



Suo Motu TR.(MD).No.5526 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 28.08.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.5526 of 2025

(S.T.C.No.304 of 2021 on the file of the District Munsif cum Judicial
Magistrate Court, Vilathikulam Taluk, Thoothukudi)

The Sub Inspector of Police,
Masarpatti Police Station,
Thoothukudi District.

... Petitioner

Vs.

Kumar

... Respondent

Upon perusing the documents and case records of the above
C.C.No.304 of 2021 transmitted to this Court and hearing the arguments of
Mr.S.Ravi, learned Additional Public Prosecutor, on behalf of the State,
this Court passed the following



Suo Motu TR.(MD).No.5526 of 2025

WEB COPY

ORDER

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.304 of 2021** on the file of the **District Munsif cum Judicial Magistrate Court, Vilathikulam Taluk, Thoothukudi** as *Suo motu* Special Tr.Case.(MD) No.1445 of 2025 in *Suo Motu* W.P.(Crl.).(MD).No.1014 of 2025, upon proper scrutiny and considering its suitability that it is a fit case warranting the exercise of power under Article 226 of Constitution of India to quash the said C.C., which is pending for more than **four years** without any progress.



Suo Motu TR.(MD).No.5526 of 2025

3. Brief facts of the prosecution case in C.C.No.304 of 2021:

WEB COPY

Due to the dispute with regard to fire crackers in the congested street during the Diwali festival, on 28.10.2019 the accused made repeated calls to P.W.1 and abused him in filthy language. The same was brought to the knowledge of the father of the accused. Due to which, the accused is said to have waylaid P.W.1 and abused him in filthy language and pushed him down. Thereby, P.W.1 sustained injury. On seeing the same, P.W.2 to P.W.4 made an alarm. Subsequently, the accused threatened P.W.1 with dire consequences by showing an iron rod. Therefore, a case was registered in **Crime No.71 of 2019** for the offence punishable under Sections **294(b), 506(2) and 352 of IPC**, and on investigation, final report was filed and the same was taken on file in **C.C.No.304 of 2021** and the same is pending without trial for more than three years.

4. Discussion:

4.1.Both the complainant and the Inspector of Police appeared through video conference and the complainant submitted that she has settled the issue with the accused and both are living peacefully and agreed to close the case. He also stated that he is consenting without any coercion



Suo Motu TR.(MD).No.5526 of 2025

and also this Court on noting the demeanor of the complainant, finds no chance for coercion or threat.

4.2. *Mr.s.Ravi, the learned Additional Public Prosecutor* also submitted that the accused has no previous antecedents.

4.3. Due to the dispute between them, the complainant made a complaint and final report was filed and the same was taken on file in **C.C.No.304 of 2021** and pending. Both parties buried the hatchet dispute bonafidely and filed the compromise memo. Considering that the dispute is trivial in nature and now both the complainant and accused have settled their dispute voluntarily without any threat or coercion, and living peacefully and since the case comes within the parameters of law laid down by the Honourable Supreme Court in the cases of *Gian Singh Vs. State of Punjab* and *Another* reported in (2012) 10 SCC 303, *State of Madhya Pradesh Vs. Laxmi Narayan and Others* reported in (2019) 5 SCC 688 and other related judgments and the case is pending without trial for more than three years and continuation of the trial by examining the witnesses would lead to wastage of time and wastage of Government exchequer and also lead to docket explosion without adjudication and the



Suo Motu TR.(MD).No.5526 of 2025

chance of conviction even after the full-fledged trial would also bleak, this Court is inclined to quash the proceedings by exercising power under Section 482 Cr.P.C.

5. Accordingly, the **C.C.No.304 of 2021** on the file of **District Munsif cum Judicial Magistrate Court, Vilathikulam Taluk, Thoothukudi**, is quashed and this *Suo Motu* Transfer case stands closed.

28.08.2025

dss

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.



WEB COPY



Suo Motu TR.(MD).No.5526 of 2025

K.K.RAMAKRISHNAN,J.

dss

Order made in
SUO MOTU Tr. (MD).No.5526 of 2025

28.08.2025