Tambaram City
17.12.2024	CPO, Chennai City	Chennai City
19.12.2024	CBCID, Egmore	CBCID, TNUSRB & Railways
20.12.2024	PTC, Ashok Nagar	EOW, Cyber Crime, Idol Wing & CWC
23.12.2024	Armed Police, Kilpauk	Armed Police

10. Circular in No.608/S.B.XII/SF171/2024-2 dated 04.11.2024 sent by the Office of the Office of the Commissioner of Police, Greater Chennai Police, Vepery, Chennai-600 007, reads thus:

Confidential/Most Immediate Office of the Commissioner of Police
Greater Chennai Police,
Vepery, Chennai-600 007.

No.608/S.B.XII/SF171/2024-2 Dated: 04-11-2024

CIRCULAR MEMORANDUM

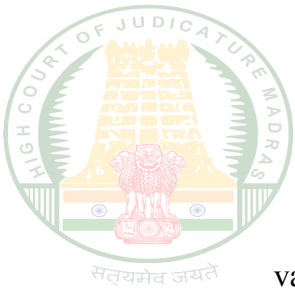
Sub: GCP - Non-Compliance of the orders of the Hon'ble High Court of Madras - Opening of separate register and formulation of separate mechanism - Instructions issued - Reg.

Ref: 1. Orders of the Hon'ble High Court of Madras, dated 15.10.2024 in Contempt Petition No.2864 of 2024.

2. Letter in Roc.No.61/HM)/2024-1 dated 28.10.2024 from the Public Prosecutor, Madras High Court, Chennai 104.

3. This office memo of even number dated 03.11.2024.

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In order to properly comply with the Court direction and various other court related matters, time and again instructions were issued from the Headquarters.

2. In the reference 3rd cited, it is been instructed to maintain Register for updating the court orders and ensure strict compliance of the same in a time bound manner.

3. DC/High Court Security hitherto reported to ACOP/North will henceforth report to JC/Headquarters for court related tie ups on various orders, directions, etc. with Public Prosecutor Office and City Police Units.

4. Since DC/High Court Security is nominated as a nodal officer, he will process all the cause list, special mentioned cases, court oral remarks, its orders, its directions, Public Prosecutor Office communication letters, etc. alongside with updation of court case monitoring software. He shall work on the lines of High court Monitoring Cell positioned at Chief Office.

5. ACOP / Headquarters and JC / Headquarters may streamline the system and formulate a foolproof mechanism for ensuring smooth functioning and co-ordination with the High Court.

6. All DCs/Districts shall also devise a mechanism at their level to process the memorandum from Headquarters and orders from High Court and ensure its compliance.

7. ACSOP, JCs shall supervise and ensure that there is no contempt of court at any cost for any lapses at your end.

Sd/-

COMMISSIONER OF POLICE.

To

ACsOP / North, South, Headquarters and Traffic, Greater Chennai Police.

Copy to:

All ICs, Greater Chennai Police.

All DCs, Greater Chennai Police.

11. The Standard Operating Procedure in



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Rc.No.197832/Court Cell/2017 dated 08.12.2024 issued by the office of

the Director General of Police, Head of Police Force, Chennai-600 004

reads thus:

"Rc. No.197832/Court Cell/2017

Office of the
Director General of Police /
Head of Police Force,
Chennai — 600 004.

Dated : 08.12.2024

STANDARD OPERATING PROCEDURE

Sub: Police -Vigil on court cases and implementation of court directions in time - Standard Operating Procedure - Issued.

Ref:1)Chief Office Circular Memorandum in Rc.No.33763/Court Cell/2014, C.O. Order No. 23/2014, dated 23.06.2014.

2)Standing Instructions (90/2014) issued in Rc.No. 33763/Court Cell/2014 dated 09.09.2014

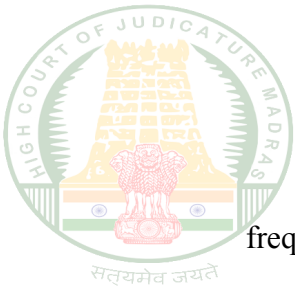
3)Memo in Rc.No.141991/Court Cell.2/2016 dated 30.09.2016

4) Chief Office Memorandum in Rc.No.5296315/Crime 4(2)/2023, dated 08.09.2023(regarding transfer of investigation to CBCID)

5)Chief Office Circular Memorandum in Rc.No.197832/Court Cell/2017, dated 04.11.2024

6)Order of the Hon'ble High court in Contempt petition No.2864/2024 dated 05.11.2024

All the Unit Officers including the Special Units and Sections in the Chief Office have already been instructed to follow the standing instructions in the references cited above. In spite of the instructions issued in the references cited, Contempt Petitions and summons to Police Officers by the courts for non compliance of the Orders of the Hon'ble High Court



frequently figure before the Courts of Law.

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2) To overcome this long persisting predicament, the following Standard Operating Procedure is issued for strict compliance by all the concerned.

