



Suo Motu TR.(MD).No.13642 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 22.09.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.13642 of 2025

(C.C.No.16 of 2021 on the file of the Judicial Magistrate No.I Court,
Sivakasi)

The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

... Petitioner

Vs.

Muthuraj

... Respondent

Upon perusing the documents and case records of the above C.C.No. 16 of 2021 transmitted to this Court and hearing the arguments of Mr.S.Ravi, learned Additional Public Prosecutor on behalf of the State and hearing the concerned 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



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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.16 of 2021** on the file of the **Judicial Magistrate No.I Court, Sivakasi** as ***Suo motu Special Tr.Case.(MD) No.13642 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.16 of 2021:**

On 21.02.2021 at about 06.00 p.m., the accused committed theft of two wheeler belongs to the defacto complainant. Therefore, a case was registered in **Crime No.98 of 2021 for the offence punishable under Sections 379 IPC** and upon completion of investigation, final report filed and the same was taken on file in **C.C.No.16 of 2021** and the same was



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pending without trial for more than **three years**.

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4. Discussion:

4.1 Today, the learned Judicial Magistrate No.I has appeared through video conference. The accused and the police official were present before the learned Judicial Magistrate No.I Court. 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 the accused 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 their conduct is good and the 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 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



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petition and convict the accused for the offence under **Section 379 of IPC** and sentenced to the imprisonment which the accused had already undergone.

5. Discussion on the question of sentence:-

The accused is aged about 46 years and having two children. He appeared through video conference with age old illness and he is already in custody for three months. The accused is having no previous case. 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 that the accused also regularly appearing before the Court for the past three 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.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/- to each of the accused with default sentence of **two months** simple imprisonment.



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6. Accordingly, this *Suo Motu Special Tr.(MD)*. case stands closed

on the following terms:

6.1. The accused is convicted for the offence under **Section 379 of IPC in C.C.No.16 of 2021** on the file of the learned **Judicial Magistrate No.I Court, Sivakasi** and sentenced to the imprisonment which he had already undergone.

6.2. The accused is directed to execute the bond as to the satisfaction of the learned **Judicial Magistrate No.I Court, Sivakasi** under **Section 4 of the Probation Offenders Act, 1958**.

22.09.2025

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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
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