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Suo Motu TR.No.13774 of 2025

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D.BHARATHA CHAKRAVARTHY, J.

Already, this Court disposed of this Sua Motu Transfer Case on 17.09.2025. However, today, this matter is listed under the caption 'For being mentioned'. The error mentioned is corrected and the following is the corrected order:-

"IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2025

CORAM:

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

Suo Motu TR.No.13774 of 2025

(CC.1100226/2018 of Judicial Magistrate Court No:I, Cuddalore Taluk, Cuddalore)

State rep
by the Station House Officer,
Nellikuppam Police Station,
Cuddalore.

... Petitioner

Vs.

Mohamed Rafeek
Manikandan

... Respondent

For Petitioner : Mrs.G.V.Kasthuri
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.(CrI.) No.618 of 2025.



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2. This Case in Cr.No.452 of 2015 is registered for alleged offence under Section 379 of Indian Penal Code. The incident occurred in the year 2015. The allegation in this case is that the accused has committed theft of two wheeler. It is submitted that the two wheeler was recovered and handed over to the defacto complainant and the defacto complainant has since died. There is no previous or subsequent case as against the accused and the matter is pending at the stage of service of summons in the accused.

3. Considering the factual matrix, context of the case, antecedents of the accused, reason for his absence from his usual place and the submission that, despite best efforts, summon 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 proceedings in CC.1100226/2018 of Judicial Magistrate Court No:I, Cuddalore Taluk, Cuddalore is quashed and this Sua Motu Transfer Case is disposed of.

17.09.2025

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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."

17.11.2025

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