

Crl.O.P.(MD)Nos.13199 of 13200 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.08.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)Nos.13199 of 13200 of 2025

Crl.O.P.(MD)No.13199 of 2025

Navaneetha Krishnan

... Petitioner

versus

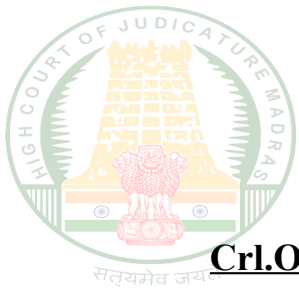
The State of Tamil Nadu, Rep. by
The Inspector of Police,
Vellanur Police Station,
Pudhukottai District.

... Respondent

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Judicial Magistrate No.II, Pudukottai to expedite the case in C.C.No.95 of 2024 pending on his file and to dispose of the same as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. side)



Crl.O.P.(MD)Nos.13199 of 13200 of 2025

Crl.O.P.(MD)No.13200 of 2025

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1. Navaneetha Krishnan
2. Murugaiyan

... Petitioners

versus

The State of Tamil Nadu, rep. by
The Inspector of Police,
Vellanur Police Station,
Pudukottai District.

... Respondent

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Judicial Magistrate No.II, Pudukottai to expedite the case in C.C.No.10 of 2025 pending on his file and to dispose of the same as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioners : Mr.R.Anand

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. side)

COMMON ORDER

Crl.O.P.(MD)No.13199 of 2025 has been filed by one Navaneetha Krishnan, who is claiming to be the Defacto complainant in C.C.No.95 of 2024, seeking a direction to the learned Judicial Magistrate No.II, Pudukkottai, to dispose of the case in C.C.No.95 of 2024 pending on its



CrI.O.P.(MD)Nos.13199 of 13200 of 2025

file.

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2. CrI.O.P.(MD)No.13200 of 2025 has been filed by the said Navaneetha Krishnan along with his brother Murugaiyan, who are accused Nos.1 and 2 in C.C.No.10 of 2025, seeking a direction to the learned Judicial Magistrate No.II, Pudukkottai, to dispose of the case in C.C.No.10 of 2025 pending on its file.

3. The learned counsel appearing for the petitioners submits that the defacto complainant Navaneetha Krishnan is working as Constable and his brother Murugaiyan is working as Inspector of Police in Erode. While so, in a civil dispute, a case has been registered as against them in Crime No.2 of 2024 and a counter complaint has also been lodged by the said Navaneetha Krishnanan, which was registered in Crime No.3 of 2024 and both the cases have been registered as case and counter case. Thereafter, the respondent Police has conducted the investigation and filed the final report in both the cases and the same were taken on file in C.C.No.95 of 2025 and C.C.No.10 of 2025 respectively. The learned counsel for the petitioners submits that in view of the pendency of the



Crl.O.P.(MD)Nos.13199 of 13200 of 2025

criminal case, the petitioners' promotional opportunities are affected.

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Therefore, these petitions have been filed seeking a direction to the trial Court to conclude the trial in C.C.No.95 of 2025 and C.C.No.10 of 2025 within a stipulated time.

4. Mr.P.Kottaichamy, learned Government Advocate (Crl. Side) takes notice for the respondent Police and submits that the final report in Crime No.3 of 2024 has been filed in the month of December 2024 and the final report in Crime No.2 of 2024 has been filed in the month of January 2025. Both the cases have been posted for further hearing on 12.08.2025 and 18.08.2025 respectively. According to the learned Government Advocate (Crl. side), the accused are yet to appear before the court and trial is yet to commence. He further submits that there are cases pending on the file of the learned Judicial Magistrate No.II, Pudukkottai, even from the year 1999.

5. This Court considered the rival submissions made.



Crl.O.P.(MD)Nos.13199 of 13200 of 2025

6. The petitioner in Crl.O.P.(MD)No.13199 of 2025 is the defacto complaint in Crime No.3 of 2024. He and his brother have been arrayed as accused in Crime No.2 of 2024. The petitioners claim that due to the civil dispute, the case in Crime No.2 of 2024 has been foisted against them and final reports in Crime Nos.2 and 3 of 2024 have been filed before the trial Court and the same were taken on file in C.C.Nos 10 of 2025 and 95 of 2024 respectively.

7. The grievance of the petitioners/accused is that in view of this criminal cases, their promotional opportunities are affected. The trial Court is expected to take up the matters only on chronological basis. The trial Courts are also answerable to other complainants and accused, who are also waiting in queue before the concerned Judicial Magistrate Court. Moreover, the Constitution Bench of the Hon'ble Supreme Court in ***High Court Bar Association, Allahabad vs. State of U.P. and others [(2024) 2 SCR 946]*** has held that constitutional Courts should normally refrain from fixing a time-bound schedule for disposal of cases pending before any court, unless the circumstances so warrant. The relevant portion is extracted as under:



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CrI.O.P.(MD)Nos.13199 of 13200 of 2025

“32. Therefore, constitutional Courts should not normally fix a time-bound schedule for disposal of cases pending in any Court. The pattern of pendency of various categories of cases pending in every Court, including High Courts, is different. The situation at the grassroots level is better known to the judges of the concerned Courts. Therefore, the issue of giving out-of turn priority to certain cases should be best left to the concerned Courts. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.”

Therefore, this Court is not inclined to issue any specific direction to the trial Court to conclude the trial within a stipulated time.

8. Considering the grievance expressed by the learned counsel for the petitioners that in view of the pendency of the criminal case, the petitioners' promotional opportunities are affected, the trial court shall find out the possibility of concluding the trial as expeditiously as possible depending upon its work. The trial Court shall also find out the possibility of conducting trial in both the cases simultaneously.



CrI.O.P.(MD)Nos.13199 of 13200 of 2025

9. Accordingly, both the Criminal Original Petitions are closed.

WEB COPY

07.08.2025

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

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To

1. The Inspector of Police,
Vellanur Police Station,
Pudhukottai District.
2. The learned Judicial Magistrate No.II,
Pudukottai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.O.P.(MD)Nos.13199 of 13200 of 2025

B.PUGALENDHI, J.

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CrI.O.P.(MD)Nos.13199 of 13200 of 2025

07.08.2025