



Suo Motu TR.(MD).No.226 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 29.08.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.226 of 2025

(C.C.No.755 of 2019 on the file of the Judicial Magistrate No.V Court,
Madurai, Madurai District)

The Sub-Inspector of Police,
Oomachikulam Police Station
Madurai District.

... Petitioner

Vs.

Karthikeyan

... Respondent

Upon perusing the documents and case records of the above C.C.No. 755 of 2019 transmitted to this Court and hearing the arguments of ***Mr.S.Ravi, learned Additional Public Prosecutor***, on behalf of the State and ***hearing the jurisidiction probation officer*** this Court passes the following



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ORDER

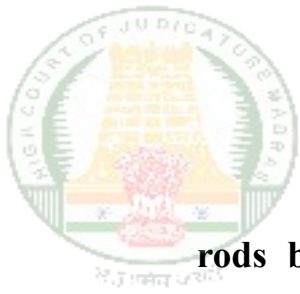
WEB COPY **Prelude:**

"This dedicated bench is for implementing the pilot project to identify and dispose of criminal cases involving offences punishable with imprisonment up to 3 years pending at trial, appeal or revision stage for more than 3 years and also offences like Section 506(ii) of IPC and others, which may carry a punishment of more than 3 years in the State of Tamil Nadu with reference to the 14 Districts coming under the Madurai Bench of Madras High Court".

2.This Dedicated Bench has taken the **C.C.No.755 of 2019** on the file of the **Judicial Magistrate No.V Court, Madurai, Madurai District** as ***Suo motu* Special Tr.Case.(MD) No.226 of 2025** in **Suo Motu W.P. (CrI.).(MD).No.1014 of 2025**, upon proper scrutiny this court feels that it is a fit case for warranting the exercise of power under Article 226 of Constitution of India to quash the said C.C., which is pending for more than **three** years without any progress.

3.Brief facts of the prosecution case in C.C.No.755 of 2019:

on 11.05.2019 at 13.00 hours, the accused committed theft of iron



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rods belonging to the defacto complainant. Therefore, a case was registered in **Crime No.87 of 2019** for the offences punishable under **Sections 379 and 511 of IPC** and on investigation, final report was filed and the same was taken on file in **C.C.No.755 of 2019** and the same is pending without trial for more than **three** years.

4.Discussion:

4.1.Today, the learned Judicial Magistrate has appeared through video conference. The accused and the police official were present before the learned Judicial Magistrate Court. The accused have filed admission petition and pleaded guilty and seek to give leniency in imposing punishment.

4.2.This Court satisfies the admission petition filed without any coercion or threat and this Court also explains the contents of the accusation to the accused and he admit the contents of the admission petition and pleaded guilty.

4.3.In view of the above admission and pleading of guilty and considering the material allegation made in the final report did not relate to the economic and heinous offence and their conduct is good and the charged offence is punishable with **imprisonment of either description**



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for a term which may extend to three years, or with fine, or with both and the case is pending for more than three years without trial and the same offend the violation Article 21 of the fair and speedy trial, this Court is inclined to admit the petition and convict the accused under Section **379 and 511 IPC.**

5.Discussion on the question of punishment:-

The accused is aged about 43 years respectively and now he is doing the coolie work and he is not involved in further offence and considering the mitigating circumstances, and following the law laid down by the Hon'ble Supreme Court in the case of *Sunita Devi Vs. State of Bihar and another reported in 2014 SCC Online SC 984, 2025 INSC 1014 (K.Ponnammal Vs. State)* and also taken into account of the victim received the stolen articles and he also not interested in prosecuting the case and recovery witness where about also not known and the accused also regularly appearing before the Court for the past two years and also on the reiterated the principle of the Hon'ble Supreme Court in the cases of *M.W.Mohiuddin V. State of Maharashtra reported in (1995) 3 SCC 567 and B.G.Goswarmi V. Delhi Administration reported in (1974) 3 SCC 85* that delay itself amounts to punishment, which must weigh in sentencing



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and disposal, this court is inclined to impose fine of Rs.1,000/- with default sentence of two months simple imprisonment.

5. Accordingly, this *Suo Motu Special Tr.(MD)*. Case stands closed on the following terms:

5.1. the accused is convicted under Section **379 and 511 IPC** in **C.C.No.67 of 2020** on the file of the learned **Judicial Magistrate No.V, Melur Taluk.** and sentenced to undergo which he had already undergone

5.2. the accused is directed to pay fine of **Rs.1,000/-** and in default he is directed to undergo two months simple imprisonment .

5.3. The accused is directed to execute the bond as to the satisfaction of the learned Judicial Magistrate under Section 4 of the Probation Offenders Act.

29.08.2025

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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



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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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K.K.RAMAKRISHNAN,J.

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Order made in
SUO MOTU Tr. (MD).No.226 of 2025

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