

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2025

CORAM:

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

Suo Motu TR.No.5686 of 2025

(S.T.C.No. 402 of 2019 of Judicial Magistrate Court, Avinashi, Avinashi
Taluk, Tiruppur)

For Petitioner : Mr.S.Vinoth Kumar
Government 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 Sections 279 and 338 of Indian Penal Code, 1860. It is submitted that the defacto complainant is not residing at the given address and remains untraceable till date. It is also not known whether any claim petition has been filed in connection with the incident. The case is presently pending at the stage of issuance of summons.

D.BHARATHA CHAKRAVARTHY, J.

3. Considering the factual matrix, context of the case, the reason for absence from his usual place, and the submission that, despite best efforts, the summons 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.

4. Accordingly, the case in S.T.C.No. 402 of 2019 on the file of Judicial Magistrate Court, Avinashi, Avinashi Taluk, Tiruppur shall stand disposed of and this Sua Motu Transfer Case stands disposed of. It is made clear that if any claim petition is filed at a later stage, the present order shall not affect such proceedings.

08.10.2025

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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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