I) As already communicated vide reference 5th cited above, all the Unit Officers / Nodal Officers appointed for this purpose are instructed to ensure that all the documents related to court cases are entered in the High Court Automation Software starting from Affidavit of the Petitioner, Counter Affidavit / Status Report and all other documents till the end of appeal / Disposal of the petition in toto. All Unit Officers are instructed to review the court cases based on the input in the High Court Automation Software on monthly basis.

II) In the High Court Automation Software, user IDs are created for all the Sub Divisional officers in the rank of DSP/ACP. The Nodal officers of each unit are instructed to impart training for their Sub-Divisional officers to access the software, to check the pending court cases and the timeline to comply the orders of the Hon'ble Courts. The DSP/ACP has to ensure the quality of data entry with respect to the petitions filed before the Supreme Court and High Court by conducting random check with the name of the Petitioner, prayer with FIR Number /Crime Number, Date of filing of Petition, category (Writ Petition, Criminal OP, Criminal Appeal, Criminal RC, Criminal MP, Contempt, HCP, etc.), Label, linked case No. (if any), Date of filing of Status Report/Counter Affidavit, Date of next hearing and the purpose, Date of orders (Interim/final) and date of Judgment passed by the court and the action taken thereon. A staff in the category of Head Constable or above shall be assigned for this work in the Sub Division office. He/She shall have regular interaction with the SHOs of all Police Stations falling under the Sub Division, so that the stage of every petition in the Software is updated every day.

III) All the Deputy Superintendents of Police in Districts / Assistant Commissioners of Police in Cities shall review the pending and time bound order cases weekly with all Inspectors of Police under their Sub Division on every Saturday, if not possible physically at least by virtual mode and suitable instructions shall be issued for strict compliance of the orders of the court in time.

IV) Administrative Officer /Nodal Officer in the office of the



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Commissioner of Police / Superintendent of Police shall be assigned the work of preparation of Status Report / Counter Affidavit whenever the court directs. The designated police (HC/SSI) dealing High Court Automation Software at DSP/ACP office shall have periodical interaction with the Administrative Officer concerned for getting the Status Report/ Counter Affidavit approved well in advance.

V) The Legal Advisor attached to the Commissioners of Police / Superintendents of Police shall scrutinize the Status Report / Counter Affidavit within three days from the date of receipt for further processing.

VI) The report generated through High Court Automation Software with respect to the pending and time bound order cases at Sub Division level shall be reviewed by the concerned Deputy Inspector General of Police/ Joint Commissioner of Police once in a month along with the Superintendents of Police / Deputy Commissioners of Police/Nodal Officers and Deputy Superintendents of Police / Assistant Commissioners of Police. The same shall be reviewed periodically by the Zonal Inspector General of Police/COP/Addl. COP, as applicable, once in a quarter.

VII) In sensitive cases, the Commissioners of Police / Superintendents of Police shall pay personal attention and the case shall be monitored on daily basis by having interaction with the concerned Government Law Officers on the Criminal Side and the assistance of the Law Officers attached to them shall be utilized whenever required.

VIII) If the court issues a direction for compliance within a stipulated time frame, the connected matter shall be dealt with at Commissioners of Police / Superintendents of Police level on priority basis and instructions shall be given to all the concerned for prompt compliance of the directions. In case of any difficulty faced by them in implementing the court orders within the stipulated time frame, further legal recourse shall be taken in consultation with the Government Law Officers on the Criminal side for ensuring compliance of the directions of courts in time. The High Court Automation Software shall be utilised for reviewing time bound cases. The software will be modified in due course to show forecast of time bound cases to be acted upon.



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IX) The Administrative Officers/Nodal Officers monitoring court cases in the Office of the Commissioner of Police / Superintendent of Police shall be given all assistance by the field Police Officers, so as to, ensure the preparation of the Status Report / Counter Affidavit in time.

X) In cases where, the court directions cannot be implemented within the stipulated time frame, the reasons therefor shall be brought to the attention of the Government Law Officer on the Criminal Side atleast 15 days before the completion of the stipulated time frame for filing extension of time petition with valid reasons therefor.

XI) Officer dealing with the case shall get the Status Report / Counter Affidavit vetted by the Law Officer in time and also to get clearance from the DGP office / Government, as applicable. Any delay on the part of the Government Law Officer on the Criminal Side in giving clearance may be brought to the notice of the Government Law Officer on the Criminal Side attached to the Public Prosecutor, High Court, Madras for getting clearance in time. The Nodal Officer appointed in each District for monitoring court cases shall contact the Government Law Officer attached to the Public Prosecutor, High Court, Madras in case of any difficult in complying with the orders of the Hon'ble High Court of Madras.

XII) All the Nodal officers in the DGP Office / the Office of the Commissioners of Police/Superintendents of Police shall monitor the court cases at their level periodically through High Court Automation Software and they shall issue suitable instructions to the officers dealing with the cases in their respective units.

