



WEB COPY

CRL OP No. 32824 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 32824 of 2025

Nalin Sadhuranga @ Chanuka Dhakanayaka @ Ladya
S/o.Chandra Sena

Petitioner

Vs

The State rep. by
the Deputy Superintendent of Police,
CBCID, Coimbatore.
(Crime No.2 of 2020)

Respondent

PRAYER Criminal Original Petition filed under Section 482 of Cr.P.C./528 of BNSS, 2023, directing the trial Court to commit the case and ensure completion of the proceedings in P.R.C.No.137 of 2025 in Crime No.2 of 2020, by expediting all further steps within the time frame prescribed by this Court.

For Petitioner: Mr.R.Rafi Babu

For Respondent: Mr.S.Santhosh,
Government Advocate (Crl. Side)

ORDER

This criminal original petition has been filed seeking a direction to the trial Court to commit the case and ensure completion of the proceedings in P.R.C.No.137 of 2025 in Crime No.2 of 2020 for the offences under Sections 466, 468, 471, 417, 419, 177, 182 and 120B of IPC and Section 25(1A) of Arms Act, 1959 and Section 14 of the Foreigners Act, 1946, by expediting all further steps within the time frame prescribed by this Court.



2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the respondent submitted that it is a case of possessing fake identity; the petitioner herein is an accused and he is a Sri Lankan national. He further submitted that apart from this case, there are two other cases pending against the petitioner and the petitioner is currently in prison.

3. It is pertinent to state that a Constitution Bench of the Supreme Court, in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in (2024) 6 SCC 267, has held that the constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other court. The relevant portion of the said decision for the sake of ready reference is reproduced below:

"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).



4. 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.

5. Considering the facts and circumstances of the case, the petitioner is a Srilankan national, the complaint is of the year 2020 from the date of registration of the FIR, the charge sheet has been filed in the year 2025, after about five years from the date of registration of the FIR and also considering the petitioner is currently in prison, this Court directs the learned Chief Judicial Magistrate, Coimbatore, to commit the case in P.RC.No.137 of 2025 to the Court of Session concerned, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order and after committal, the trial Court shall take every endeavour to complete the trial at the earliest.

6. With the above directions, this criminal original petition stands disposed of.

02-12-2025

vum
Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No



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A.D.JAGADISH CHANDIRA,J.

vum

To

1.The Deputy Superintendent of Police,
CBCID, Coimbatore.

2. The Chief Judicial Magistrate,
Coimbatore.

3. The Public Prosecutor,
Madras High Court, Chennai.

02-12-2025