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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 28.08.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.404 of 2025

(S.T.C.No.101903 of 2018 on the file of the District Munsif cum Judicial Magistrate Court, Shenkottai, Tenkasi District)

The Sub-Inspector of Police,
Ilathur Police Station,
Tenkasi District.
(Crime No.61 of 2018) ... Petitioner

Vs.

Thirumalaimari ... Respondent

Upon perusing the documents and case records of the above S.T.C.No.101903 of 2018 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

ORDER

Prelude:

"This dedicated bench is for implementing the pilot project to

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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 **S.T.C.No.101903 of 2018** on the file of the **District Munsif cum Judicial Magistrate Court, Shenkottai, Tenkasi District** as ***Suo motu*** **Special Tr.Case.(MD) No.404 of 2025** in Suo Motu W.P.(Crl.).(MD).No.1014 of 2025, upon proper scrutinity 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 S.T.C., which is pending for more than **six** years without any progress.

3.**Brief facts of the prosecution case in S.T.C.No.101903 of 2018:**

When the defacto complainant drive his vehicle bearing registration No.TN 76 AH 3757 on 24.03.2018 at 14.30 hours, the accused came in opposite direction in his vehicle bearing registration No.TN 76 K 6360 in rash and negligent manner in drunken mode and

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hit the defacto complainant's vehicle and caused damages. Therefore, a case was registered in **Crime No.61 of 2018** for the offences punishable under **Sections 279 and 185 IPC** and on investigation, final report was filed and the same was taken on file in **S.T.C.No.101903 of 2018** and the same is pending without trial for more than **three** years.

4.**Discussion:**

4.1 Today, the learned District Munsif cum Judicial Magistrate has appeared through video conference. The accused and the police official were present before the learned District Munsif cum Judicial Magistrate. The accused has filed an admission petition and pleaded guilty and seeks leniency in imposing punishment.

4.2. This Court explains the contents of the accusation to the accused, and he admits the contents of the admission petition and pleads guilty. Thus, this court satisfies the admission petition filed without any coercion or threat.

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

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description 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 impinge the fair and speedy trial as envisaged under Article 21 of the Constitution of India, this Court is inclined to admit the petition and convict the accused for the offence under **Sections 279 and 185 IPC.**

5.Discussion on the question of sentence:-

The accused is aged above 48 years and he has two child/children and he is doing the farmer work and he has 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 the accused also regularly appearing before the Court for the past eight 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 and disposal, this court is inclined to impose fine of Rs.4,000/- with default sentence of two months simple imprisonment.

5.Accordingly, this Suo Motu Special Tr.(MD). Case stands closed

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on the following terms:

5.1. The accused is convicted for the offence under **Sections 279 and 185 IPC** in S.T.C. No.101903 of 2018 on the file of the District Munsif cum Judicial Magistrate, Shenkottai.

5.2. The accused is directed to pay a fine of Rs.4,000/- before the District Munsif cum Judicial Magistrate, Shenkottai, and in default, he is directed to undergo two months simple imprisonment.

28.08.2025

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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 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.404 of 2025

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