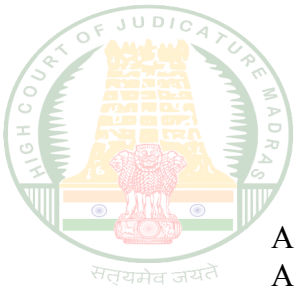
3)The time limit prescribed for implementing the orders or review shall be strictly adhered to and any lapse shall be viewed seriously attracting severe departmental disciplinary proceeding.

4) The receipt of the Standard Operating Procedure shall be acknowledged.

Sd./.....

Director General of Police/HoPF,
Tamil Nadu. "

To
All Commissioners of Police in Cities,
All Inspector Generals of Police in Zones,



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All Deputy Inspector Generals of Police in Ranges and
All Superintendents of Police in Districts and Special units and
CAO / SAO and all Administrative Officers in Chief Office.

Copy to : The ADGP, L&O, Admin, Hqrs in Chief Office

//True Copy // Forwarded// By Order//

Sd/-

Asst. Inspector General of Police,
High Court Cases Monitoring Cell"

12. Subsequently, this Court, while adjourning the matter to 20.12.2024, directed the learned State Public Prosecutor to furnish copies of various circulars referred to in the Standard Operating Procedure.

13. Pursuant to that, when the matter was taken up for hearing on 20.12.2024, the learned State Public Prosecutor had produced the letter sent to the Director General of Police/Head of Police Force, Dr. Radhakrishnan Salai, Chennai-600 004 by the learned State Public Prosecutor, High Court, Madras, the Standard Operating Procedure and the details of Circulars.

14. Letter sent to the Director General of Police/Head of Police Force, Dr. Radhakrishnan Salai, Chennai-600 004 by the learned State



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Public Prosecutor, High Court, Madras reads thus:

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HASAN MOHAMED JINNAH
Public Prosecutor,
High Court, Madras.

Law Officers Block
(3rd Floor) High Court,
Chennai-104.

Letter Roc.No.2033 of 2024 Dated: 19.12.2024

To

The Director General of Police /
Head of Police Force,
Dr.Radhakrishnan Salai,
Chennai-600 004

Sir,

Sub: Police - Vigil on Court cases and implementation of
Court directions in time - Standard Operating Procedure -
Issued - Remain on record only -Action warranted.

Ref:1)Your Directorate Circular Memorandum in Rc.
No.33763/Court cell / 2014, C.O. Order No. 23/2014,
dated 23.06.2014

2)Standing Instructions (90/2014) Issued in Rc.No.
33763/Court Cell /2014, dated 09.09.2014

3)Memo in Rc.No.141991/Court Cell-2/2016, dated
30.09.2016

4)Your Directorate Memorandum in Rc. No.96315/Crime
4(2)/2023, dated 08.09.2023 (regarding transfer of
investigation to CBCID)

5)Your Directorate Circular Memorandum in Rc.No.
197832/ Court Cell/2017, dated 04.11.2024.

6)Order of the Hon'ble High Court, Madras, dated
05.11.2024 in Contempt Petition No.2864/2024

7)Your Directorate Standard Operating Procedure
Rc.No.197832 /Court Cell /2017, dated 08.12.2024.

8)Your letter Rc.No.197832/Court Cell/2017, dated
09.12.2024.

I invite your kind attention to the references cited.

2) With much anguish, it is brought to your attention that in
spite of umpteen number of instructions issued by your Directorate in
regard to compliance of Court directions in time, yet it seems that all
the instructions are very much available for the purpose of record only,



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and none of these instructions seem to have been taken seriously and acted upon by your subordinates, which has resulted in inviting the indignation of the Hon'ble High Court of Madras and its Bench at Madurai, time and again, as by recent time too, the Hon'ble High Court of Madras has noticed that final reports are not filed even years after deadline given by the Hon'ble High Court of Madras is expired.

3) In view of the position stated supra, as requested by the Public Prosecutor, High Court, Madras, a Standard Operating Procedure has been put in operation now in the reference 7" cited.

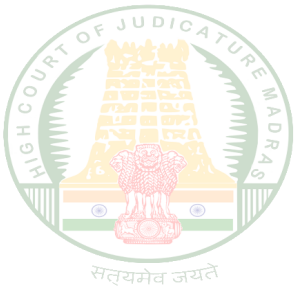
4) In the Standard Operating Procedure recently issued in the reference 7th cited, specific time limit has been prescribed for processing of the cases at each level and the Deputy Superintendents of Police in the Districts/Assistant Commissioners of Police in the Cities have been instructed to review the pending time bound cases weekly with all subordinates under their control and the Commissioners of Police and the Superintendents of Police have been instructed to have periodical interaction with the administrative side in this matter for getting the status report/counter affidavits approved well in advance.

