



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 678 of 2026

Rohith @ Banu Bauri

..Petitioner

Vs

1. The State Rep. by
The Inspector of Police,
Puzhal AWPS Police Station,
Chennai - 600 066.

2. Suresh

..Respondents

This Criminal Original Petition has been filed under Section 528 of BNSS, 2023, to call for the records and quash the proceedings/charge sheet with Special S.C.No.137/2024 for the offences U/s.366 of IPC and 9 of Child Marriage Act and U/s.5(i), r/w 6 of POCSO Act 2012 pending on the file of Sessions Judge, Magalir Neethimandram, Tiruvallur.

For Petitioner : Ms.R.Swetha

For Respondent-1: Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

When the matter was taken up for hearing today, the learned counsel appearing for the petitioner sought permission of this Court to withdraw this petition and also made an endorsement to that effect. However, she seeks a



direction to the learned Sessions Judge, Mahalir Neethimandram, Tiruvallur, to dispose of the case in Special S.C.No.137 of 2024 within a specific time.

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2. In view of the submission and the endorsement made by the learned counsel appearing for the petitioner, this Criminal Original Petition is dismissed as withdrawn.

3. It is pertinent to state that a Constitution Bench of the Supreme Court, in the case of ***High Court Bar Association, Allahabad vs. State of Uttar Pradesh*** reported in ***(2024) 6 SCC 267***, has held that the constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other court. The relevant portion of the said decision for the sake of ready reference is reproduced below:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending."

(emphasis supplied by this Court).

4. It has also been held in the aforesaid extracted portion that in exceptional circumstances, constitutional courts may issue directions for time bound disposal of cases.



5. At the same time, considering the facts and circumstances of this case, this Court directs the learned Sessions Judge, Mahalir Neethimandram, Tiruvallur, to dispose of the case in Special S.C.No.137 of 2024, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

19-01-2026

Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
SRM

To

1. The Sessions Judge,
Mahalir Neethimandram,
Tiruvallur.
2. The Inspector of Police,
Puzhal All Women Police Station,
Chennai - 600 066.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

SRM

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