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Suo Motu TR.No.7090 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

CORAM:

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

Suo Motu TR.No.7090 of 2025

(C.C.No. 5370 of 2014 of XVIII Metropolitan Magistrate Court, Saidapet
Taluk, Chennai)

State rep. by Inspector of Police,
J6, Thiruvanmiyur Police Station,
Adyar, Chennai.

... Petitioner

Vs

1. Manikandan
2. Kandha @ Kandhakumar

....Respondents

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.749 of 2014 dated 15.05.2014 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. It is reported that the stolen gold has already been recovered and is currently kept in the custody of the Court and there is no previous or subsequent case as against the accused. Further, it is submitted that the case is presently pending



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at the stage of summons. The defacto complainant is not residing at the given address and remains untraceable till date. If the defacto complainant submits an application for return of property, the same shall be returned.

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 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 C.C.No. 5370 of 2014 on the file of XVIII Metropolitan Magistrate Court, Saidapet Taluk, Chennai shall stand quashed and this Sua Motu Transfer Case stand disposed of.

24.09.2025

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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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