5) In sensitive cases, the Superintendents of Police / Commissioners of Police has been Instructed to have personnel attention and they shall also monitor the case on daily basis. It has also been instructed that in case of any difficulty faced by them in implementing the Court orders within stipulated time frame, they can get the help of the Government Law Officers on the Criminal Side for ensuring compliance of the directions of Courts in time.

6) It is needless to say that the Court grants time only on the basis of the request made by the Police and even after such time as requested by the Police is obtained by the Law Officer from the Court, if the time limit is not adhered to by the Police concerned, they shall necessary take responsibility for non compliance of the orders of the Hon'ble High Court of Madras. In this connection, not only the Police at the lower level, the responsibility equally extends upto the Superintendents of Police / Commissioner of Police level also.

7) The Hon'ble High Court of Madras views the matter very seriously as non compliance of the directions of the Hon'ble High Court ultimately results in failure of Criminal Justice System in toto. The Hon'ble High Court of Madras is of the view that the erred Police officials shall be properly dealt with by initiating departmental disciplinary action against them, so as to ensure that the Court directions are complied with duly in time, so as to do justice to the needy and at the same time to ensure that the accused do not go scot-free from the clutches of Law.

8) It is therefore, requested that the action taken at the Directorate level for compliance of the instructions issued in the reference 7th cited and the action taken against the erred Police



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Officials for non compliance of the directions of the Hon'ble High Court of Madras may be sent to this office as a detailed report, once in a quarter for continuous monitoring of time bound court cases and also for the appraisal of the Hon'ble High Court of Madras.

Sd/-

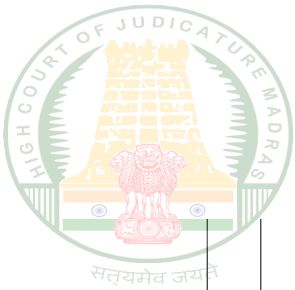
Public Prosecutor

Copy to:

- 1) All Zonal Inspectors General of Police
- 2) All Deputy Inspectors General of Police
3. All Commissioners of Police
4. All Superintendents of Police

15. The Standard Operating Procedure dated 20.12.2024 reads thus:

1	Unit officers/Nodal Officers	-To ensure that all the documents related to court cases are entered in the HC Automation Software. -To review the court cases based on the input in the HC Automation Software on a monthly basis. In the HC Automation Software, user IDs are created for Sub Divisional Officers in the rank of DSP/ACP. - Nodal officers of each unit are instructed to impart training for their Sub Divisional Officer to access the software. Nodal Officer shall contact the Attached Law Officer to the PP in case of any difficulty in complying with the orders of the HC.
2	Status Report/Counter	- Adm. Officer/Nodal Officer in the office of the CoP/SP shall be assigned the work of preparation of Status Report/Counter Affidavit. - The designated police(HC/SSI) dealing HC Automation Software at DSP/ACP office shall have periodical interaction with the Adm. officer for getting Status Report/Counter Affidavit approved well in advance. - Legal Advisor attached to CoP/SP shall scrutinize the Status Report/Counter Affidavit within 3 days from the date of receipt. - Officers dealing with the case shall get the Status Report/Counter vetted by the Law Officers and clearance from the DGP office/Govt. - Any delay on the part of the Govt. Law Officer it may



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		be brought to the notice of Attached Law Officer to the PP.
3	Time bound order cases	- DSP in districts/AC in cities to review the time bound order cases weekly with all Inspectors under their Sub Division on every Saturday, if not possible physically or by virtual mode.
4	Report related to pending and time bound order cases	-The report related to pending and time bound order cases at Sub Division Level shall be reviewed by DIGP/JC/SP/DC/Nodal officers once in a month. -The same shall be reviewed periodically by the Zonal IG/CoP/Addl. CoP once in a quarter.
5	Sensitive cases	- The CoP/SP shall monitor the case on a daily basis by interaction with the concerned Government Law Officers and assistance of Law officers attached to them.
6	Orders related to direction for compliance	- Shall be dealt by CoP/SP on priority basis. -In case of difficulty faced in implementing the order they can consult the Govt. Law Officers for ensuring the compliance. -Shall be brought to the notice of Govt. Law Officers atleast 15 days before the completion of the stipulated time frame for filing extension of time petition.

Details of Circulars

S.No	Rc.No's	PARTICULARS
1	RC.No.33763/ Court Cell/ 2014, C.O. Order No. 23/2014 Dated 23.06.2014	- Addl SP (Hq) - Nodal officer for the court cases in respect of each district and Spl. unit. - City DC(Hq) - Nodal officer in respect of each Commissionerate. - DSP (Hq) - Nodal officer in respect of Spl. units. - Dep Commandants - TN Spl Police Battalions Nodal officers should monitor the court cases in respect for their jurisdiction and they should attend the 3rd quarter meeting on 03.07.2014 - Should furnish the Quarterly Report.
2	2. Rc.No. 33763/ Court Cell/ 2014	Standing Instructions issued to process the files relating to Court cases.



