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Suo Motu TR.No.20085 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM:

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

Suo Motu TR.No.20085 of 2025

(C.C.No.238 of 2022 of Judicial Magistrate No.II, Hosur Taluk, Krishnagiri)

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.(Crl.) No.618 of 2025.

2. This case in Cr.No.280 of 2021 is registered for alleged offences under Sections 279 and 304(A) of IPC. In this case defacto complainant submitted that they are not aware of the procedure to be followed for filing a claim petition. Let a set of papers be served on the defacto complainant and if they want any legal aid and the legal aid shall also be provided to them, if the defacto complainant wants to file a claim petition. It is further submitted that there is no previous or subsequent case as against the accused and presently, the case is pending at the summon stage.



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D.BHARATHA CHAKRAVARTHY, J.

mpl

3. Considering the factual matrix, context of the case, antecedents of the accused, the reason for absence from his usual place and the submission that, despite best efforts, the 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 C.C.No.238 of 2022 of Judicial Magistrate No.II, Hosur Taluk, Krishnagiri is quashed and this Sua Motu Transfer Case is disposed of. It is made clear that if any claim petition is filed, the disposal of this case, will not in any manner prejudice the same.

27.10.2025

mpl

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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