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Suo Motu TR.No.17910 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2025

CORAM:

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

Suo Motu TR.No.17910 of 2025

(P.R.C.No.700008 of 2019 of Judicial Magistrate Court No.2, Mayiladuthurai,
Mayiladuthurai Taluk, Mayiladuthurai)

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. This case is registered for alleged offences under Sections 120(b), 302 r/w 109 of the Indian Penal Code. There are totally four accused in this case. The occurrence is said to have happened on 26.09.2013. It can be seen that some of the accused attended the case and the case was taken up for trial in S.C.No.82 of 2019 and ended up in acquittal. This P.R.C. is pending in respect of the first accused. It can be seen that even at the time of filing of charge sheet, only an absconding charge sheet is filed. The first accused is elusive from the beginning.

3. I have taken into account the facts of the case where both the accused and the de facto complainant are said to have been involved in illicit arrack sale and in that business, they got into acquaintance in Trichy taluk and on account of the friendship, there seems to be some extra marital affair. On account of the enmity, the incident happened. In that view of the matter, when the warrant is pending on the accused for the past 12 years, no useful purpose will be served by keeping the matter pending. Therefore, this is an extraordinary case for exercise of powers under Article 226 of the Constitution of India and Section 482 of the Code of Criminal Procedure to close the case, however, with liberty to the prosecution to reopen the case and continue once again if the accused resurfaces or any new clue is obtained



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against the first accused, Gurumurthy.

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D.BHARATHA CHAKRAVARTHY, J.

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3. Accordingly, the case in P.R.C.No.700008 of 2019 of Judicial Magistrate Court No.2, Mayiladuthurai, Mayiladuthurai Taluk, Mayiladuthurai, stands closed. This Sua Motu Transfer Case is disposed of.

16.10.2025

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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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