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S.No	Rc.No's	PARTICULARS
	Dated 09.09.2014	Annexure I - In cases where, an Affidavit relating to WP/Crl.O.P/Contempt/HCP/WA - Instructions issued to process the file. Annexure II - Court direction to pass orders Annexure III - Court direction to consider the representation
3	Rc.No.141991/ Court Cell.2/2016 Dated 30.09.2016	<u>All unit officers to follow the Chief office memo dated 14.12.2010</u> - Instructions were issued regarding chronological action to be taken wherever the Hon'ble HC has pronounced the order without time limit/ with time limit, so as to avoid filing of WA belatedly before HC or any other courts
4	Rc.No.5296315/ Crime.4(2)/2023 Dated 08.09.2023	Instructions issued - To avoid the delay in the process of transfer of crime cases to CBCID
5	Rc.No.197832/ Court Cell/2017 Dated 04.11.2024	-Addl. SP (Hq) - Nodal officer district. -DC(Hq) - Nodal officer in cities -DSP (Hq) - Nodal officer in respect of Spl units. -Dep Commandants - TN Spl Police Battalions -Nodal officers to ensure the entry of petitions in the HC Automation Software. -To conduct refresher training at all the range headquarters by the team members of HC Cell. -Nodal officers and unit officers instructed to make use of the training programme by nominating suitable police officers from the district court cell team. - DCP, SP shall conduct reviews of the implementation of Time bound orders of the Hon'ble HC and SC once in a month. -DIGsP/JCsOP/ACsOP/CsOP shall review implementation of these orders on quarterly basis.

16. The matter stood adjourned to 24.01.2025 at the request of the learned Government Advocate (Criminal Side).



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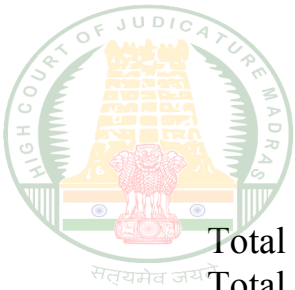
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17. On 24.01.2025, the learned State Public Prosecutor had filed the data collected in respect of the contempt petitions filed in criminal matters from 2022-2024 in all the zones, in which, it was cited that the total number of contempt petitions filed are 610 and the orders complied with in the contempt petitions are 530 and the pending contempt petitions are only 80.

18. The categories in contempt petitions filed in criminal matters reads thus:

CATEGORIES IN CONTEMPT PETITIONS FILED IN CRIMINAL MATTERS

S.No.	Categories	Numbers
1.	For completion of investigation and filing final report	485
2.	For registration of FIR	10
3.	Providing police protection to fence the property	10
4.	Providing police protection to survey the property	9
5.	Removing the name from History sheet maintained at PS	8
6.	Transfer of investigation/IO to other units	5
7.	Conduct of procession/route march/demonstration	62
8.	Other categories	21
	Total	610



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Total No. of Contempt Petitions filed - 610

Total No. of Contempt petitions (Orders complied) - 530

Total pending cases 80

19. **Verdict of the court:-**

Having heard the learned counsel for the parties and perused the materials available on record including the Standard Operating procedure (SOP) and the circulars connected with the same, this court finds that the frequent transfer of investigating officers and the consequent lapse in follow-up has been attributed as a predominant reason for non-compliance of the order of this court and to prevent the same in future, they have come out with the Standard Operating procedure (SOP).

20. Sofar as the present case is concerned, since the issue had arisen in a contempt petition for non compliance of the direction of this court dated 16.02.2022 for more than two years, **this court, by order dated 03.10.2024, had impleaded the police officials in charge** of the particular police station from the date of order of this court viz., 16.2.2022.

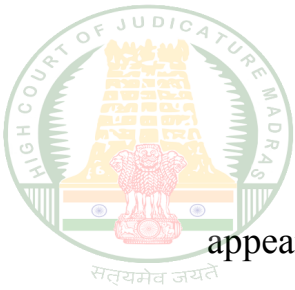


Contempt Petition No.2864 of 2024

21. Only thereafter, the accused appears to have been arrested

on 7.10.2024 at about 6.15 pm by an Inspector of Police, Tmt.K.Uma Maheswari at Mandaiveli, Chennai, allegedly, on a secret information and remanded to judicial custody before the V Metropolitan Magistrate, Egmore, Chennai on 8.10.2024, as evident from the remand report dated 8.10.2024, a copy of which has been produced in this court. Further, it is seen that final report has also been submitted by the same officer to the V Metropolitan Magistrate, Egmore, Chennai, which is also evident from a copy of the same produced in this court. An affidavit of the said Inspector of Police viz., Tmt.K.Uma Maheswari dated 5.12.2024 alongwith similar affidavits of the other police officials, who had been impleaded, has been filed before this court on 15.10.2024 wherein it is contended that the final report has been filed in the present case before the V Metropolitan Magistrate, Egmore, Chennai and it has been taken on file by the said court in C.C.No.2856 of 2024 on 19.10.2024.

