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Suo Motu TR.No.7604 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM:

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

Suo Motu TR.No.7604 of 2025
(C.C.No.3603 of 2017 of XXIII Metropolitan Magistrate Court, Saidapet
Taluk, Chennai)

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 offences under Sections 379 and 34 of IPC. The incident occurred on 01.08.2016. The allegation is that the accused is said to have stolen the cash of Rs.500/- belonging to the defacto complainant. However, the property involved has been recovered and handed over to the defacto complainant. However, the summons are not served on the accused since he remained elusive and not traceable. The defacto complainant is present and submits that the defacto complainant doesn't want to pursue the matter 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



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D.BHARATHA CHAKRAVARTHY, J.

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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 CC.No.3603 of 2017 on the file of the XXIII Metropolitan Magistrate Court, Saidapet Taluk, Chennai stands quashed and this Sua Motu Transfer case is disposed of.

16.09.2025

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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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