**An absconding MP, the colossal failure of the system**

Hassan city in Karnataka, citadel of the Gowda family, has a proud legacy. Apart from hosting the Hoysala temples of the 11th century, it boasts of sending a Prime Minister, Chief Minister and a few MPs, MLAs to office - all from the same family. But now, the city also carries the dubious distinction of being the site of a series of dastardly crimes committed against hapless women in its precincts. So strong is the pernicious grip of the family over the polity that none of the survivors being exploited since 2021 had the courage to speak up or lodge a complaint until the sordid drama was forced into the open, with some political help.

Many questions

The case of missing Janata Dal (Secular) Member of Parliament, Prajwal Revanna, who is allegedly at the centre of this crime plot, is a telling commentary of a broken criminal justice system and the shadow of politics looming large over every aspect of administrative and police functioning. After all, how can one, no matter how important he or she is, go beyond the reach of law for so many days after allegedly committing such heinous crimes? Who is responsible for this abject failure to apprehend him in time?

Reportedly, various pen drives containing grisly scenes of the alleged rape, and sexual assault against at least 100 survivors, were strewn across public locations, such as the Maharaja stadium, parks and other places, on April 24, just two days before the polling in Hassan. This ought to have been the first clue for police to act. The prosecution branch should have been consulted for acting upon the minefield of information leading to the accused. Especially as he was known to all, the police should have sent a notice to the alleged perpetrator, Prajwal Revanna, that, pending enquiry, he should not leave the city or should have gone to the court for a restraining order, registering a case suo motu. A look out circular (LOC), should have been issued by the immigration authorities at the request of Karnataka police to prevent the accused from escaping via an airport. Yet, nothing was done and the accused escaped on the strength of his diplomatic passport to Germany without visa, one day after the polls.

Why did the police not act in time? Why was the Special Investigation Team (SIT) not constituted on the same day? Were they busy with elections, or perhaps the prospect of acting against the accused on their own was too daunting for the local police. But then, the information about videos was known much earlier to higher authorities, when the gag order on media was imposed by the court on airing them to the public. What does it say about the role of Home Secretary, DGP and Chief Secretary, who are well-versed with the most important daily developments of the day? Could the release of CDs have been well-timed to reap maximum political benefits? Irrespective of these factors, it was incumbent upon senior officials to authorise immediate punitive action since every political regime chants paeans of women’s empowerment and Nari Shakti.

The speed with which action proceeded after accused escaped is as impressive as the laggardly moves before. The first case was lodged a day after the flight of the accused. The SIT was then formed. The survivor’s statement was arranged before a magistrate and an LOC was issued. MLA HD Revanna, the father of the accused who is also allegedly involved in the case, was arrested on May 4 for allegedly kidnapping a victim of sexual assault and released on bail after a few days. More women, from various walks of life, summoned the courage to lay bare the brutal assault on their bodies. As of now, several rape cases have been registered.

But the accused is missing and unlikely to return to India before the election results. In our democracy criminals have as good a chance of victory in polls as others. Maybe, as an MP, he still expects some privileges during his arraignment.

Reaching out to Interpol

The Central Bureau of Investigation is the interface with Interpol in our country. The State police must register their information with the CBI to reach out to Interpol for locating, apprehending any accused. But as of now only a blue corner notice (BCN) has been issued by the Interpol and not a red corner notice (RCN).

Interpol notices are basically to share critical, crime-related information between member countries, seeking international cooperation for tracing or apprehending fugitives in any part of the world. Various types of notices are issued by the Interpol – red, yellow, blue, black, green, orange, and purple. In the context of this case, the BCN is to collect additional information about a person’s location, identity or activities in relation to a criminal investigation while an RCN is issued for seeking the location and arrest of the person wanted for prosecution or to serve a sentence.

The BCN has drawn no response so far. The RCN requires a court warrant for arrest which was only issued by the court on May 19, on the plea of the SIT. Accordingly, RCN would be or already is issued against the accused. The path is also clear for cancellation of his passport.

But this not a signal that the accused may be imminently arriving in India. He has the option to go to the courts and he can remain abroad with recourse to the courts in Germany. Many on the wanted list from India abroad have managed to evade extradition through the tortuous legal procedures. In criminal cases, such delays help in vitiating the investigation process, with witnesses turning hostile or not being able to recall events accurately. This possibility underscores the importance of nabbing the accused at the earliest in heinous cases.

Every Budget, central or State, allocates more funds towards women welfare. Every statement on law and order in Parliament or outside mentions zero tolerance of crimes against women. Laws have been strengthened, rules amended and yet when it comes to the crunch, punitive action does not measure up to expectations.

The present case reveals inaction on all fronts. Ideally, the JD(S) should have expelled the MP the same day that the case was registered. His passport too should have been cancelled under the Passport Act since the Central government has the powers to revoke it on reasonable grounds such as involvement in criminal acts. As pointed out above, the state police have already failed to apprehend the MP in time. The senior officers too buckled under pressure. Moreover, despite having knowledge of the MP’s nefarious acts, the BJP and the JD(S) backed his nomination for fighting the elections and even the Prime Minister campaigned for him. Was this an intelligence failure, or did the information on him not matter?

The plight of the survivors

No one can say how soon the lost ground can be retrieved. But in the meantime, the SIT should have more women officers and investigators to reach out to all the women victims. Such crimes cannot go unpunished because of delays, technical lacunae, poor investigation or weak prosecution. One expected a nation’s outcry against such a hardened criminal. There is no media trial since the media was already gagged by the court order on the appeal of the accused. Every section of society should join hands in crying out for justice for the survivors.

As the nation awaits the trial of a man in a case involving perhaps the world’s most horrific incidents of crimes against women, the most heart-breaking image in the case — of a 48-year-old loyal household help, who served the father and grandfather of the accused for years, pleading with folded hands to the accused while the accused sexually assaulted her — will continue to send shivers down the spine of people for years to come. No punishment can ever be enough for such a dastardly crime.