



Suo Motu TR.(MD).No.13308 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.13308 of 2025

(C.C.No.199 of 2022 on the file of the Judicial Magistrate Court,
Rajapalayam)

The Inspector of Police,
Keelarajakularaman Police Station,
Virudhunagar District.

... Petitioner

Vs.

Marimuthu

... Respondent

Upon perusing the documents and case records of the above C.C.No. 199 of 2022 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 concerned probation officer* this Court passes the following

ORDER

Prelude:



Suo Motu TR.(MD).No.13308 of 2025

“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.199 of 2022** on the file of the **Judicial Magistrate Court, Rajapalayam** as *Suo motu Special Tr.Case.(MD) No.13308 of 2025* in *Suo Motu W.P.(Crl.) (MD).No.1014 of 2025*, upon proper scrutiny and suitability as a fit case warranting the exercise of power under Article 226 of Constitution of India to pass suitable order in the said C.C., pending more than **three years** without any precedent value in this pilot project.

3. **Brief facts of the prosecution case in C.C.No.199 of 2022:**

On 16.08.2021 at 01.49 a.m., the accused has committed the theft of Rs.300/- from the temple namely Shri Ananthamman Kovil, V.Pudur Village, by breaking open the doors of the temple. Therefore, a



Suo Motu TR.(MD).No.13308 of 2025

case was registered in **Crime No.127 of 2021 for the offence punishable under Sections 380 and 457 of IPC** and upon completion of investigation, final report filed and the same was taken on file in **C.C.No. 199 of 2022** and the same was 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 was already in custody and released on bail.** The accused has filed admission petition and pleaded guilty and seeks 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 contends 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



Suo Motu TR.(MD).No.13308 of 2025

charged offence is punishable with **imprisonment of either description for a term which may extend to three years, or with fine, or with both** and the case is pending for more than six 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 Sections 380 and 457 IPC.

5.Discussion on the question of punishment:-

The accused is aged about 36 years and is having two children and now he is taking Psychological treatment for his mental illness and also working as a driver 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*



Suo Motu TR.(MD).No.13308 of 2025

and B.G.Goswami 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.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 Sections 380 and 457 **IPC** in **C.C.No.199 of 2022** on the file of the learned **Judicial Magistrate, Rajapalayam Taluk** and sentenced to the imprisonment 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 each.

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.

14.10.2025

TM



Suo Motu TR.(MD).No.13308 of 2025

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.13308 of 2025

K.K.RAMAKRISHNAN,J.

TM

Order made in
SUO MOTU Tr.(MD).No.13308 of 2025

14.10.2025