



Crl.OP.No.29790 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.29790 of 2025

and

Crl.MP.Nos.20296 & 20297 of 2025

1. Praveen Kumar
2. Naveenkumar
3. Karthik

...Petitioners

Vs.

1. State rep. by,
The Inspector of Police,
Rasipuram Police Station,
Namakkal.
(Crime No.191 of 2023)

2. Geetha

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to call for the records relating to the impugned charge sheet in C.C.No.141 of 2023 on the file of the learned Judicial Magistrate, Rasipuram and quash the same.

For Petitioners : Mr.S.Sriram

For Respondents : Mr.R.Vinothraja, GA(Crl. Side), for R1



CrI.OP.No.29790 of 2025

ORDER

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This criminal original petition has been filed seeking quashment of the proceedings in C.C.No.141 of 2023 on the file of the Judicial Magistrate, Rasipuram.

2. Based on the complaint lodged by the 2nd respondent/de facto complainant alleging that on 03.04.2023, certain unknown persons were doing wheeling in the main road leading to Attur, causing hindrance and in a way threatening the general public, a case in Crime No.191 of 2023 came to be registered on the file of the 1st respondent. On completion of the investigation, the final report came to be filed before the learned Judicial Magistrate, Rasipuram as against the petitioners for the offences under Sections 279, 283 and 290 of IPC and Section 184 of the Motor Vehicles Act and the same was taken on file in C.C.No.141 of 2023. Challenging the same, the petitioners have come up with this petition.

3. Learned counsel for the petitioners submitted that as per the FIR, the accused who allegedly involved in the stunt in a public place on two-wheelers bearing Registration Nos.TN-57-D-6028 and TN-88-U-2589 are

2/6



Crl.OP.No.29790 of 2025

unknown, and the petitioners and witnesses are absolute strangers, with no identification parade having been conducted. He further submitted that the RC books were not seized and produced before the trial court to confirm that the petitioners were the ones who performed the alleged motorcycle stunt. Accordingly, he submitted that the ingredients for attracting the alleged offences under Sections 279, 283 and 290 of IPC and Section 184 of the Motor Vehicles Act have not been established and therefore, he prayed for quashing the impugned proceedings in C.C.No.141 of 2023, pending on the file of the learned Judicial Magistrate, Rasipuram.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the 1st respondent-Police submitted that there are witnesses who speak about having identified the petitioners and that a tea shop worker and a juice shop owner have identified the petitioners. He also submitted that there are other materials to show that the petitioners have committed the aforesaid offences and therefore, necessarily the trial has to go on, as the same is a matter for trial.



5. Heard the learned counsel on either side and perused the materials available on record.

6. Though very many grounds have been raised by the learned counsel for the petitioners stating that the ingredients attracting the offences are not established, when it is the specific claim of the prosecution that there are witnesses to say that the petitioners have committed the abovesaid offences, the same are matter for trial and the same cannot be adjudicated before this Court under Section 482 of Cr.P.C. and it is for the petitioners to substantiate their claim by negating the deposition of the prosecution witnesses. Therefore, this Court is not inclined to interfere with the impugned proceedings in C.C.No.141 of 2023, pending on the file of the learned Judicial Magistrate, Rasipuram.

7. However, the petitioners are at liberty to raise all theses grounds before the trial court and since the case is of the year 2023, the trial court shall complete the trial proceedings in C.C.No.141 of 2023 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.



CrI.OP.No.29790 of 2025

8. While holding so, this Court is not oblivious of the judgment of the Hon'ble Supreme Court in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in (2024) 6 SCC 267, the relevant portion of 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."
(emphasis supplied by this Court).

9. It has also been held in the aforesaid extracted portion that in exceptional circumstances, constitutional courts may issue directions for time bound disposal of cases.

10. This criminal original petition stands dismissed, however, with the aforesaid direction. Consequently, the connected miscellaneous petitions are closed.

03.11.2025

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NCC : Yes/No

5/6



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Crl.OP.No.29790 of 2025

A.D.JAGADISH CHANDIRA, J.

skt

To:

1. The Judicial Magistrate,
Rasipuram.
2. The Inspector of Police,
Rasipuram Police Station,
Namakkal.
3. The Public Prosecutor,
Madras High Court.

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