



Crl.OP.No.34709 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM:

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

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R.Shobitha

...Petitioner

Vs.

1. State rep. by its,
Inspector of Police,
Karipatty Police Station,
Salem District.
Crime No.133 of 2016

2. Prabhakaran
3. Prabhu
4. Pauldhinakaran
5. Raja

...Respondents

Criminal Original Petition filed under Section 528 of BNSS, 2023 to direct the learned Sessions Judge, Mahalir Neethimandram, Salem to dispose the case in S.C.No.281 of 2017 within the stipulated time as prescribed by this Hon'ble Court.

For Petitioner : Mr.C.Deepakkumar

For Respondents : Mr.S.Santhosh, GA(Crl. Side), for R1



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ORDER

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This criminal original petition has been filed by the petitioner/de facto complainant seeking expeditious disposal of S.C.No.281 of 2017 pending on the file of the learned Sessions Judge, Mahalir Neethimandram, Salem, arising out of the FIR in Crime No.133 of 2016 registered for the offences under Sections 294(b), 506(ii) and 302 of IPC on the file of the 1st respondent, within a stipulated time.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that there are twenty six (26) witnesses in this case and that the case is now posted on 07.01.2026 for examination of PWs.2 to 5.

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

4. 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



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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).

5. 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.

6. At the same time, considering the facts and circumstances of this case and also considering that the case is of the year 2017 and the same has been pending for the past eight years, this Court directs the learned Sessions



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Judge, Mahalir Neethimandram, Salem, to dispose of the case in S.C.No.281 of 2017, as expeditiously as possible, preferably within a period of one year from 07.01.2026, i.e., the next date of hearing.

7. With the above direction, this criminal original petition stands disposed of.

19.12.2025

skt

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

To:

1. The Sessions Judge, Mahalir Neethimandram,
Salem.

2. The Inspector of Police,
Karipatty Police Station,
Salem District.

3. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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