



Suo Motu TR.(MD).No.24229 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 20.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.24229 of 2025

C.C.No.161 of 2024

(On the file of the Judicial Magistrate, Kariyapatti)

The Sub Inspector of Police,
Mallankinaru Police Sation,
Virudhunagar District.

... Petitioner

Vs.

Senthilkumar

... Respondent

Upon perusing the documents and case records of the above **C.C.No.161 of 2024** on the file of the learned **Judicial Magistrate Court, Kariyapatti, Virudhunagar District** for offence under **Sections 341, 294(b), 323 and 506(i) of IPC** transmitted to this Court and hearing the arguments of *Mr.M.Sakthikumar, learned Government Advocate (Criminal Side)* on behalf of the State and hearing the *jurisdiction probation officer*, this Court passes the following



WEB COPY



Suo Motu TR.(MD).No.24229 of 2025

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.161 of 2024** on the file of the learned **Judicial Magistrate Court, Kariyapatti Taluk, Virudhunagar District** as **Suo motu Special Tr.Case.(MD) No.24229 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 a **year** without any precedent value in this pilot project.



Suo Motu TR.(MD).No.24229 of 2025

WEB COPY

3. Brief facts of the prosecution case in C.C.No.161 of 2017:

On 13.12.2019, at about 10.30 a.m., when the defacto complainant was passing in front of the accused's house, the accused abused him with threats of dire consequences, resulting in a wordy quarrel between them. In continuation of the said altercation, the accused assaulted the defacto complainant and caused injuries to him. Therefore, a case was registered in **Crime No.219 of 2019 for the offence punishable under Sections 341, 294(b), 323 and 506(i) IPC** and upon completion of investigation, final report filed and the same was taken on file in **C.C.No.161 of 2024** and the same was pending without trial for more a year.

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 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



Suo Motu TR.(MD).No.24229 of 2025

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 case is pending for more than **a year** 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 person under **Sections 341, 294(b), 323 and 506(i) IPC**

5. Discussion on the question of sentence:-

The accused is about 43 years old and is presently working as a daily wage labourer, and he had been in judicial custody for a period of 81 days 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 also taken into account that the accused also regularly appearing before the Court for the past **one year** and also on the reiterated



Suo Motu TR.(MD).No.24229 of 2025

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 convict the accused for the period of sentence already undergone by him, without imposing any fine.**

6. Accordingly, this *Suo Motu Special Tr.(MD).* case stands closed on the following terms:

6.1. The accused person is convicted for the period of sentence already undergone by him, without imposing any fine, for the offences under Sections 341, 294(b), 323 and 506(i) IPC in C.C.No.161 of 2024 on the file of the learned Judicial Magistrate Court, Kariyapatti, Virudhunagar District.

6.2. The Jailer, Sub Jail, Arupukottai, is hereby directed to release the accused/respondent forthwith unless, his presence is necessary in any other cases.

20.11.2025

sbn



Suo Motu TR.(MD).No.24229 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.

Copy to

- 1.The Judicial Magistrate,
Kariyapatti, Virudhunagar.
- 2.The Sub Inspector of Police,
Mallankinaru Police Sation,
Virudhunagar District.
- 3.The Jailer,
Sub Jail, Aruppukottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Suo Motu TR.(MD).No.24229 of 2025

K.K.RAMAKRISHNAN,J.

sbn

Order made in
SUO MOTU Tr. (MD).No.24229 of 2025

20.11.2025