22. It is pertinent to note that the present contempt having been filed against one Tmt.Komathi, Inspector of Police, the said investigating officer was also subsequently transferred and the Inspector of Police, by name K.Uma Maheswari, who claims to have arrested the accused also



Contempt Petition No.2864 of 2024

appears to have assumed charge only after the filing of the present contempt petition.

23. Further, a perusal of the affidavits filed by the police officials including the investigating officers in charge of the said Police Station during the relevant period shows that they almost contain a stereotyped version added with factual aspects, seeking unconditional apology. While the police officials superior to the investigating officers claim to have been giving instructions to their immediate subordinate officers for completing the investigation in all the pending cases by conducting monthly review meetings, the stand taken by the Inspectors of Police in charge during the relevant period is nothing but, seeking unconditional apology except in one Officer viz., Thiru S.Rajesh Babu, Inspector of Police, who claims to have been on medical leave for about two months during his entire tenure of about three months in the said police station.

24. The indisputable ground reality in the present case is that the complaint having been lodged on 1.2.2020 and FIR having been registered on 28.02.2020, the petitioner had to approach this court for a



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direction finding inaction on the part of the respondent-police. Even after this court passes an order on 16.2.2022, the scenario does not change for about two years till the petitioner comes out with a contempt petition and an order was passed on 3.10.2024, impleading the police officials in charge of the said police station during the relevant period.

25. The data produced by the State Public Prosecutor with regard to the contempt petitions filed in criminal matters from 2022-2024 in all the zones also does not appear to be a good sign of any regard being shown to the order of the courts rather, it highlights the recurring pattern of non-compliance.

26. On a scrutiny of the Standard Operating procedure (SOP) and other materials, it is seen that the entire procedure and the circulars address only the follow up action to be taken at various levels of the police officials and the monitoring to be done by the higher officials in respect of the orders passed by the court in criminal cases in order to prevent the contempt petitions and the predicament of the courts. Still, they do not address the course of action to be adopted on receipt of every complaint in a time bound manner and they are aimed at solving the



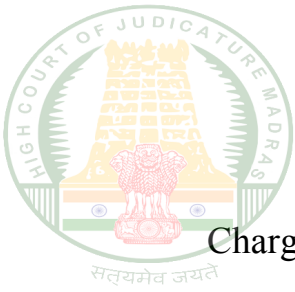
Contempt Petition No.2864 of 2024

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issues in respect of non-compliance of the directions of the courts to the investigating agency. To be precise, the SOP prescribes responsibilities for nodal officers, periodic reviews by supervisory officers, and mandates real-time updates on the progress of cases, however, these measures focus only on compliance of the court's direction after the judicial intervention, but, not on preventive accountability from the moment a complaint is received.

27. It is relevant to note that the transfer of investigating officers would, if at all, be certainly incidental to their service and it cannot be taken as a ground for the delay of investigation in criminal cases. Moreover, such transfers of investigating officers are only within the realm of their higher officials. Whiles, it would be an indigestible justification for the delay or inaction on the part of the investigating officers in proceeding with the investigation of complaints lodged with them.

28. At this stage, it would be relevant to note that the Registry of this court had already addressed the Director General of Police on 18.7.2023 in R.O.C.No.1234A/2013/Comp/ICJS on implementing of e-



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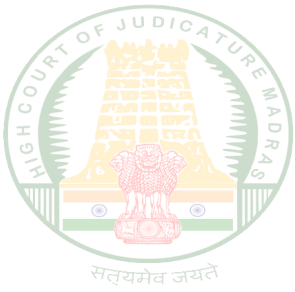
Charge sheet module through the integration of CCTNS & CIS.

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29. The Madurai Bench of this court was confronted with a peculiar situation in Crl.O.P.(MD) No.16179 of 2024, where the sole accused therein was constrained to file the said petition seeking a quashment of the FIR in Crime No.131 of 2024 as a second round of lis, contending that his earlier petition in Crl.O.P.(MD) No.6334 of 2024 for the same relief was closed by order dated 25.4.2024, recording the submission of the learned Government Advocate (Criminal Side) and granting liberty to him to challenge the charge sheet, however, no final report was filed and no case was taken on file.

30. During the course of hearing in the above petition viz, Crl.O.P.(MD)No.16179 of 2024, it was submitted by the learned Government Advocate (Criminal Side) that final report was filed through e-filing as early as on 22.4.2024 vide reference No.CC202400067. Considering the disputed versions of either side, the court had to call for reports from various quarters and ultimately, while disposing the petition, by order dated 21.2.2025, had observed as under:-

"13. Notably, the Hon'ble e-Committee, Supreme Court



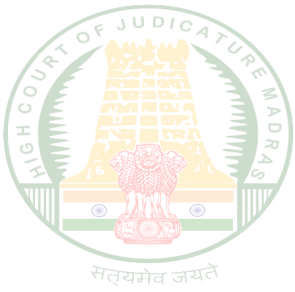
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of India has introduced the Inter-Operable Criminal Justice System (ICJS) platform which interconnects the CCTNS (Police), CIS (e-Courts), e-Prison (jail), e-Forensic (Forensic Department) and e-Prosecution (Prosecution) and the National Crime Record Bureau (NCRB) is a nodal agency for implementing the ICJS project in coordination with National Informatics Center (NIC).

