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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM:

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

Suo Motu TR.No.8646 of 2025

(CC.100027 of 2013 of DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE COURT, Thirukalukundram Taluk, Chengalpattu)

State
Rep.by the Sub Inspector of Police,
E-1, Mammallapuram Police Station,
Chengalpattu. ... Petitioner

Vs.

Shek Mahaboop Subani ... Respondent

For Petitioner : Mrs.G.V.Kasthuri
Additional Public Prosecutor

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.The case was registered in Cr.No.429 of 2011 dated 12.05.2011 for the alleged offence under Sections 279 and 304(A) of Indian Penal Code, 1860.

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3. It is reported that in this case, the defacto complainant remains untraceable and the dependents of the victim have not filed any claim petition. Therefore, the police are directed to serve a set of papers on the family of the victim. The said family are at liberty to file a claim petition, if they so desire and they may also approach the Legal Aid Authority where the legal aid services shall be provided to them. It is submitted that the case is presently pending at the stage of warrant and there is no previous or subsequent case against the accused.

4. 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.

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5. Accordingly, the case in C.C.No. 100027 of 2013 of District Munsif cum Judicial Magistrate Court, Thirukalukundram Taluk, Chengalpattu shall stand quashed and this Suo Motu Transfer Case stand disposed of. It is made clear that disposal of this case will not, in any manner, affect their right to file a claim petition.

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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D.BHARATHA CHAKRAVARTHY, J.

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