



Suo Motu TR.(MD).No. 12762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 13.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.12762 of 2025

**(C.C.No.441 of 2010 on the file of the Judicial Magistrate Court No.II,
Nagercoil, Nagercoil Taluk, Kanniyakumari)**

The Sub Inspector of Police,
Kottar Police Station,
Kanniyakumari District.
Crime No.926 of 2010

... Petitioner

Vs.

Shajahan

... Respondent

Upon perusing the documents and case records of the above **C.C.No.441 of 2010** transmitted to this Court and hearing the arguments of **Mr.S.Ravi, learned Additional Public Prosecutor**, on behalf of the State and **Mr.____**, learned counsel for the accused, and **hearing the jurisdiction probation officer** this Court passes the following

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,



Suo Motu TR.(MD).No. 12762 of 2025

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.441 of 2010** on the file of the learned **Judicial Magistrate Court No.I, Tirunelveli Taluk, Tirunelveli**, as **Suo motu Special Tr.Case.(MD) No.12762 of 2025** in **Suo Motu W.P.(CrI).(MD).No.1014 of 2025**, upon proper scrutiny and suitability as a fit case warranting the exercise of power under section 482 of Cr.P.C. to quash the said C.C., pending more than **fifteen years** without any precedent value in this pilot project.///// **No Facts found. FIR cannot be downloaded. /////**

3. **Brief facts of the prosecution case in C.C.No.441 of 2010:**

On 23.09.2018, at about 11.30 a.m, the accused are alleged to have committed the theft of a cell phone and cash amount of Rs.4,000/- which was kept in the money purse of the complainant. Therefore, a case was registered in Crime No.112 of 2018 for the offence punishable under Section 379 and on investigation, final report filed and the same was taken on file in C.C.No.441 of 2010 and the same was pending



Suo Motu TR.(MD).No. 12762 of 2025

without trial for more than **fifteen years**.

WEB COPY

4. Discussion:

4.1. The occurrence is of the year 2018. Since the accused are in absconding, non-bailable warrant has been issued against them. The accused were in prison for a period of 30 days. The victim appeared before this court and she has not interested in prosecuting the case and the property was recovered and the same was handed over to the complainant. Despite the best efforts made by the investigating agency, the accused have not been secured for more than **fifteen years**, and the identity of the accused remains in question. Even if the accused were secured and a trial would have been conducted, the chance of conviction is bleak, and the **case has been pending from 2016 onwards**, and the right to a speedy trial under Article 21 of the Constitution of India has also been impinged. This court is inclined to quash the matter by exercise the power under section 482 of the Code of Criminal Procedure.

5. Accordingly, this Sua Motu Special Tr.(MD). case stands closed on the following terms:

5.1. The case in **C.C.No.441 of 2010** on the file of the learned



Suo Motu TR.(MD).No. 12762 of 2025

**Judicial Magistrate Court No.I, Tirunelveli, Tirunelveli Taluk,
Tirunelveli,** is hereby quashed.

18.09.2025

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. 12762 of 2025

K.K.RAMAKRISHNAN,J.

dss

Order made in
SUO MOTU TR.(MD).No.12762 of 2025

-

18.09.2025