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Crl. O.P. No.1430 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

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

Crl. O.P. No.1430 of 2026

K.Selvalakshmi

..Petitioner

Vs

The State of Tamil Nadu
through the Sub-Inspector of Police,
Arachalur Police Station,
Erode District.
(Crime No.245 of 2017 -
registered by Arachalur Police Station,
Erode District)

..Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, to direct the Magalir Neethimandram (Fast Track
Mahila Court), Erode to dispose of the case in S.C.No.4 of 2020 within the time
frame as stipulated by this Court.

For Petitioner : Mr.Deepan Uday

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



ORDER

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This Criminal Original Petition has been filed by the petitioner seeking expeditious disposal of S.C.No.4 of 2020 pending on the file of the Magalir Neethimandram (Fast Track Mahila Court), Erode, within a stipulated time.

2. Learned counsel appearing for the petitioner submitted that petitioner is the sole accused. The *de facto* complainant has given a false complaint against the petitioner, based on which, the respondent police registered a case in Crime No.245 of 2017 for the offence under Section 305 of IPC. He further submitted that after completion of investigation, the final report was filed and the same was taken on the file of the Magalir Neethimandram (Fast Track Mahila Court), Erode, in S.C.No.4 of 2020. He also submitted that the petitioner is aged about 59 years and is suffering from health issues. 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 totally 39 witnesses in this case, out of which, 2 witnesses passed away and that the case now stands posted to 04.02.2026 for commencement of trial.



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.



7. Taking into consideration the fact that the FIR was registered in the year 2017, and Sessions case is of the year 2020, this Court directs the Magalir Neethimandram (Fast Track Mahila Court), Erode, to dispose of the case in S.C.No.4 of 2020, as expeditiously as possible, preferably within a period of six months from the next date of hearing i.e., on 04.02.2026.

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

27-01-2026

Neutral Citation: Yes/No
MRN

To

1. The Sub-Inspector of Police,
Arachalur Police Station,
Erode District.
(Crime No.245 of 2017 -
registered by Arachalur Police Station, Erode District)
2. The Public Prosecutor,
High Court of Madras.
3. The Magalir Neethimandram
(Fast Track Mahila Court), Erode.



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A.D.JAGADISH CHANDIRA, J.

MRN

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