



Suo Motu TR.No. 2729 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 22.09.2025

CORAM:

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

Suo Motu TR.No.2729 of 2025

(C.C.No.1800032 of 2017 of Judicial Magistrate III, Salem Taluk, Salem)

The State rep. by
The Sub Inspector of Police,
Railway Police Station,
Salem.

... Petitioner

Vs.

Kumaresan

... Respondent

For Petitioner : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

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

2.The case was registered in Cr.No.87 of 2016 dated 21.04.2016 for the alleged offence under Section 379 of Indian Penal Code, 1860. The allegation in this case is that the accused committed a theft of gold chain. It is reported that the stolen chain has already been recovered and returned to the defacto complainant and there is no previous or subsequent case as against the



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accused. Further, it is submitted that the case is presently pending at the stage of warrant. The defacto complainant is present before the Court and has stated that he does not want to pursue the case any further.

3. 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 warrant could not be executed, 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.

4. Accordingly, the case in C.C.No.1800032 of 2017 of Judicial Magistrate III, Salem Taluk, Salem shall stand quashed and this Sua Motu Transfer Case stand disposed of.

22.09.2025

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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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