



Crl.O.P.No.32139 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

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THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.32139 of 2024

R.Sholinga Raja

... Petitioner

Vs.

The State Represented by
The Sub – Inspector of Police
District Crime Branch
Erode District.
(Cr.No.11/2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS Act, 2024, pleaded to pass an order of Direction directing the Hon'ble Judicial Magistrate No.II at Erode to dispose of the case in C.C.No.415 of 2023 pending before Judicial Magistrate No.II at Erode expeditiously within stipulated time as fix by this Hon'ble Court.

For Petitioner : Mr.K.J.Shiva Arudhra

For Respondent : Mr.S.Sugendran,
Additional Public Prosecutor



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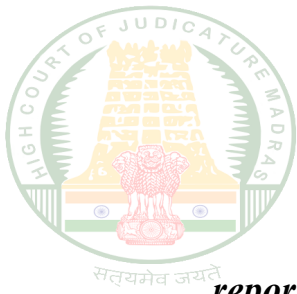
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ORDER

This Criminal Original Petition has been filed seeking direction to the learned Judicial Magistrate No.II at Erode to dispose the case in C.C.No.415 of 2023 within stipulated time as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

3. It would be appropriate to note that since thousands of cases are pending in the Courts and the litigants are awaiting in a long queue, the Hon'ble Supreme Court in the case of ***Sangram Sadashiv Suryavanshi Vs. The State of Maharashtra*** in ***Criminal Appeal No.4758 of 2024 dated 25.11.2024*** has observed that the High Courts are fixing a time-bound schedule for conclusion of the trials in a routine manner despite the decisions of the Constitution Bench of the Supreme Court in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh***



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reported in (2024) 6 SCC 267, which reads as under:

"47.3. constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending."

4. In view of the above decisions of the Hon'ble Supreme Court, this Court is not inclined to fix any specific time limit. However, the trial court is directed to dispose the case in accordance with law.

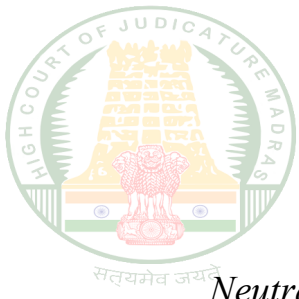
5. Accordingly, this Criminal Original Petition is dismissed.

21.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No



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Neutral Citation: Yes/No

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To

- 1.The Judicial Magistrate No.II at Erode.
- 2.The Sub – Inspector of Police
District Crime Branch
Erode District.
- 3.The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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