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Crl.O.P.No.4268 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM:

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

Crl.O.P.No.4268 of 2023
and
Crl.MP.Nos.2685 & 2686 of 2023

1. S.Sreevani
2. S.Magadheeswara Sagar ...Petitioners

Vs.

1. State rep. by,
The Inspector of Police,
Land Grabbing Team,
CCB, Team – 18,
Vepery, Chennai.
Crime No.3352 of 2012.
2. A.Karupanan ...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C, to call for the records and quash the final report in C.C.No.423 of 2014 on the file of the Court of the Judicial Magistrate No.1, Alandur and all further proceedings pursuant thereto as against the petitioners.

For Petitioners : Mr.I.Inian,
for Mr.T.Saikrishnan

For Respondents : Mr.S.Vinoth Kumar, GA(Crl. Side), for R1
: No Appearance, for R2



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ORDER

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This criminal original petition has been filed seeking to quash the proceedings in C.C.No.423 of 2014 pending on the file of the Judicial Magistrate Court No.1, Alandur.

2. When the matter was taken up for hearing today, it was brought to the notice of this Court that the trial in this case has already commenced and thirteen (13) witnesses have already been examined and the case now stands posted to 17.02.2026.

3. Taking note of the facts and circumstances of the case and also considering the fact that the trial has already commenced in this matter, this Court is not inclined to interfere with the trial proceedings at this stage.

4. At this juncture, the learned counsel for the petitioners sought the indulgence of this Court, to dispense with the personal appearance of the petitioners before the trial Court.



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5. Given the stage of the case which is sought to be quashed, this criminal original petition stands dismissed. However, acceding to the aforesaid submission made by the learned counsel for the petitioners, the personal appearance of the petitioners before the trial Court is dispensed with, except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C., passing of judgment, or any other date as may be required by the trial Court. The petitioners shall be duly represented by their counsel before the trial Court on all hearing dates.

6. Further, considering the fact that the case is of the year 2014, which in the opinion of this Court, is an exceptional circumstance, the trial court is directed to complete the trial as expeditiously as possible, preferably within a period of six (6) months from the next hearing date ie., 17.02.2026.

7. While holding so, this Court is not oblivious of the judgment 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, the relevant portion of which reads as under:



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"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).

8. To be noted, 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.

9. As far as the stay petition in Crl.MP.No.2685 of 2023 is concerned, the same stands closed. As regards Crl.MP.No.2686 of 2023, which is filed for dispensing with personal appearance, the same is ordered in the above terms.

09.02.2026

skt

NCC : Yes/No

4/6



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To:

1. The Judicial Magistrate No.1,
Alandur.
2. The Inspector of Police,
Land Grabbing Team,
CCB, Team – 18,
Vepery, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

skt

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