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CRL OP No. 3088 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

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THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 3088 of 2026

S.Muralidharan
S/o S.R.Srinivasan

..Petitioner(s)

Vs.

1. The State Rep By
The Inspector of Police
CBI/BS and FC,
No.36, Bellary Road,
Ganganagar,
Bangalore

2. K.Siddareddy
DGM, State Bank of India,
Commercial Branch,
No.1443 Trichy Road
Coimbatore.

..Respondent(s)

Prayer: The Criminal Original Petition filed under Section 528 of the BNSS, 2023, seeking a direction to the Chief Judicial Magistrate's Court, Coimbatore, to complete the trial and dispose of the Criminal Case in C.C.No.13 of 2018 within the time limit prescribed by this Court.

For Petitioner(s): Mr.A.Sam Arul Prasath

For Respondent(s): Mr.K.Srinivasan
Special Public Prosecutor - R1

ORDER

Furtherance, to the order passed by this Court on 11.02.2026 as extracted



below:

“ The petitioner / A4, who is facing trial in C.C.No.13 of 2018 for offence under Section 420 of I.P.C., filed this petition, seeking a direction for speedy disposal of the case.

2.The contention of the petitioner is that the petitioner has been appearing before the trial Court for almost seven (7) years and there is no substantial progress in the case. For the past 16 months and for 25 hearings, there was no progress and no witnesses were produced. Hence, filed the above petition.

3.The learned Special Public Prosecutor appearing on behalf of the C.B.I. filed short notes regarding the delay in trial and the prevailing situation before the trial Court. The relevant paragraph is extracted hereunder:

“The scheduling and progress of the present case are governed by the priority guidelines issued by the Hon'ble High Court regarding the disposal of old cases. As per the said directions, the Trial Court is required to prioritise cases pending for more than 15 years, which are generally listed two to three times in a month, followed by cases pending for more than 10 years, which are generally listed at least twice in a month. Only thereafter the cases pending for less than 10 years taken up. Since the present case is less than 10 years old case, it falls within the third category of priority. Consequently, the matter is generally assigned one effective hearing in a month, subject to the availability of the Court and clearance of older priority cases.

The pace of the proceedings has, at times, been affected by unavoidable institutional and administrative circumstances beyond the



control of the prosecution. These include periods during which the post of the Presiding Officer remained vacant, occasions when the learned Presiding Officer was engaged in official inspections and administrative assignments, and dates on which the Court had a heavy board, including recording of evidence in older and higher-priority matters, which necessitated adjournments in the present case.”

4. In view of the above, this Court finds that the report from the learned Chief Judicial Magistrate, Coimbatore is necessary in this regard.

5. The Registry is directed to send the copy of above petition along with this order copy and call for the report from the learned Chief Judicial Magistrate, Coimbatore. The learned Chief Judicial Magistrate, Coimbatore is directed to send a report, on or before 20.02.2026.

The report from the Chief Judicial Magistrate, Coimbatore in D.No.330/2026 dated 13.02.2026 received. The Chief Judicial Magistrate in his report submitted that regarding the disposal of old cases the trial periodically adjourned the cases generally two to three times in a month. As far as this case is concerned, from 01.09.2025 to 28.01.2026 for nine hearings, case was adjourned for examination of LW15 and LW22. Further, there was advocates' boycott during the month of December 2025 till 09.01.2026. Hence, the case could not be progressed as per schedule. He further submitted that the trial Court is burdened with filing of cases under Income Tax Department, GST, Customs and Central Excise, Factories Act, Child Labour Act and the cases instituted by the State Police, CBCID and CBI in addition to the administration



of 18 Criminal Courts in Coimbatore District.

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2.No doubt, as Chief Judicial Magistrate, the officer has administration duties, overseeing jurisdiction of 18 Courts in Coimbatore District . The day to day function is by the concerned Judicial Officer and the Chief Judicial Magistrate is only a supervising officer. Hence, that cannot be a reason. Further, as Chief Judicial Magistrate trying various department cases is common, and cannot termed as over burdened.

3.Finding that from 05.09.2024, the respondent / CBI not produced witnesses and it is seen that out of 56 witnesses, 21 witnesses so far examined and remaining 35 witnesses to be examined, the trial Court is directed to give preference to this case and to conclude the trial within period of nine (9) months without giving any further reasons.

4.Further, the Special Public Prosecutor in his report submitted that the prosecution identified C.C.No.13 of 2018 as a targetted case for disposal during the year 2026 and undertakes to extend full cooperation to the trial Court to ensure that the remaining witnesses evidence is recorded and the trial is concluded expeditiously subject to the scheduling constrains and work load of the Court.



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

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

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To.

1. The Inspector of Police
CBI/BS and FC,
No.36, Bellary Road,
Ganganagar,
Bangalore.

2. Chief Judicial Magistrate Court
Coimbatore

3. The Public Prosecutor
High Court of Madras
Chennai 600 104



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M.NIRMAL KUMAR, J.

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