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Suo Motu TR.No.11881 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

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

Suo Motu TR.No.11881 of 2025

(CC.12/2020 of Judicial Magistrate II, Sankari Taluk, Salem)

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.269 of 2017 dated 09.07.2017. After completion of investigation, the case was charged for the offence under Section 279 and 304(A) of Indian Penal Code, 1860. The defacto complainant submits that he has not filed claim petition so far but willing to file claim petition and also objects for closing the case however, it can be seen that the case is of the year 2017, summons has not been served, consequently warrant pending. Under the circumstances, the Police is directed to serve a set of papers to the defacto complainant in order to enable him to file claim petition. The defacto complainant can also avail the services of Legal Services Authority. The disposal of this case will not in any manner prejudice such claim petition.



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**D.BHARATHA CHAKRAVARTHY, J.**

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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, summons could not be served, 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.12/2020 on the file of the Judicial Magistrate II, Sankari Taluk, Salem shall stand quashed and this Sua Motu Transfer Case stands disposed of.

22.10.2025

**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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