14. It is pertinent to note that the said system has been put in use in several states across the country, but the same is yet to be implemented in the State of Tamil Nadu due to the incompatibility of the CCTNS platform of Tamil Nadu Police Department with the National ICJS platform. Apparently, the Tamil Nadu Police has been using its own application instead of the one based on the National Crime Records Bureau (NCRB) standards, which is causing problems with the integration of eProsecution, e-Prison and e-Forensic Departments. Despite assurances from the Police Department that the CCTNS 2.0 would be completed by



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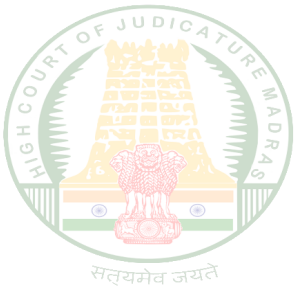


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December 2023, thereby facilitating the services offered through the ICJS platform, the project remains unfinished. The reasons for this delay are unclear, and it is essential that the Police Department provides a revised timeline for completion. To resolve this issue, it is crucial that the Home Department, Police Department, and other stakeholders work together to address the compatibility concerns and ensure seamless integration of the e-filing system with other departments.

.....

16. The IT Registry has brought to the notice of this Court that the ICJS platform is court-specific, whereas the present e-filing system is establishment-specific. To address this issue, the IT Registry has suggested that the Registry be directed to seek permission from the Hon'ble eCommittee, Supreme Court of India, to separate all Judicial Magistrate Courts from the centralized Chief Judicial Magistrate establishment and maintain them as



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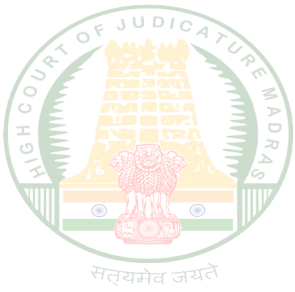


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separate establishments, until the Police Department completes the CCTNS 2.0. However, this Court is of the view that even if this suggestion is accepted, it would only be a temporary measure and would not fully address the issues faced by stakeholders. Therefore, this Court directs the police department to complete the CCTNS 2.0 within a time frame stipulated by this Court. This direction is intended to provide a permanent solution to the issues faced by stakeholders and to ensure the smooth functioning of the e-filing system.

.....

29. In light of the facts and circumstances of the case, and considering that the charge sheet was taken on file in C.C. No.24 of 2024 on 01.10.2024, this Court is of the view that the petitioner may be granted liberty to challenge the final report. The petitioner is at liberty to challenge the final report, if so advised. Furthermore, the Police Department is directed to complete the



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implementation of the Crime and Criminal Tracking Network and Systems (CCTNS) 2.0 within a period of three months from the date of receipt of this order. In the event of any technical issues or difficulties, the Police Department is at liberty to seek assistance from the IT Registry of this Court. All Principal District Judges are hereby directed to constitute Taluk Level and District Level Committees to oversee the functioning of the e-filing system and ensure its proper implementation."

31. We are in the digital era rather in an AI era, forging ahead towards paperless administration. Whatever be the outcome or progress of the investigation, everything could very well be digitised by the investigating officers at every stage of investigation, if at all, except their analysis and conclusion for the sake of confidentiality. While the SOP and the circulars refer about the High Court Office Automation Software to be updated and followed up by the investigating officials, they do not refer to any follow up action to be taken in respect of every complaints despite there being several directions from the courts. Lack of such automation facility in respect of every complaint is very much clear. For



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instance, in the present case, the Status of the FIR, as downloaded from the official website of the Tamil Nadu Police Department as on 27.4.2025 is reproduced hereunder:-

27/04/2025, 17:39

elcome to Tamil Nadu Police - Citizen Portal - W

**Tamil Nadu Police**

FIR Number : 105/2020 - Under Investigation

FIR STATUS DETAILS
Police Station : KOYAMBEDU [CHENNAI CITY]
FIR Number : 105/2020
Section Of Law : 420 -IPC
Date of Report : 28-02-2020 19:30 Hrs.
Investigating Officer : DEEPAK KUMAR (Inspector)
Status : Under Investigation
Complainant : MANOHAR DASS
[BACK](#)

32. It reflects as if investigation is pending by the investigating officer one Deepak Kumar, Inspector of Police even as on 27.4.2025. whereas the affidavits of the police officials produced before this court on 15.11.2025 refer to the registration of a case in Crime No.105/2020 by Tr.Deepak Kumar, the then Inspector of Police on 28.2.2020 and filing of final report before the V Metropolitan Magistrate, Egmore, Chennai, on 12.10.2024 by the Inspector of Police by name Tmt.K.Uma



