



Suo Motu TR.No.5 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.5 of 2025

(C.C.No.100065 of 2017 of District Munsif cum Judicial Magistrate,
Vazhapadi Taluk, Salem)

Inspector of Police,
Valapady.

... Petitioner

Vs.

Saroja @ Lakshmi

.... Respondent

For Petitioner : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This occurrence was on 30.01.2009. It is alleged that, when the defacto complaint was travelling in a bus, the accused woman posing herself to be a pregnant woman came along with another child and she sat near the defacto complaint and she got down in a particular bus stop. However, only thereafter, the complainant could realise that a sum of Rs.1,00,000/- which was kept by him in his bag went missing and hence, the complaint was lodged. Immediately thereof, the accused was arrested and the money was recovered.



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From the return of property petition made in CMP.No.719 of 2009, this Court is also able to see that the amount has also been returned to the compliantant.

2. In view thereof, this CC originally was taken on file and was pending as C.C.No.64 of 2009 on the file of the learned Judicial Magistrate No.VI, Salem and thereafter, was transferred to the file of the learned District Munsif cum Judicial Magistrate, Vazhapadi and now pending as C.C.No.100065 of 2017. As such this case has been pending for the past sixteen years with no progress. The accused after coming out on bail, vanished and his identity is not at all identifiable. The original details itself was given as Saroja @ Lakshmi W/o.Elumalai @ Venkatesan near lighthouse theatre in the backside of the river, Karur.

3. Therefore, the victim is completely unidentifiable and sixteen years have also gone by. There is no scope for the warrants being executed or the summons being served on the victim. The sixteen years period is too longer, impinging upon the right of the accused under Article 21 of the Constitution of India for speedy trial. Therefore, no useful purpose will be served by keeping the CC pending and accordingly C.C.No.100065 of 2017 on the file of District Munsif cum Judicial Magistrate, Vazhapadi Taluk stands quashed



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and 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.

D.BHARATHA CHAKRAVARTHY, J.



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