



Suo Motu TR.No.3168 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 12.09.2025

CORAM:

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

Suo Motu TR.No.3168 of 2025

(C.C.No.282 of 2019 of Judicial Magistrate III, Salem Taluk, Salem)

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

... Petitioner

Vs.

Asharudheen

... Respondent

For Petitioner : Mr.S.Vinoth Kumar
Govt.Advocate (crl.side)

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. This case is registered for alleged offence under Section 379 of Indian Penal Code. The incident occurred on 11.10.2018. The allegation in this case is that the accused has committed the theft of mobile phone belonging to the defacto complainant. The mobile phone was recovered and



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handed over to the defacto complainant. There is no previous case or subsequent as against the accused. The case is pending from the year 2018 at the stage of service of summon on the accused. Considering the factual matrix, context of the case 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 C.C.No.282 of 2019 of Judicial Magistrate III, Salem Taluk, Salem is quashed and this Sua Motu Transfer Case is disposed of.

12.09.2025

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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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