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Maheswari, which itself shows that though the investigating agencies are

equipped with required infrastructure, there is a long way to be traversed

in achieving the desired results. It shows that the Information &

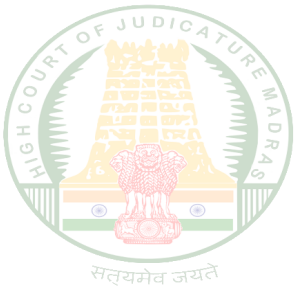
Technology wing of the Tamil Nadu Police lags behind and has to go a

long way and is still in the premature stage.

33. The official website of the Tamil Nadu Police speaks about implementation of CCTNS as under:-

"CCTNS aims at creating a comprehensive and integrated system for enhancing the efficiency and effective policing at all levels and especially at the Police Station level through adoption of principles of e-Governance, and creation of a nationwide networked infrastructure for evolution of IT-enabled state-of-the-art tracking system around "investigation of crime and detection of criminals" in real time/near real time.

The scope of CCTNS spans all 36 States and Union Territories and covers all Police Stations (14,000+ in number) and all Higher Police Offices (6,000+ in number) in the country. The CCTNS project includes vertical connectivity of police units (linking police units at various levels within the States – police stations, district police offices, state headquarters, other police formations through state headquarters and SCRB, to NCRB at GOI level) as well as horizontal connectivity, linking



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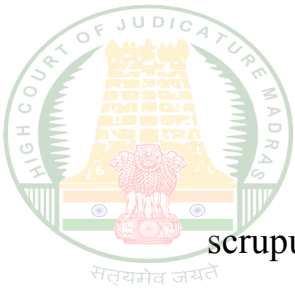
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police functions at State and Central level to external entities. CCTNS also provides for a citizen's interface to provide basic services to citizens. In Tamil Nadu, 2401 locations (1541 Police Stations, 488 higher offices & 372 Special Units) are covered by this project.

OBJECTIVES:

- Make the Police functioning citizen friendly and more transparent by automating the functioning of Police Stations.
- Improve delivery of citizen-centric services through effective usage of Information and Communication Technology.
- Provide the Investigating Officers of the Civil Police with tools, technology and information to facilitate investigation of crime and detection of criminals.
- Improve Police functioning in various other areas such as Law & Order, Traffic Management etc.
- Facilitate Interaction and sharing of Information among Police Stations, Districts, State/UT headquarters and other Police Agencies.
- Assist senior Police Officers in better management of Police Force.
- Keep track of the Progress of Cases, including in Courts.
- Reduce manual and redundant Records keeping."

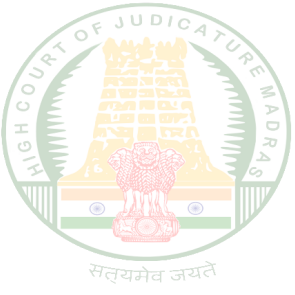
34. However, the ground reality appears to be otherwise. A complainant has to knock the doors of this court at every stage. Even for receipt of a complaint by the Station House Officer, registration of FIR thereupon, conducting of fair investigation, filing of final report within a time frame and for every such normal procedural aspects, the poor litigants are being constrained to approach the courts seeking necessary directions. The worst scenario is that such directions are not being



scrupulously followed, resulting in a plethora of contempt petitions, at every stage.

35. In the circumstances of the case, this court is of the view that it is high time for initiating every step towards effective digitization of the entire investigating agencies. Therefore, while giving a caution to the Officers concerned that future lapses in compliance with judicial orders will attract appropriate departmental and legal consequences, the present contempt petition is closed on the basis of the development in the present case. However, the following directions are issued:-

- a) The Director General of Police and the Home Department shall ensure full implementation of the SOP dated 08.12.2024.
- b) The Crime and Criminal Tracking Network & Systems (CCTNS 2.0) project shall be completed within four months from the date of this order. Any delay must be reported with valid justification.
- c) All Police Commissioners and Superintendents of Police shall conduct monthly reviews of time-bound court directions and ensure digital tracking of compliance.



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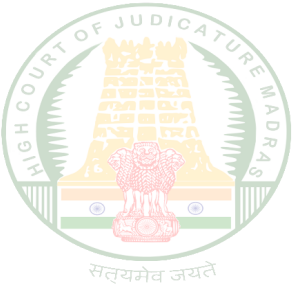
36. The matter be **placed on board after four months for**

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reporting compliance about the infrastructural development and reviewing the compliance of the directions of this court .

30.04.2025.

Index: Yes/No.
Internet: Yes/No.
raa/ssk.



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A.D.JAGADISH CHANDIRA, J.

raa/ssk.

P.D. ORDR IN
Cont. P. No.2864 of 2024

Delivered on
30.04.2025.