



Suo Motu TR.No.4 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Suo Motu TR.No.4 of 2025

(C.C.No.11579 of 2022 of V Metropolitan Magistrate Court, Egmore Taluk,
Chennai)

The State Rep. By its Sub Inspector of Police,
K-9, Thiru.Vi.Ka Nagar Police Station,
Chennai – 11

... Petitioner

Vs.

Ashok (A4) (Case split up from CC.No.1086 of 2015)

.... Respondent

For Petitioner : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

The allegations in the instant case is that the defecto complainant is running a Dental Clinic in the front portion of his home whileso, blocking the pathway to park the car. A two wheeler was parked in front of his gate. When the defecto complainant tried to move the two wheeler, four persons waylaid him and abuse him in filthy language and also assaulted him.

2. On the strength of the complaint, a case was registered and final



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report was filed as against four accused namely Vijay, Ramachandran,

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Shankar and Ashok. As far as Ashok is concerned, even in the final report, it is simply mentioned as absconding, no further details of the accused was given. When the case is pending from the year 2015, the case against Accused No.4 alone was split up and renumbered as C.C.No.11579 of 2022 and the original case in C.C.No.1086 of 2015 was proceeded further and after full trial, Accused Nos.1 to 3 were also acquitted. Till date, the summons could not be served on the Accused No.4 and proper identification with reference to Accused No.4 is also not known. Therefore, no useful purpose will be served by keeping this C.C.No.11579 of 2022 pending.

3. Further, even if the summons, warrants are executed at this belated point of time, considering the nature of allegations, I'm of the view that that the same will impinge upon the right to speedy trial of the accused guaranteed under Article 21 of the Constitution of India. Accordingly the C.C.No.11579 of 2022 on the file of the V Metropolitan Magistrate Court, Egmore Taluk, Chennai stands quashed and accordingly, this Sua Motu Transfer Case stands allowed.

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Note to the Trial Court: This order is digitally signed and communicated electronically alone. The Trial Court shall take note of the order and accordingly classify the case pending before them as allowed / dismissed / disposed of, etc, and while doing so, consider any applications such as disposal of properties, etc., and pass appropriate orders, as may be necessary. Further, the Court below is directed to dispatch the copy of this order to all concerned.



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D.BHARATHA CHAKRAVARTHY, J.

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