



Crl.O.P.No.965 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2026

CORAM:

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

Crl.O.P.No.965 of 2026

V.Jayakumar Dhevan

... Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai.
2. A.Elumalai
3. E.Nalini
4. D.Venkateshan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to direct the learned Judicial Magistrate No.I, Alandur, to expedite the trial in C.C.No.401 of 2025 and dispose of the same within the time frame fixed by this Court.

For Petitioner : Mr.R.Suryanar Maheshan

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner seeking expeditious disposal of C.C.No.401 of 2025 pending on the file of the learned Judicial Magistrate No.I, Alandur, within a stipulated time.



2. Learned counsel appearing for the petitioner submitted that based on the complaint given by the petitioner/de facto complainant against respondents 2 to 4, the first respondent police registered a case in Crime No.297 of 2023 on 08.12.2023, for the offences under Sections 406 and 420 of IPC. He further submitted that after completion of investigation, the final report was filed and the same was taken cognizance of on the file of the Judicial Magistrate No.I, Alandur, in C.C.No.401 of 2025. However, the accused are not co-operating for the trial and it is still pending. He also submitted that the petitioner is a senior citizen aged about 72 years and is suffering from various ailments. Therefore, the learned counsel appearing for the petitioner prayed for the indulgence of this Court to direct early disposal of the case.

3. Learned Government Advocate (Criminal Side) appearing for the respondent submitted that there are six witnesses in this case and that the case now stands posted for initial questioning on 30.01.2026. He further submitted that the accused are appearing before the trial Court and no warrant is pending against them.

4. Heard the learned counsel appearing on either side and perused the materials available on record.



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5. It is pertinent to state that a Constitution Bench of the Hon'ble 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).

6. 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.



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7. Considering the facts and the exceptional circumstance of this case that the petitioner is a septuagenarian suffering from various ailments, this Court directs the learned Judicial Magistrate No.I, Alandur, to dispose of the case in C.C.No.401 of 2025, as expeditiously as possible, preferably within a period of **six months from the next date of hearing i.e., on 30.01.2026.**

8. With the above direction, this Criminal Original Petition stands disposed of.

20.01.2026

Neutral Citation: Yes/No
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To

1. The Judicial Magistrate No.I,
Alandur.
2. The Inspector of Police,
S-9, Palavanthangal Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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