



Suo Motu TR.No.2199 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.09.2025

CORAM:

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

Suo Motu TR.No.2199 of 2025

(CC.No.43 of 2017 of Judicial Magistrate Court - II, Kancheepuram)

State

Rep.by its Sub Inspector of Police,
B3-Kanchi Police Station,
Kancheepuram.

... Petitioner

Vs.

Vijayan

... Respondent

For Petitioner

: Mr.S.Vinoth Kumar

Government Advocate (crl.side)

ORDER

This Suo Motu Case is dealt with in an extraordinary manner by the Dedicated Bench, pursuant to Suo Motu.W.P.(Crl.) No.618 of 2025.

2. This case is registered for alleged offence under Section 379 of Indian Penal Code. The incident occurred on 02.09.2016. The allegation in this case is relating to theft of motor bike. Among the two accused, A2 was convicted, after full fledged trial and he has undergone the punishment and



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released. Under these circumstances, for service of summons on the A1, the split up case is pending. There is no previous case or subsequent case as against A1. Considering the factual matrix, context of the case, the antecedents of the accused, the reason for absence from his usual place, and the submission that, despite best efforts, the summon could not be served, it is evident that even if the accused is brought to face trial, it would impinge upon his right to a speedy trial. Due to the passage of time, a meaningful trial is unlikely, and no useful purpose would be served.

3. Accordingly, the proceedings in CC.No.43 of 2017 of Judicial Magistrate Court - II, Kancheepuram and this Sua Motu Transfer Case is disposed of.

03.09.2025

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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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