



Suo Motu TR.(MD).No.27023 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 27.11.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.27023 of 2025

**(C.C.No.727 of 2025 on the file of the Judicial Magistrate Court,
Pattukottai Taluk, Thanjavur)**

The Sub Inspector of Police,
Adiramapattinam Police Station,
Thanjavur.
Crime No.2 of 2025

... Petitioner

Vs.

Elango (Ilango)

... Respondent

Upon perusing the documents and case records of the above **C.C.No.727 of 2025** 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



Suo Motu TR.(MD).No.27023 of 2025

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.727 of 2025** on the file of the **Judicial Magistrate Court, Pattukottai Taluk, Thanjavur** as **Suo motu Special Tr.Case.(MD) No.27023 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.,

3. Brief facts of the prosecution case in C.C.No.727 of 2025:

On 03.01.2025, at about 11.00 a.m, the accused is said to have committed the theft of ¼ unit of river sand. Therefore, a case was registered in Crime No.2 of 2025 for the offence punishable under Section 303(2) of BNS, and upon completion of investigation, final report filed and the same was taken on file in C.C.No.727 of 2025 and the same is pending.



Suo Motu TR.(MD).No.27023 of 2025

4. Discussion:

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4.1 Today, the learned Trial Judge has appeared through video conference. The accused and the police official were present before the learned Trial Judge. 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 his 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 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 for the offence under **Section 303(2) of BNS**. There is no bar to initiate the confiscation proceedings under the relevant statutes by following the procedure stated in the relevant Act.



Suo Motu TR.(MD).No.27023 of 2025

5. Discussion on the question of sentence:-

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The accused is aged about 57 years and he is doing coolie work and he was released on station bail and he has not involved in further occurrence 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 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.Goswarmi 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. 25,000/- (Rupees Twenty Five Thousand Only)** with default sentence of **two months** simple imprisonment.

6.Observation:

This Court suo motu called for the records and exercised its power under Section 482 Cr.P.C. and quash the same and hence this verdict does not confer any right to any of the accused or any party to file a case against the Investigating Agency for the malicious prosecution or claim damages.



Suo Motu TR.(MD).No.27023 of 2025

7. Precedent Value:

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The observations, discussions and decision made in this particular case cannot be treated as precedent in the case arising in future as the decision has been taken in this suo motu are based on the factual and legal basis of this particular case.

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

8.1. The accused is convicted for the offence under **Section 303(2) of BNS**, in **C.C.No.727 of 2025** on the file of the **Judicial Magistrate Court, Pattukottai Taluk, Thanjavur**.

8.2. The accused is **directed to pay a fine of Rs.25,000/- (Rupees Twenty Five Thousand Only)** before the **Judicial Magistrate Court, Pattukottai Taluk, Thanjavur**, and in default, he is directed to undergo **two months** simple imprisonment.

27.11.2025

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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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Suo Motu TR.(MD).No.27023 of 2025

K.K.RAMAKRISHNAN,J.

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Order made in
SUO MOTU Tr.(MD).No.27023 of 2025

27.11.2025